

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **House Bill 4708**

BY DELEGATES WALKER, FLEISCHAUER, ZUKOFF, AND

YOUNG

[Introduced February 15, 2022; Referred to the  
Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
2 designated §16-5DD-1, relating to requiring primary care physicians to provide disclosures  
3 to patients regarding triple negative breast cancer.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5DD. TRIPLE NEGATIVE BREAST CANCER DISCLOSURES.**

**§16-5DD-1. Triple negative breast cancer findings and required disclosure.**

1 (a) Triple-negative breast cancer (TNBC) accounts for about 10 to 15 percent of all breast  
2 cancers. The term triple-negative breast cancer refers to the fact that the cancer cells don't have  
3 estrogen or progesterone receptors (ER or PR) and also don't make any or too much of the protein  
4 called HER2. These cancers tend to be more common in women younger than age 40, who are  
5 Black, or who have a BRCA1 mutation. TNBC differs from other types of invasive breast cancer  
6 in that it grows and spreads faster, has limited treatment options, and has a worse prognosis than  
7 a majority of other breast cancers.

8 (b) It is crucial to make women aware of the threat of this particular type of breast cancer.  
9 All primary care physicians in the state of West Virginia are required to counsel their female  
10 patients about Triple Negative Breast Cancer, its signs and symptoms, the difference between  
11 TNBC and other cancers, and treatments.

NOTE: The purpose of this bill is to require primary care physicians to provide disclosures to patients regarding triple negative breast cancer.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.