

2018 Regular Session

HOUSE BILL NO. 460

BY REPRESENTATIVES STOKES, AMEDEE, ANDERS, CHAD BROWN, CARPENTER, CONNICK, CROMER, DAVIS, HILL, HOLLIS, HUVAL, JACKSON, MARCELLE, MORENO, PIERRE, SEABAUGH, SMITH, TALBOT, THOMAS, AND WHITE AND SENATORS BARROW, MIZELL, AND PETERSON

INSURANCE/HEALTH: Provides that mammography examinations may be conducted through digital tomosynthesis

1 AN ACT

2 To amend and reenact R.S. 22:1028(A)(2)(introductory paragraph) and (4) and (D), R.S.  
3 40:1105.13(B), and R.S. 46:975(B)(introductory paragraph),(C)(1), and (D), to enact  
4 R.S. 46:975(E) and 975.1, and to repeal R.S. 22:1028(B)(3), relative to mandatory  
5 coverage for breast cancer screening services; to define minimum mammography  
6 examination for health plan benefits; to define digital breast tomosynthesis; to define  
7 mammography examination for state cancer control and prevention programs; to  
8 designate certain breast cancer screening services as Medicaid covered services; to  
9 repeal outdated provisions; to provide for an effective date; and to provide for related  
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 22:1028(A)(2)(introductory paragraph) and (4) and (D) are hereby  
13 amended and reenacted to read as follows:

14 §1028. Early screening and detection requirements; examination; coverage

15 A.

16 \* \* \*



1 §975. Women's cancer prevention program

2 \* \* \*

3 B. In this Section, "minimum mammography examination" means  
4 mammographic examinations, including but not limited to digital breast  
5 tomosynthesis, performed no less frequently than the following schedule provides:

6 \* \* \*

7 C.(1) In this Section, "minimum mammography examination" means an  
8 examination, including but not limited to digital breast tomosynthesis, performed  
9 routinely according to age requirements as set forth by department regulations, or  
10 performed no less frequently than required by the treating physician.

11 \* \* \*

12 D. In this Section, "digital breast tomosynthesis" means a radiologic  
13 procedure that involves the acquisition of projection images over the stationary  
14 breast to produce cross-sectional digital three-dimensional images of the breast.

15 E. The department shall adopt all regulations deemed necessary in order to  
16 effectuate the provisions of this Section.

17 §975.1. Mammography; medical assistance program

18 A. The minimum mammography examination provided for in R.S. 22:1028  
19 shall be a covered service in the medical assistance program.

20 B. For the purposes of this Section, "medical assistance program" means the  
21 medical assistance program provided for in Title XIX of the Social Security Act as  
22 administered by the Louisiana Department of Health.

23 Section 4. R.S. 22:1028(B)(3) is hereby repealed in its entirety.

24 Section 5(A). This Act shall become effective on January 1, 2019.

25 (B) This Act shall apply to any new policy, contract, program, or health coverage  
26 plan issued on and after January 1, 2019. Any policy, contract, or health coverage plan in  
27 effect prior to January 1, 2019, shall convert to conform to the provisions of this Act on or  
28 before the renewal date, but no later than January 1, 2019.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 460 Engrossed

2018 Regular Session

Stokes

**Abstract:** Authorizes mammography examinations to be conducted through digital breast tomosynthesis.

Proposed law defines "digital breast tomosynthesis" as a radiologic procedure that involves the acquisition of projection images over the stationary breast to produce cross-sectional digital three-dimensional images of the breast.

Present law requires any health coverage plan which is delivered or issued for delivery in this state to include benefits payable for a minimum mammography examination performed no less frequently than the following schedule:

- (1) One baseline mammogram for any woman who is 35 through 39 years of age.
- (2) One mammogram every 24 months for any woman who is 40 through 49 years of age, or more frequently if recommended by her physician.
- (3) One mammogram every 12 months for any woman who is 50 years of age or older.

Proposed law retains present law and further provides that the minimum mammography examination may be conducted through digital breast tomosynthesis.

Present law applies to any new policy, contract, program, or health coverage plan issued on or after Jan. 1, 1992. Further requires any policy, contract, or health coverage plan in effect prior to Jan. 1, 1992, to convert to conform to the provisions of this Subsection on or before the renewal date but in no event later than Jan. 1, 1993.

Proposed law repeals the effective dates and deadlines which have already passed.

Present law applies, effective July 1, 1998, to the Office of Group Benefits programs.

Proposed law retains present law but repeals the effective date which has already passed.

Present law establishes a statewide Breast Cancer Control Program within the Women's Health Program of the La. Dept. of Health, office of public health to provide preventive, health, and medical care that concentrates on breast cancer detection, prevention, and treatment.

Proposed law retains present law.

Present law requires the program to provide mammography examinations routinely according to age requirements established by department regulations, or performed no less frequently than required by a treating physician.

Proposed law retains present law and further provides that the mammography examination may be conducted through digital breast tomosynthesis.

Present law requires the La. Dept. of Health, office of public health to provide a special program of preventive, health, and medical care for women, who otherwise qualify by law, that concentrates on cancer prevention in women. Further requires the program to provide

a minimum mammography examination performed no less frequently than the following schedule provides:

- (1) One baseline mammogram for any woman who is 35 through 39 years of age.
- (2) One mammogram every 24 months for any woman who is 40 through 49 years of age, or more frequently if recommended by her physician.
- (3) One mammogram every 12 months for any woman who is 50 years of age or older.

Proposed law retains present law and further provides that the minimum mammography examination may be conducted through digital breast tomosynthesis.

Present law also requires the program to provide mammography examinations routinely according to age requirements established by department regulations, or performed no less frequently than required by a treating physician

Proposed law retains present law and further provides that the minimum mammography examination may be conducted through digital breast tomosynthesis.

Proposed law requires the minimum mammography examination provided for in proposed law to be a covered service in the Louisiana Medicaid program.

Present law requires any health coverage plan which is delivered or issued for delivery in the state to provide coverage for detection of prostate cancer, including digital rectal examination and prostate-specific antigen testing for men over the age of 50 years and as medically necessary and appropriate for men over the age of 40 years. Present law applies to any new policy, contract, program, or health coverage plan issued on and after Jan. 1, 1998 and requires any policy, contract, or health coverage plan in effect prior to Jan. 1, 1998, to convert to conform to the provisions of present law on or before the renewal date, but no later than Jan. 1, 1998.

Proposed law retains present law but repeals all of the effective dates and deadlines which have already passed.

Proposed law applies to any new policy, contract, program, or health coverage plan issued on and after Jan. 1, 2019. Any policy, contract, or health coverage plan in effect prior to Jan. 1, 2019, shall convert to conform to the provisions of proposed law on or before the renewal date, but no later than Jan. 1, 2019.

Effective Jan. 1, 2019.

(Amends R.S. 22:1028(A)(2)(intro. para.) and (4) and (D), R.S. 40:1105.13(B), and R.S. 46:975(B)(intro. para.), (C)(1), and (D); Adds R.S. 46:975(E) and 975.1; Repeals R.S. 22:1028(B)(3))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Change the requirement to an authorization for the minimum mammography examination to be conducted through digital breast tomosynthesis.