

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Introduced**

**Senate Bill 668**

By Senator Grady

[Introduced February 17, 2023; referred  
to the Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §16-5A-2b, relating to requiring a radiologist or mammography facility provide  
 3 patient with certain information if their screening indicates heterogeneously or extreme  
 4 dense breasts.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE                          5A.                          CANCER                          CONTROL.**

**§16-5A-2b. Notification of dense breast tissue.**

1 If a mammography screening indicates that a patient has heterogeneously or extreme  
 2 dense breasts (based upon the Breast Imaging Reporting and Data System established by the  
 3 American College of Radiology):

4 (1) A radiologist or mammography facility that is certified by the United States Food and  
 5 Drug Administration or by a certification agency approved by the United States Food and Drug  
 6 Administration shall include in the patient lay summary the following language: "Your mammogram  
 7 shows that your breast tissue is (include patient’s specific density category: heterogeneously or  
 8 extremely) dense. Dense breast tissue is very common and is not abnormal. However, dense  
 9 breast tissue can make it harder to find cancer on a mammogram and also may increase your risk  
 10 of developing breast cancer. Because you have dense breast tissue, you could benefit from  
 11 additional imaging tests such as a screening breast ultrasound or breast magnetic resonance  
 12 imaging (MRI). This information about your breast density is being provided to you to raise your  
 13 awareness. It is important to continue routine screening mammograms and use this information to  
 14 speak to your health care provider about your own risks for breast cancer. At that time, ask your  
 15 health care provider if more screening tests might be useful based on your risk. A report of your  
 16 mammogram results was sent to your health care provider."

17 (2) Information about a patient’s breast density category shall also be included in the  
 18 mammography report provided to the referring or named health care provider.

19 (3) Along with the letter referenced above in subdivision (1) of this subsection, the patient

20 may also be provided with any other materials concerning breast density which may include, but  
21 are not limited to, the American College of Radiology's most current brochure on the subject of  
22 breast density or the medically sourced educational website DenseBreast-info.org.

Note: The purpose of this bill is to ensure that patients with heterogeneously or extreme dense breasts are provided with that information after a mammography screening.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.