

1 State of Arkansas *As Engrossed: H3/14/17 H3/16/17*

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 2022

4

5 By: Representative Leding

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For An Act To Be Entitled

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AN ACT CONCERNING MAMMOGRAMS UNDER AN INSURANCE

9

POLICY; TO DEFINE "BREAST ULTRASOUND"; AND FOR OTHER

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PURPOSES.

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Subtitle

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CONCERNING MAMMOGRAMS UNDER AN INSURANCE

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POLICY; AND TO DEFINE "BREAST

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ULTRASOUND".

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 *SECTION 1. The catchline for Arkansas Code § 23-79-140 is amended to*
22 *read as follows:*

23 *23-79-140. Mammograms – Breast ultrasounds – Definitions.*

24

25 *SECTION 2. Arkansas Code § 23-79-140(a), concerning the definition of*
26 *"mammography", is amended to read as follows:*

27 *(a)~~(1)~~ As used in this section:*

28 *(1) "Breast ultrasound" means an imaging technique that uses*
29 *harmless, high-frequency sound waves to produce detailed images of the breast*
30 *in order to screen for and diagnose breast disease, such as cancer;*

31 *(2) "Diagnostic mammography" means a problem-solving radiologic*
32 *procedure of higher intensity than screening mammography provided to women*
33 *who are suspected to have breast pathology usually characterized by the*
34 *following medical events:*

35 *(A) Patients are usually referred for analysis of palpable*
36 *abnormalities or for further evaluation of mammographically detected*



1 abnormalities;

2 (B) All images are reviewed by the physician interpreting
3 the study, and additional views are obtained as needed; and

4 (C) A physical examination of the breast by the
5 interpreting physician to correlate the radiologic findings is performed as
6 part of the study when indicated;

7 (3) "Mammography" means radiography of the breast; and

8 ~~(2)(4)(A)~~ "Screening mammography", including digital breast
9 tomosynthesis, is means a radiologic procedure provided to a woman, who has
10 no signs or symptoms of breast cancer, for the purpose of early detection of
11 breast cancer.

12 (B) The procedure entails at least two (2) views of each
13 breast and includes a physician's interpretation of the results of the
14 procedure.

15 ~~(3) "Diagnostic mammography" is a problem-solving radiologic~~
16 ~~procedure of higher intensity than screening mammography provided to women~~
17 ~~who are suspected to have breast pathology. Patients are usually referred~~
18 ~~for analysis of palpable abnormalities or for further evaluation of~~
19 ~~mammographically detected abnormalities. All images are immediately reviewed~~
20 ~~by the physician interpreting the study, and additional views are obtained as~~
21 ~~needed. A physical examination of the breast by the interpreting physician~~
22 ~~to correlate the radiologic findings is often performed as part of the study.~~
23

24 *SECTION 3. Arkansas Code § 23-79-140(b), concerning mammograms, is*
25 *amended to read as follows:*

26 *(b) Every accident and health insurance company, hospital service*
27 *corporation, health maintenance organization, or other accident and health*
28 *insurance provider in the State of Arkansas shall offer, after January 1,*
29 *1990, to each master group contract holder as an optional essential health*
30 *benefit, coverage for at least the following mammogram screening mammography*
31 *and breast ultrasound for the diagnosis of breast disease such as cancer and*
32 *the evaluation of dense breast including of occult breast cancer:*

33 (1) A baseline mammogram for a woman covered by such a policy
34 who is thirty-five to forty (35-40) years of age;

35 (2) A mammogram for a woman covered by such a policy who is
36 ~~forty to forty-nine (40-49)~~ (40) years of age, inclusive, every one to two

1 ~~(1-2) or older every year; years based on the recommendation of the woman's~~
2 ~~physician;~~

3 ~~(3) A mammogram each year for a woman covered by such a policy~~
4 ~~who is at least fifty (50) years of age;~~

5 ~~(4)(3) Upon recommendation of a woman's physician, without~~
6 ~~regard to age, when the woman has had a prior history of breast cancer, or~~
7 ~~when the woman's mother or sister has had a history of breast cancer,~~
8 ~~positive genetic testing, or other risk factors; and~~

9 ~~(5)(4) A comprehensive ultrasound screening of an entire breast~~
10 ~~or breasts if a mammogram screening demonstrates *heterogeneously dense or*~~
11 ~~*extremely dense breast tissue* when the woman's *primary healthcare provider or*~~
12 ~~*radiologist* determines a comprehensive ultrasound screening is medically~~
13 ~~necessary; and~~

14 ~~(5) Insurance coverage for screening mammograms, including~~
15 ~~*digital breast tomosynthesis, and breast ultrasounds* will shall not prejudice~~
16 ~~coverage for diagnostic mammograms or breast ultrasounds as recommended by~~
17 ~~the woman's physician.~~

18
19 *SECTION 4. Arkansas Code § 23-79-140(c), concerning payment for*
20 *screening mammograms, is repealed.*

21 ~~(e)(1) The insurers shall pay not less than fifty dollars (\$50.00) for~~
22 ~~each screening mammogram, which shall include payment for both the~~
23 ~~professional and technical components~~

24 ~~(2) In case of hospital out-patient screening mammography, and~~
25 ~~comparable situations, when there is a claim for professional services~~
26 ~~separate from the claim for technical services, the claim for the~~
27 ~~professional component will not be less than forty percent (40%) of the total~~
28 ~~fee.~~

29
30 *SECTION 5. Arkansas Code § 23-79-140, concerning mammograms, is*
31 *amended to add an additional subsection to read as follows:*

32 ~~(f)(1) Benefits under this section are subject to any policy~~
33 ~~provisions that apply to other services covered by the policy, except that an~~
34 ~~insurance policy shall not impose a copayment or deductible for a screening~~
35 ~~mammogram.~~

36 ~~(2) A breast ultrasound may be subject to any applicable~~

1 copayment as required under a health benefit plan but shall not be subject to
2 a deductible.

3 /s/Leding
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