



February 15, 2013

SENATE BILL No. 414

DIGEST OF SB 414 (Updated February 13, 2013 7:48 pm - DI 104)

Citations Affected: IC 5-10; IC 25-22.5; IC 27-8; IC 27-13.

Synopsis: Insurance coverage for women with high breast density. Requires state employee health plans, policies of accident and sickness insurance, and individual and group health maintenance contracts to provide coverage for appropriate medical screening, tests, or examinations for certain women who have been determined to have high breast density. Requires the medical licensing board to adopt rules or protocol establishing: (1) an education program to be used to educate women with high breast density; and (2) standards for annual screening or diagnostic tests of certain women who have been determined to have high breast density. Requires a facility that performs a mammography examination to notify a patient who is determined by the facility to have high breast density and who would require follow up care or testing.

Effective: July 1, 2013.

**Miller Patricia, Becker, Leising,
Stoops**

January 10, 2013, read first time and referred to Committee on Health and Provider Services.
February 14, 2013, amended, reported favorably — Do Pass.

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SB 414—LS 6778/DI 104+



February 15, 2013

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 appropriate medical screening, test, or examination for a female
11 covered individual who is at least forty (40) years of age and who
12 has been determined to have high 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:

SB 414—LS 6778/DI 104+



- 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 following:**
- 36 **(A) An education program to be used to educate women**
- 37 **with high breast density.**
- 38 **(B) Standards for providing an annual screening or**
- 39 **diagnostic test for a woman who is at least forty (40) years**
- 40 **of age and who has been determined to have high breast**
- 41 **density.**
- 42 **As used in this subdivision, "high breast density" means a**

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1 **condition in which there is a greater amount of breast and**
 2 **connective tissue in comparison to fat in the breast.**
 3 (b) The board may adopt rules that establish:
 4 (1) certification requirements for child death pathologists;
 5 (2) an annual training program for child death pathologists under
 6 IC 16-35-7-3(b)(2); and
 7 (3) a process to certify a qualified child death pathologist.
 8 SECTION 3. IC 25-22.5-13 IS ADDED TO THE INDIANA CODE
 9 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2013]:
 11 **Chapter 13. Notification Concerning Dense Breast**
 12 **Determination**
 13 **Sec. 1. A facility that performs a mammography examination**
 14 **shall, if the patient is determined by the facility to have an amount**
 15 **of breast and connective tissue in comparison to fat in the breast**
 16 **that would require follow up care or testing, notify the patient of**
 17 **the determination. The notice required under this section must be**
 18 **included with a summary of the written mammography report.**
 19 SECTION 4. IC 27-8-13.5 IS ADDED TO THE INDIANA CODE
 20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2013]:
 22 **Chapter 13.5. Coverage for Ultrasound Examinations for**
 23 **Women with High Breast Density**
 24 **Sec. 1. This chapter applies to a policy of accident and sickness**
 25 **insurance that is issued, delivered, amended, or renewed after June**
 26 **30, 2013.**
 27 **Sec. 2. As used in this chapter, "high breast density" means a**
 28 **condition in which there is a greater amount of breast and**
 29 **connective tissue in comparison to fat in the breast.**
 30 **Sec. 3. As used in this chapter, "insured" means an individual**
 31 **who is entitled to coverage under a policy of accident and sickness**
 32 **insurance.**
 33 **Sec. 4. As used in this chapter, "policy of accident and sickness**
 34 **insurance" has the meaning set forth in IC 27-8-5-1.**
 35 **Sec. 5. A policy of accident and sickness insurance must provide**
 36 **coverage for an appropriate medical screening, test, or**
 37 **examination for a female insured who is at least forty (40) years of**
 38 **age and who has been determined to have high breast density.**
 39 SECTION 5. IC 27-13-7-21 IS ADDED TO THE INDIANA CODE
 40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 41 1, 2013]: **Sec. 21. (a) As used in this section, "high breast density"**
 42 **means a condition in which there is a greater amount of breast and**

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1 **connective tissue in comparison to fat in the breast.**
2 **(b) An individual contract or a group contract that provides**
3 **coverage for basic health care services must provide coverage for**
4 **an appropriate medical screening, test, or examination for a female**
5 **enrollee who is at least forty (40) years of age and who has been**
6 **determined to have high breast density.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 414, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 10, delete "annual" and insert "**appropriate medical screening, test, or**".

Page 2, line 35, delete "standards" and insert "**following:**

(A) An education program to be used to educate women with high breast density.

(B) Standards".

Page 2, line 38, beginning with "As" begin a new line block indented.

Page 3, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 2. IC 25-22.5-13 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]:

Chapter 13. Notification Concerning Dense Breast Determination

Sec. 1. A facility that performs a mammography examination shall, if the patient is determined by the facility to have an amount of breast and connective tissue in comparison to fat in the breast that would require follow up care or testing, notify the patient of the determination. The notice required under this section must be included with a summary of the written mammography report."

Page 3, line 22, delete "annual ultrasound" and insert "**appropriate medical screening, test, or**".

Page 3, line 32, delete "annual ultrasound" and insert "**appropriate medical screening, test, or**".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 414 as introduced.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 10, Nays 0.

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