CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE SENATE BILL 5084**

Chapter 122, Laws of 2018

65th Legislature

2018 Regular Session

BREAST HEALTH INFORMATION--MAMMOGRAPHY

EFFECTIVE DATE: January 1, 2019

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| Passed by the Senate March 5, 2018  Yeas 48 Nays 0  CYRUS HABIB  **President of the Senate**  Passed by the House February 27, 2018  Yeas 98 Nays 0  FRANK CHOPP  **Speaker of the House of Representatives** | CERTIFICATE  I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5084** as passed by Senate and the House of Representatives on the dates hereon set forth.  BRAD HENDRICKSON  Secretary |
| Approved March 21, 2018 11:02 AM | March 23, 2018 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**ENGROSSED SUBSTITUTE SENATE BILL 5084**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2018 Regular Session

**State of Washington 65th Legislature 2017 Regular Session**

**By** Senate Health Care (originally sponsored by Senators Rolfes, Angel, Hasegawa, Nelson, Honeyford, Darneille, Billig, Keiser, Wilson, Saldaña, Warnick, and Kuderer)

AN ACT Relating to providing women with timely information regarding their breast health; adding a new section to chapter 70.54 RCW; providing an effective date; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 70.54 RCW to read as follows:

(1) All health care facilities shall include in the summary of the mammography report, required by federal law to be provided to a patient, information that identifies the patient's individual breast density classification based on the breast imaging reporting and data system established by the American College of Radiology. If a physician at, employed by, or under contract with, the health care facility determines that a patient has heterogeneously or extremely dense breasts, the summary of the mammography report must include the following notice:

"Your mammogram indicates that you may have dense breast tissue. Roughly half of all women have dense breast tissue which is normal. Dense breast tissue may make it more difficult to evaluate your mammogram. We are sharing this information with you and your health care provider to help raise your awareness of breast density. We encourage you to talk with your health care provider about this and other breast cancer risk factors. Together, you can decide which screening options are right for you."

(2) Patients who receive diagnostic or screening mammograms may be directed to informative material about breast density. This informative material may include the American College of Radiology's most current brochure on the subject of breast density.

(3) This section does not create a duty of care for any health care facility or any health care providers or other legal obligation beyond the duty to provide notice as set forth in this section.

(4) This section does not require a notice that is inconsistent with the provisions of the federal mammography quality standards act (42 U.S.C. Sec. 263b) or any regulations adopted under that act.

(5) For the purposes of this section:

(a) "Health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where mammography examinations are performed.

(b) "Physician" means a person licensed to practice medicine under chapter 18.57 or 18.71 RCW.

(6) This section expires January 1, 2025.

NEW SECTION. **Sec.**  Section 1 of this act takes effect January 1, 2019.

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Passed by the Senate March 5, 2018.

Passed by the House February 27, 2018.

Approved by the Governor March 21, 2018.

Filed in Office of Secretary of State March 23, 2018.