

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 792

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 17, 2012

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 792.

This bill, with committee amendments, requires health insurers to cover comprehensive ultrasound breast screening if a mammogram demonstrates certain dense breast tissue, and also requires certain mammogram reports to contain information on breast density.

The bill, as amended, provides specifically as follows:

- In addition to the existing health benefits coverage requirement for mammograms under State law, health insurers are to provide health benefits coverage for comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or extremely dense breast tissue based on the Breast Imaging Reporting and Data System established by the American College of Radiology or if a woman is believed to be at increased risk for breast cancer due to family history or prior personal history of breast cancer, positive genetic testing, or other indications as determined by a woman's physician or advanced practice nurse.
- The provisions of the bill apply to: health, hospital and medical service corporations; commercial individual and group health insurers; health maintenance organizations; health benefits plans issued pursuant to the New Jersey Individual Health Coverage and Small Employer Health Benefits Programs; and the State Health Benefits Program (which by law requires coverage under the School Employees' Health Benefits Program as well).
- The insurance coverage requirement takes effect on the first day of the fourth month following enactment of the bill and applies to all health insurance contracts and policies that are delivered, issued, executed, or renewed or approved for issuance or renewal in this State on or after the effective date.

In addition, if a patient's mammogram demonstrates heterogeneous or extremely dense breast tissue, the bill requires the mammogram report to include information about breast density. (Federal law requires a mammography facility to provide a mammography report

containing the imaging results to the patient and the patient's provider within 30 days of the exam.)

The mammography report is to include the following notice: "Your mammogram shows that your breast tissue is dense. Dense breast tissue is very common and is not abnormal. However, dense breast tissue can make it harder to find cancer on a mammogram and may also increase your breast cancer risk. This information about the result of your mammogram is given to you to raise your awareness. Use this information to talk to your doctor about your own risks for breast cancer. At that time, ask your doctor if more screening tests might be useful, based on your risk. A report of your results was sent to your physician."

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

Committee Amendments:

The committee amended the bill to:

- clarify that the requirement for health insurers to cover comprehensive ultrasound breast screening would only apply if a mammogram demonstrates heterogeneous or extremely dense breast tissue; and

- modify the language required to be included in a mammography report pursuant to section 10 of the bill and clarify that the notice is required only if a patient's mammogram demonstrates heterogeneous or extremely dense breast tissue.