

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3101

By Delegates Jeffries, Kimble, Warner, Crouse, Tully,
and Dittman

[Introduced January 27, 2023; 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 section,
2 designated §16-5A-6, relating to the notification of breast density; and providing for
3 medical guidelines and information.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5A. CANCER CONTROL.

§16-5A-6. Notification of breast density.

1 If a mammography screening indicates that a patient has heterogeneously or extreme
2 dense breasts (based upon the Breast Imaging Reporting and Data System established by the
3 American College of Radiology):

4 (a) A radiologist or mammography facility that is certified by the United States Food and
5 Drug Administration or by a certification agency approved by the United States Food and Drug
6 Administration shall include in the patient lay summary the following language: "Your mammogram
7 shows that your breast tissue is (include patient's specific density category: heterogeneously or
8 extremely) dense. Dense breast tissue is very common and is not abnormal. However, dense
9 breast tissue can make it harder to find cancer on a mammogram and also may increase your risk
10 of developing breast cancer. Because you have dense breast tissue, you could benefit from
11 additional imaging tests such as a screening breast ultrasound or breast magnetic resonance
12 imaging (MRI). This information about your breast density is being provided to you to raise your
13 awareness. It is important to continue routine screening mammograms and use this information to
14 speak to your health care provider about your own risks for breast cancer. At that time, ask your
15 health care provider if more screening tests might be useful based on your risk. A report of your
16 mammogram results was sent to your health care provider."

17 (b) Information about a patient's breast density category shall also be included in the
18 mammography report provided to the referring or named healthcare provider.

19 (c) Along with the letter referenced above in subsection (a), the patient may also be
20 provided with any other materials concerning breast density which may include, but are not limited

- 21 to, the American College of Radiology's most current brochure on the subject of breast density or
22 the medically sourced educational website DenseBreast-info.org.

NOTE: The purpose of this bill is to provide for medical guidelines and information related to breast density.

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