

2018 Regular Session

SENATE BILL NO. 556

BY SENATORS CARTER, BOUDREAUX, CLAITOR, ERDEY, LUNEAU, MILLS AND
PRICE AND REPRESENTATIVE STOKES

HEALTH CARE. Provides relative to information and access to breast reconstructive surgery. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 40:1103.1 and to enact R.S. 40:1103.5, relative to health care,
3 to provide for information and access to breast reconstructive surgery; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1103.1 is hereby amended and reenacted and R.S. 40:1103.5 is
7 hereby enacted to read as follows:

8 §1103.1. Short title

9 This Part shall be known and may be cited as the "Carter Stokes Oral and
10 Written Summary of Breast Cancer Treatment Alternatives **and Access to Breast**
11 **Reconstruction Surgery Information** Law".

12 * * *

13 §1103.5. Information and access to breast reconstructive surgery

14 Every hospital licensed by the Louisiana Department of Health pursuant
15 to R.S. 40:2100 et seq., that provides mastectomy surgery, lymph node
16 dissection, or a lumpectomy shall provide information to the patient concerning
17 the option of reconstructive surgery following such procedures, including the

1 availability of coverage for reconstructive surgery, in accordance with the state
 2 insurance law and applicable provisions of federal law. The information shall
 3 be provided to the patient in writing and in advance of obtaining consent to the
 4 surgical procedure. The information provided shall include at least the
 5 following:

6 (1) A description of the various reconstructive options and the
 7 advantages and disadvantages of each.

8 (2) A description of the provisions assuring coverage by public and
 9 private insurance plans of the costs related to reconstructive surgery under
 10 federal and state law.

11 (3) A description of how a patient may access reconstructive care,
 12 including the potential of transferring care to a facility that provides
 13 reconstructive care or choosing to pursue reconstruction after completion of
 14 breast cancer surgery and chemo/radiotherapy, if warranted.

15 (4) Such other information as may be required by the secretary of health.

The original instrument was prepared by Jerry J. Guillot. The following digest, which does not constitute a part of the legislative instrument, was prepared by Christine Arbo Peck.

DIGEST

SB 556 Engrossed

2018 Regular Session

Carter

Proposed law requires every hospital licensed by the Louisiana Department of Health that provides mastectomy surgery, lymph node dissection, or a lumpectomy to provide information to the patient concerning the option of reconstructive surgery following such procedures, including the availability of coverage for reconstructive surgery, in accordance with the state insurance law and applicable provisions of federal law.

Proposed law requires the information be provided to the patient in writing and in advance of obtaining consent to the surgical procedure.

Proposed law requires that the information include at least the following:

- (1) A description of the various reconstructive options and the advantages and disadvantages of each.
- (2) A description of the provisions assuring coverage by public and private insurance plans of the costs related to reconstructive surgery under federal and state law.
- (3) A description of how a patient may access reconstructive care, including the potential of transferring care to a facility that provides reconstructive care or choosing to pursue reconstruction after completion of breast cancer surgery and

chemo/radiotherapy, if warranted.

- (4) Such other information as may be required by the secretary of health.

Present law is known as the "Oral and Written Summary of Breast Cancer Treatment Alternatives Law". Proposed law renames Part as the "Carter Stokes Oral and Written Summary of Breast Cancer Treatment Alternatives and Access to Breast Reconstruction Surgery Information Law".

Effective August 1, 2018.

(Amends R.S. 40:1103.1; adds R.S. 40:1103.5)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Clarifies that the requirement to provide reconstruction surgery information applies to all hospitals licensed by LDH.
2. Renames law as the "Carter Stokes Oral and Written Summary of Breast Cancer Treatment Alternatives and Access to Breast Reconstruction Surgery Information Law".