

2021 Regular Session

SENATE BILL NO. 119

BY SENATORS TARVER, BOUDREAUX, CARTER AND TALBOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH/ACC INSURANCE. Provides relative to health insurance coverage for mammography. (1/1/22)

1 AN ACT

2 To amend and reenact R.S. 22:1028(A)(2), relative to health screening for breast cancer; to
3 provide criteria for early screening for breast cancer based on various criteria; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1028(A)(2) is hereby amended and reenacted to read as follows:

7 §1028. Early screening and detection requirements; examination; coverage

8 A.(1) * * *

9 (2) In this Subsection, "minimum mammography examination" means
10 mammographic examinations, including but not limited to digital breast
11 tomosynthesis (**DBT**), performed no less frequently than the following schedule **and**
12 **criteria of the American Society of Breast Surgeons** provides:

13 (a)(i) ~~One~~ **Except as provided in this Subparagraph, one** baseline
14 mammogram for any woman who is thirty-five through thirty-nine years of age.

15 **(ii) For women with a hereditary susceptibility from pathogenic**
16 **mutation carrier status or prior chest wall radiation, an annual MRI starting**
17 **at age twenty-five and annual mammography (DBT preferred modality)**

1 starting at age thirty.

2 (iii) Annual mammography (DBT preferred modality) and access to
 3 supplemental imaging (MRI preferred modality) starting at age thirty-five upon
 4 recommendation by her physician if the woman has a predicted lifetime risk
 5 greater than twenty percent by any model, a strong family history, or is at a
 6 higher risk for a diagnosis of breast cancer at an earlier age based on ethnicity
 7 or race.

8 (b) ~~One mammogram every twenty-four months~~ Annual mammography
 9 (DBT preferred modality) for any woman who is forty ~~through forty-nine~~ years of
 10 age, ~~or more frequently if recommended by her physician~~ or older.

11 (i) Consideration given to supplemental imaging, if recommended by her
 12 physician, for women with increased breast density (C and D density).

13 (ii) Access to annual supplemental imaging (MRI preferred modality),
 14 if recommended by her physician, for women with a prior history of breast
 15 cancer below the age of fifty or with a prior history of breast cancer at any age
 16 and dense breast (C and D density).

17 (c) ~~One mammogram every twelve months for any woman who is fifty years~~
 18 ~~of age or older.~~

19 Section 2. This Act shall become effective on January 1, 2022; if vetoed by the
 20 governor and subsequently approved by the legislature, this Act shall become effective on
 21 January 1, 2022, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Thomas L. Tyler.

DIGEST

SB 119 Engrossed 2021 Regular Session Tarver

Present law requires that health coverage plans which are delivered or issued for delivery in this state include benefits payable for an annual Pap test and minimum mammography examination.

Present law defines "minimum mammography examination" as mammographic examinations, including but not limited to digital breast tomosynthesis, performed no less frequently than the following schedule provides:

- (1) One baseline mammogram for any woman who is 35-39 years of age.

- (2) One mammogram every 24 months for any woman who is 40-49 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 the schedule and provides for earlier screening based on certain criteria of the American Society of Breast Surgeons as follows:

- (1) (a) Regarding the single baseline mammogram for women 35-39, provides for annual MRI starting at age 25 and annual mammography starting at age 30, if there is a hereditary susceptibility from pathogenic mutation carrier status or prior chest wall radiation.
- (b) Provides for annual mammography (DBT preferred modality) and access to supplemental imaging (MRI preferred modality) starting at age 35 if recommended by the woman's physician and the woman has a predicted lifetime risk greater than 20% by any model, a strong family history, or a higher risk of a diagnosis of breast cancer at an earlier age based on ethnicity or race.
- (2) Annual mammography (DBT preferred modality) for any woman who is forty years of age or older.
 - (a) Consideration given to supplemental imaging, if recommended by her physician, for women with increased breast density (C and D density).
 - (b) Access to annual supplemental imaging (MRI preferred modality), if recommended by her physician, for women with a prior history of breast cancer below the age of fifty or with a prior history of breast cancer at any age and dense breast (C and D density).

Effective January 1, 2022.

(Amend R.S. 22:1028(A)(2))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Adds provisions referencing DBT preferred modality and MRI preferred modality.
2. Adds provisions concerning annual mammography for women age 40 or older and for consideration for supplemental imaging if recommended by physician with increased breast density (C and D density).
3. Adds provisions for access to annual supplemental imaging if recommended by her physician, for women with a prior history of breast cancer below the age of 50 or who have a prior history of breast cancer at any age and dense breast (C and D density).