



## 2017 SENATE BILL 543

November 20, 2017 - Introduced by Senators DARLING, L. TAYLOR, CARPENTER, COWLES, FEYEN, JOHNSON, MOULTON, OLSEN, ROTH, STROEBEL, TESTIN and WIRCH, cosponsored by Representatives ROHRKASTE, FELZKOWSKI, RODRIGUEZ, NYGREN, KULP, MURSAU, TUSLER, DUCHOW, STEFFEN, R. BROOKS, HORLACHER, NOVAK, THIESFELDT, QUINN, E. BROOKS, STEINEKE, SPIROS, BORN, GENRICH, CROWLEY, ANDERSON, BERCEAU, SINICKI, BALLWEG, KRUG, KITCHENS, SWEARINGEN, SKOWRONSKI, MACCO, MURPHY, TRANEL, RIPP, EDMING and SUBECK. Referred to Committee on Health and Human Services.

1     **AN ACT** *to create* 255.065 of the statutes; **relating to:** requiring facilities that  
2             perform mammography examinations to provide notice to certain patients  
3             regarding dense breast tissue and granting rule-making authority.

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### *Analysis by the Legislative Reference Bureau*

This bill requires a facility that performs mammography examinations to provide a notice containing specific information about breast density to patients with dense breast tissue. Federal law requires a facility that performs mammography examinations to provide a patient with a summary of the results of each mammography examination. The bill requires that the facility performing the mammography examination provide a patient determined to have dense breast tissue with a summary that includes a notice and specific information about dense breast tissue.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 255.065 of the statutes is created to read:  
5             **255.065 Breast density notification.** (1) In this section:

**SENATE BILL 543****SECTION 1**

1 (a) “Dense breast tissue” means heterogeneously dense breasts or extremely  
2 dense breasts based on the Breast Imaging Reporting and Data System established  
3 by the American College of Radiology.

4 (b) “Facility” has the meaning given in 42 USC 263b (a) (3).

5 (c) “Mammography” has the meaning given in s. 255.06 (1) (b).

6 **(2)** A facility that performs mammography examinations shall, in delivering,  
7 as required under 42 USC 263b (f) (1) (G) (ii) (IV), a summary of the results of any  
8 mammography examination, provide to patients with dense breast tissue a notice  
9 regarding breast density in substantially the following form:

10 **BREAST DENSITY NOTIFICATION**

11 Your mammogram shows that your breast tissue is dense. Dense breast tissue  
12 is found in almost 40 percent of women and is a normal finding. However, studies  
13 show that dense breast tissue can make it harder to find cancer on a mammogram  
14 and is associated with a slightly increased risk of breast cancer. Regular screening  
15 mammograms are still recommended for you. This information is provided to raise  
16 your awareness about the result of your mammogram. You can use this information  
17 to talk with your health care professional about your own risks for breast cancer.  
18 Together, you can decide which screening options are right for you. The results of  
19 your mammogram were sent to your doctor. Please note that breast density is  
20 affected by several factors and may change over time.

21 **(3)** Nothing in this section may be construed to create a duty of care or other  
22 legal obligation beyond the duty to provide notice as set forth in this section.

23 **(END)**