



The Legislature
of the
State of New Mexico

53rd Legislature, 1st Session

LAWS 2017

CHAPTER _____

HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

SUBSTITUTE FOR HOUSE BILL 243

Introduced by

POCKET VETOED



1 AN ACT

2 RELATING TO HEALTH; REQUIRING HEALTH FACILITIES THAT PERFORM
3 MAMMOGRAMS TO PROVIDE CERTAIN INFORMATION RELATING TO BREAST
4 DENSITY TO PATIENTS.

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6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. MAMMOGRAMS--HEALTH FACILITIES--BREAST
8 DENSITY DISCLOSURE.--

9 A. A health facility that performs a mammogram
10 examination shall include in the summary of the mammography
11 report that is required pursuant to federal law to be
12 provided to a patient information that identifies the
13 patient's individual breast density classification based on
14 the breast imaging reporting and data system established by
15 the American college of radiology. If the health facility
16 determines that a patient has heterogeneously dense or
17 extremely dense breast tissue, the summary of the mammography
18 report shall include the following notice:

19 "Your mammogram indicates that you have dense breast tissue.
20 Dense breast tissue is common and is not abnormal. However,
21 dense breast tissue may make it harder to evaluate the
22 results of your mammogram. It may also be associated with an
23 increased risk of breast cancer. This information is being
24 provided to raise your awareness and to inform your
25 conversation with your health care provider. Together, you

1 can decide if additional screening options may be right for
2 you. A report of your results was sent to your health care
3 provider."

4 B. A health facility may direct a patient who
5 receives a diagnostic or screening mammogram to information
6 about breast density. This informative material may include
7 the American college of radiology's most current brochure on
8 the subject of breast density available on the American
9 college of radiology's website. Patients and health care
10 providers can be further informed by materials from
11 educational and advocacy organizations related to cancer or
12 mammography.

13 C. Nothing in this section shall be deemed to
14 create a duty of care or other legal obligation beyond the
15 duty to provide notice as set forth in Subsection A of this
16 section. Nothing in this section shall be deemed to require a
17 notice that is inconsistent with the provisions of the federal
18 Mammography Quality Standards Act or any regulations
19 promulgated pursuant to that act.

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s/Brian Egolf
Brian Egolf, Speaker
House of Representatives

s/Lisa M. Ortiz McCutcheon
Lisa M. Ortiz McCutcheon, Chief Clerk
House of Representatives

s/John A. Sanchez
John A. Sanchez, President
Senate

s/Lenore M. Naranjo
Lenore M. Naranjo, Chief Clerk
Senate

Approved by me this _____ day of _____, 2017

s/Susana Martinez
Susana Martinez, Governor
State of New Mexico