

113TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## **A BILL**

To require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Breast Density and  
5 Mammography Reporting Act of 2014”.

6 **SEC. 2. FINDINGS.**

7       The Congress finds as follows:

8           (1) The National Cancer Institute estimates  
9       that 1 in 8 women in the United States will develop  
10       a cancer of the breast in their lifetime.

1           (2) The Centers for Disease Control and Pre-  
2           vention reports that breast cancer is the number one  
3           cause of cancer death among Hispanic women, and  
4           the number two cause of cancer death among White,  
5           Black, Asian/Pacific Islander, and American Indian/  
6           Alaska Native women.

7           (3) Individuals receiving mammograms are not  
8           currently required to receive medical summaries or  
9           reports from their mammogram providers which ad-  
10          dress breast density or its correlation to masking the  
11          presence of breast cancer on mammograms, despite  
12          the fact that the radiologist interpreting the mam-  
13          mogram makes an assessment of the patient's breast  
14          density.

15 **SEC. 3. BREAST DENSITY REPORTING BY FACILITIES THAT**  
16                   **PERFORM MAMMOGRAMS TO PHYSICIANS**  
17                   **AND PATIENTS.**

18          (a) IN GENERAL.—Clause (ii) of section 354(f)(1)(G)  
19 of the Public Health Service Act (42 U.S.C.  
20 263b(f)(1)(G)) is amended—

21           (1) in each of subclauses (III) and (IV), by  
22           striking “and” at the end; and

23           (2) by adding at the end the following:

24                   “(V) the report under subclause (I)  
25                   and the summary under subclause (IV)

1 shall include information about breast den-  
2 sity, as specified by the Secretary based  
3 upon—

4 “(aa) current scientific knowl-  
5 edge;

6 “(bb) technological advances; or

7 “(cc) other updated medical pro-  
8 cedures where the use of such screen-  
9 ing developments is consistent with  
10 the practice of medical experts in the  
11 field;

12 “(VI) the summary under subclause  
13 (IV) shall convey the effect of breast den-  
14 sity in masking the presence of breast can-  
15 cer on mammography, using the provider’s  
16 qualitative assessment of breast density;  
17 and

18 “(VII) the summary under subclause  
19 (IV) shall include language, developed by  
20 the Secretary in consultation with leading  
21 experts and leading cancer organizations,  
22 communicating that individuals with dense  
23 breasts should talk with their physicians  
24 about—

1                   “(aa) any questions or concerns  
2                   regarding the summary; and

3                   “(bb) whether the individuals  
4                   would benefit from additional tests.”.

5           (b) **RULE OF CONSTRUCTION.**—This section and the  
6 amendments made by this section shall not be construed  
7 to alter in any way Federal requirements relating to finan-  
8 cial obligations of any person in connection with health  
9 insurance.

10 **SEC. 4. ENHANCING RESEARCH RELATING TO BREAST DEN-**  
11 **SITY.**

12           Title III of the Public Health Service Act is amended  
13 by inserting after section 354 of such Act (42 U.S.C.  
14 263b) the following:

15 **“SEC. 354A. ENHANCING RESEARCH RELATING TO BREAST**  
16 **DENSITY.**

17           “The Secretary shall expand and intensify the pro-  
18 grams and activities of the Department of Health and  
19 Human Services for conducting or supporting—

20                   “(1) applied research on breast density;

21                   “(2) research on the cost-effectiveness, effec-  
22 tiveness, and feasibility of reimbursement models for  
23 supplemental imaging relating to breast density; and

24                   “(3) research in support of clinical guidelines  
25 and best practices concerning use of mammograms

1       and supplemental screening for women with dense  
2       breasts.”.