

## SENATE BILL No. 414

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-10-8-16; IC 25-22.5-2-7; IC 27-8-13.5; IC 27-13-7-21.

**Synopsis:** Insurance coverage for breast ultrasound exams. Requires state employee health plans, policies of accident and sickness insurance, and individual and group health maintenance contracts to provide coverage for an annual ultrasound examination for certain women who have been determined to have high breast density. Requires the medical licensing board to adopt rules or protocol concerning annual screening or diagnostic tests of certain women who have been determined to have high breast density.

**Effective:** July 1, 2013.

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**Miller Patricia**

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January 10, 2013, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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## SENATE BILL No. 414



A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 5-10-8-16 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2013]: **Sec. 16. (a) As used in this section, "covered individual"**  
4 **means an individual who is entitled to coverage under a state**  
5 **employee health plan.**

6 **(b) As used in this section, "high breast density" means a**  
7 **condition in which there is a greater amount of breast and**  
8 **connective tissue in comparison to fat in the breast.**

9 **(c) A state employee health plan must provide coverage for an**  
10 **annual examination for a female covered individual who is at least**  
11 **forty (40) years of age and who has been determined to have high**  
12 **breast density.**

13 SECTION 2. IC 25-22.5-2-7, AS AMENDED BY P.L.225-2007,  
14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2013]: Sec. 7. (a) The board shall do the following:

16 (1) Adopt rules and forms necessary to implement this article that  
17 concern, but are not limited to, the following areas:



- 1 (A) Qualification by education, residence, citizenship,  
 2 training, and character for admission to an examination for  
 3 licensure or by endorsement for licensure.  
 4 (B) The examination for licensure.  
 5 (C) The license or permit.  
 6 (D) Fees for examination, permit, licensure, and registration.  
 7 (E) Reinstatement of licenses and permits.  
 8 (F) Payment of costs in disciplinary proceedings conducted by  
 9 the board.
- 10 (2) Administer oaths in matters relating to the discharge of its  
 11 official duties.
- 12 (3) Enforce this article and assign to the personnel of the agency  
 13 duties as may be necessary in the discharge of the board's duty.
- 14 (4) Maintain, through the agency, full and complete records of all  
 15 applicants for licensure or permit and of all licenses and permits  
 16 issued.
- 17 (5) Make available, upon request, the complete schedule of  
 18 minimum requirements for licensure or permit.
- 19 (6) Issue, at the board's discretion, a temporary permit to an  
 20 applicant for the interim from the date of application until the  
 21 next regular meeting of the board.
- 22 (7) Issue an unlimited license, a limited license, or a temporary  
 23 medical permit, depending upon the qualifications of the  
 24 applicant, to any applicant who successfully fulfills all of the  
 25 requirements of this article.
- 26 (8) Adopt rules establishing standards for the competent practice  
 27 of medicine, osteopathic medicine, or any other form of practice  
 28 regulated by a limited license or permit issued under this article.
- 29 (9) Adopt rules regarding the appropriate prescribing of Schedule  
 30 III or Schedule IV controlled substances for the purpose of weight  
 31 reduction or to control obesity.
- 32 (10) Adopt rules establishing standards for office based  
 33 procedures that require moderate sedation, deep sedation, or  
 34 general anesthesia.
- 35 **(11) Adopt rules or protocol establishing the standards for**  
 36 **providing an annual screening or diagnostic test for a woman**  
 37 **who is at least forty (40) years of age and who has been**  
 38 **determined to have high breast density. As used in this**  
 39 **subdivision, "high breast density" means a condition in which**  
 40 **there is a greater amount of breast and connective tissue in**  
 41 **comparison to fat in the breast.**
- 42 (b) The board may adopt rules that establish:

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- 1 (1) certification requirements for child death pathologists;
- 2 (2) an annual training program for child death pathologists under
- 3 IC 16-35-7-3(b)(2); and
- 4 (3) a process to certify a qualified child death pathologist.

5 SECTION 3. IC 27-8-13.5 IS ADDED TO THE INDIANA CODE  
 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2013]:

8 **Chapter 13.5. Coverage for Ultrasound Examinations for**  
 9 **Women with High Breast Density**

10 **Sec. 1. This chapter applies to a policy of accident and sickness**  
 11 **insurance that is issued, delivered, amended, or renewed after June**  
 12 **30, 2013.**

13 **Sec. 2. As used in this chapter, "high breast density" means a**  
 14 **condition in which there is a greater amount of breast and**  
 15 **connective tissue in comparison to fat in the breast.**

16 **Sec. 3. As used in this chapter, "insured" means an individual**  
 17 **who is entitled to coverage under a policy of accident and sickness**  
 18 **insurance.**

19 **Sec. 4. As used in this chapter, "policy of accident and sickness**  
 20 **insurance" has the meaning set forth in IC 27-8-5-1.**

21 **Sec. 5. A policy of accident and sickness insurance must provide**  
 22 **coverage for an annual ultrasound examination for a female**  
 23 **insured who is at least forty (40) years of age and who has been**  
 24 **determined to have high breast density.**

25 SECTION 4. IC 27-13-7-21 IS ADDED TO THE INDIANA CODE  
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 27 1, 2013]: **Sec. 21. (a) As used in this section, "high breast density"**  
 28 **means a condition in which there is a greater amount of breast and**  
 29 **connective tissue in comparison to fat in the breast.**

30 **(b) An individual contract or a group contract that provides**  
 31 **coverage for basic health care services must provide coverage for**  
 32 **an annual ultrasound examination for a female enrollee who is at**  
 33 **least forty (40) years of age and who has been determined to have**  
 34 **high breast density.**

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