COMMITTEE REPORT

April 13, 2016

**S. 339**

Introduced by Senators Lourie and Scott

S. Printed 4/13/16--H.

Read the first time March 17, 2015.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (S. 339) to amend the Code of Laws of South Carolina, 1976, so as to enact “Hope’s Law” by adding Section 44‑115‑160 so as to require mammogram, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting language and inserting:

/ SECTION 1. This act is entitled “Hope’s Law”.

SECTION 2. Chapter 115, Title 44 of the 1976 Code is amended by adding:

“Section 44‑115‑160. A mammography report must be provided to a patient by the mammogram provider, and this report must include information about breast density based on the requirements of the Breast Imaging Reporting and Data System established by the American College of Radiology. Where applicable, this report must include:

(1) a notice in conspicuous language which states: ‘Your mammogram shows that your breast tissue is dense. Dense tissue is common and is not abnormal. However, dense breast tissue can make it harder to evaluate the results of your mammogram and may also be associated with an increased risk of breast cancer. This information about the results of your mammogram is given to you to raise your awareness and to inform your conversations with your doctor. Together, you can decide which screening options are right for you. A report of your results was sent to your physician.’; and

(2) consumer or patient information available from the American College of Radiology about breast density and mammogram reports.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have no expenditure impact on the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

Senate Bill 339 amends Chapter 115, Title 44, the “Physicians’ Patient Records Act,” by adding Section 44-115-160 to require that mammogram providers supply each patient with a report that includes patient-specific information about breast density and provides conspicuous notice when a mammogram shows the presence of dense tissue. The bill provides the specific language to be included in such a notice.

**Public Employee Benefit Authority.**

The authority reports that this bill would have no expenditure impact on the State Health Plan, the general fund, federal funds, or other funds. The bill requires the mammogram provider to issue the reports.

**Department of Health and Environmental Control.**

The department reports that this bill would have no expenditure impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “HOPE’S LAW” BY ADDING SECTION 44‑115‑160 SO AS TO REQUIRE MAMMOGRAM PROVIDERS TO PROVIDE A MAMMOGRAM REPORT TO PATIENTS ABOUT BREAST DENSITY AND TO REQUIRE THESE PROVIDERS TO INCLUDE A CONSPICUOUS NOTICE WHEN A MAMMOGRAM SHOWS THE PRESENCE OF DENSE BREAST TISSUE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act is entitled “Hope’s Law”.

SECTION 2. Chapter 115, Title 44 of the 1976 Code is amended by adding:

“Section 44‑115‑160. A mammography report must be provided to a patient by the mammogram provider, and this report must include information about breast density based on the requirements of the Breast Imaging Reporting and Data System established by the American College of Radiology. Where applicable, this report must include the following notice in conspicuous language: ‘Your mammogram shows that your breast tissue is dense. Dense tissue is common and is not abnormal. However, dense breast tissue can make it harder to evaluate the results of your mammogram and may also be associated with an increased risk of breast cancer. This information about the results of your mammogram is given to you to raise your awareness and to inform your conversations with your doctor. Together, you can decide which screening options are right for you. A report of your results was sent to your physician.’ ”

SECTION 3. This act takes effect upon approval by the Governor.

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