

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1370

Introduced by

Representatives P. Anderson, Hawken, Mitskog, Strinden

Senator Nelson

1 A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota
2 Century Code, relating to mammogram result notices and the notification of registered owners
3 of mammography equipment; to provide an expiration date; and to declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 23-01 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Mammogram results.**

- 8 1. As used in this section, the term "facility" means a hospital, outpatient department,
9 clinic, radiology practice, mobile unit, or office of a physician or other facility as
10 determined by the state department of health, which conducts breast cancer screening
11 or diagnosis through mammography activities.
- 12 2. If a facility at which a mammography examination is performed categorizes a patient
13 as having heterogeneously dense breasts or extremely dense breasts based on a
14 breast imaging reporting and data system approved by the state department of health,
15 such as the system established by the American college of radiology, the facility shall
16 include in the summary of the written report that is sent to the patient a notice that the
17 patient has dense breast tissue, that this dense breast tissue may make it more
18 difficult to detect cancer on a mammogram, and that this dense breast tissue may
19 increase the patient's risk of breast cancer.
- 20 3. ~~The state department of health may establish a standardized form for use by a facility~~
21 ~~in compliance with this section.~~ The state department of health shall notify all
22 registered owners of mammography equipment of these changes, along with the state
23 board of medical examiners, the North Dakota medical association, the North Dakota
24 board of nursing, and the North Dakota nursing association. The state department of

1 health shall encourage these boards to include information about these changes in the
2 next publication of their professional journals.

3 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 30, 2017, and after that
4 date is ineffective.

5 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.