

**ASSEMBLY RESOLUTION No. 166**

**STATE OF NEW JERSEY**

INTRODUCED JUNE 5, 1997

**By Assemblywomen HECK, VANDERVALK, Murphy,  
Assemblyman Jones, Assemblywoman Quigley,  
Assemblyman Felice and Assemblywoman Weinberg**

1 **AN ASSEMBLY RESOLUTION** memorializing the President and Congress of the  
2 United States concerning recommendations to support and strengthen  
3 breast cancer screening efforts.

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5 **WHEREAS**, On Mrch 27, 1997, the National Cancer Institute issued a joint  
6 statement of agreement with the American Cancer Society that  
7 "mammography screening of women in their 40's is beneficial and  
8 supportable with the current evidence;" however, unlike the American  
9 Cancer Society, the National Cancer Institute has not adopted a policy  
10 which recommends that women in their 40's receive an annual  
11 mammography screening; and

12 **WHEREAS**, Since 1993, the National Cancer Institute had maintained a policy  
13 of not recommending universal breast cancer screening for mammography  
14 beginning at age 40, based upon a perceived lack of clear scientific  
15 evidence for a reduction in deaths among women in their 40's; and this  
16 policy had been reaffirmed by the majority statement issued by the panel  
17 convened by the National Institutes of Health (NIH) Consensus  
18 Development Conference on Breast Cancer Screening for Women Ages  
19 40-49 in January 1997, which found that the data on randomized  
20 controlled trials presented at the conference did not warrant a single  
21 recommendation for mammography screening for all women in their 40's  
22 and that each woman should decide for herself, in consultation with a health  
23 care professional, whether to undergo mammography; and

24 **WHEREAS**, The position taken by the NIH consensus development panel to  
25 eschew any recommendation for women to begin receiving mammography  
26 screening by age 40 was flatly rejected by a wide and impressive array of  
27 organizations, including: the American Academy of Family Physicians, the  
28 American Association of Women Radiologists, the American Cancer  
29 Society, the American College of Radiology, the American Medical  
30 Association, the American Osteopathic College of Radiology, the  
31 American Society for Therapeutic Radiology and Oncology, the American  
32 Society of Clinical Oncology, the American Society of Internal Medicine,  
33 the College of American Pathologists, and the National Medical

1 Association, as well as a minority report issued by dissenting members of  
2 the NIH consensus development panel; and

3 **WHEREAS**, The very same statement issued by the above panel which declined  
4 to recommend mammograms for women in their 40's explicitly  
5 acknowledged that breast cancer is the single leading cause of death  
6 among women ages 40-49 in the United States, and that the incidence of  
7 breast cancer approximately doubles from ages 40 to 49; and

8 **WHEREAS**, More than 30,000 women in the United States ages 40 to 49 are  
9 diagnosed with breast cancer each year; and, according to a recent  
10 statement issued by the American College of Radiology, two independent  
11 studies from Sweden found a statistically significant decrease in the breast  
12 cancer death rate of 44% and 36%, respectively, for women who began  
13 mammography screening in their 40's; and

14 **WHEREAS**, In addition to the potential for saving lives, detecting breast cancer  
15 at an early stage can give a patient more choice in selecting among various  
16 treatment options, e.g., more women with cancer detected by  
17 mammography have the option of lumpectomy, rather than mastectomy,  
18 compared with women whose cancers were detected by palpation; and

19 **WHEREAS**, Initiating mammography screening at age 40 might increase  
20 screening compliance in later years, since screening at an early age could  
21 provide an opportunity for early patient education and increased awareness  
22 of, access to, and utilization of health care; and

23 **WHEREAS**, Current mammographic technology has improved from that used  
24 in the randomized controlled trials that were initiated between 1963 and  
25 1982, which served as the basis for the NIH consensus development  
26 panel's conclusions, thereby putting in question the relevance of these  
27 research data with respect to the medical value of mammograms for  
28 women ages 40 to 49 today; and

29 **WHEREAS**, A joint public hearing conducted by the Assembly Policy and  
30 Regulatory Oversight Committee and the Assembly Health Committee on  
31 March 21, 1997 to discuss the NIH consensus development panel's  
32 conclusions found widespread support for mammography screening of  
33 women in their 40's from representatives of: the American Cancer Society-  
34 New Jersey Division, Inc., the American College of Radiology, the  
35 Medical Society of New Jersey, the New Jersey Association of  
36 Osteopathic Physicians and Surgeons, the University of Pennsylvania  
37 Medical Center, the Cancer Institute of New Jersey, the  
38 UMDNJ/University Hospital, Cooper Hospital/University Medical Center,  
39 Newark Beth Israel Medical Center, Englewood Hospital, the UMDNJ-  
40 New Jersey Medical School, Monmouth Medical Center, Somerset  
41 Medical Center, the Radiology Group of New Brunswick, the New Jersey  
42 Health Officers Association, the New Jersey Breast and Cervical Cancer  
43 Control Initiative in the Department of Health and Senior Services, the

1 Commission on Cancer Research, the Division on Women in the  
2 Department of Community Affairs, and the Camden County Department  
3 of Health and Human Services, as well as the New Brunswick Area Senior  
4 Medical Director for the Bristol-Myers Squibb Company Pharmaceutical  
5 Group and members of the general public; and

6 **WHEREAS**, The Board of Directors of the American Cancer Society, on  
7 March 21, 1997, voted to incorporate within its guidelines a  
8 recommendation that women begin annual mammography screening at age  
9 40; and

10 **WHEREAS**, The established medical need for annual mammography  
11 screening extends beyond women ages 40 to 49 all the way to those who  
12 are senior citizens, who are most at risk of developing breast cancer;  
13 however, the federal Medicare program currently will only cover a  
14 mammogram every two years; and

15 **WHEREAS**, The members of this House believe it would be a tragic  
16 mistake, the consequences of which may be measured in the lives of  
17 younger, middle-aged and older women, to continue current federal  
18 government policy regarding the lack of official support by the National  
19 Cancer Institute for a recommendation that women ages 40 to 49 receive  
20 an annual mammography screening and the failure of the Medicare  
21 program to cover annual mammograms for its women beneficiaries; now,  
22 therefore,

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24 **BE IT RESOLVED** by the General Assembly of the State of New Jersey:

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26 1. This House memorializes the President and the Congress of the United  
27 States to endorse and seek to implement changes in current federal  
28 government policy, as well as the National Cancer Institute to revise its  
29 position, regarding the need for women ages 40 to 49 to receive an annual  
30 mammography screening in accordance with the guidelines of the American  
31 Cancer Society, and to ensure that the Medicare program covers annual  
32 mammograms for its women beneficiaries.

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34 2. A duly authenticated copy of this resolution, signed by the Speaker of  
35 the General Assembly, and attested by the Clerk of the General Assembly,  
36 shall be forwarded to the President of the United States, the United States  
37 Secretary of Health and Human Services, the Director of the National Cancer  
38 Institute, and each member of the United States Congress elected from the  
39 State of New Jersey.

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STATEMENT

This Assembly Resolution memorializes the President and the Congress of the United States to endorse and seek to implement changes in current federal government policy, as well as the National Cancer Institute to revise its position, regarding the need for women ages 40 to 49 to receive an annual mammography screening in accordance with the guidelines of the American Cancer Society, and to ensure that the Medicare program covers annual mammograms for its women beneficiaries.

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Memorializes President and Congress to support recommendations for annual mammograms for women ages 40 to 49 and Medicare coverage of annual mammograms.