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(PRE-FILED)

By: Senator Munson

Requested: June 21, 1995

Introduced and read first time: January 10, 1996

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 2, 1996

CHAPTER ____

1 AN ACT concerning

2 **Hospitals - Requirements - Mammography Testing**

3 FOR the purpose of requiring hospitals to offer mammography ~~testing to certain female~~
4 ~~inpatients under certain circumstances;~~ educational materials to female patients
5 under certain circumstances; requiring the Department of Health and Mental
6 Hygiene, in collaboration with other groups, to select, approve, or develop, and
7 print and update mammography educational materials; and requiring the Insurance
8 Commissioner to report to the General Assembly before a certain date.

9 BY repealing and reenacting, with amendments,

10 Article - Health - General

11 Section 19-348

12 Annotated Code of Maryland

13 (1990 Replacement Volume and 1995 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article - Health - General

16 Section 20-115(a)(1) and (3)

17 Annotated Code of Maryland

18 (1990 Replacement Volume and 1995 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

2

1 **Article - Health - General**

2 19-348.

3 (a) (1) Each hospital shall offer to each adult female inpatient of the hospital a
4 Papanicolaou smear for detection of cervical cancer unless:

5 [(1)] (I) The attending physician orders otherwise; or

6 [(2)] (II) The patient has had the examination within the preceding year.

7 [(b)] (2) A patient may refuse the examination.

8 ~~(B) (1) EACH HOSPITAL SHALL OFFER MAMMOGRAPHY TESTING, AS~~
9 ~~DEFINED UNDER § 20-115 OF THIS ARTICLE, TO EACH FEMALE INPATIENT WHO IS AT~~
10 ~~LEAST 50 YEARS OLD UNLESS:~~

11 ~~(I) THE ATTENDING PHYSICIAN ORDERS OTHERWISE; OR~~

12 ~~(II) THE PATIENT HAS HAD MAMMOGRAPHY TESTING WITHIN THE~~
13 ~~PRECEDING YEAR.~~

14 ~~(2) A PATIENT MAY REFUSE THE MAMMOGRAPHY TESTING.~~

15 (B) (1) EACH HOSPITAL, AT THE TIME IT OFFERS THE PAPANICOLAOU
16 SMEAR AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, SHALL ALSO OFFER
17 MAMMOGRAPHY EDUCATIONAL MATERIALS TO EACH FEMALE PATIENT WHEN
18 MEDICALLY APPROPRIATE FOR THE PATIENT.

19 (2) THE DEPARTMENT, IN COLLABORATION WITH THE MARYLAND
20 HOSPITAL ASSOCIATION, THE MEDICAL AND CHIRURGICAL FACULTY OF
21 MARYLAND, AND APPROPRIATE ADVOCACY GROUPS, SHALL SELECT, APPROVE, OR
22 DEVELOP, AND PRINT AND UPDATE AS NECESSARY, MAMMOGRAPHY EDUCATIONAL
23 MATERIALS FOR THE PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION.

24 20-115.

25 (a) (1) In this section the following words have the meanings indicated.

26 (3) (i) "Mammography testing" means the imaging of the breast with
27 ionizing radiation.

28 (ii) "Mammography testing" includes xeromammography.

29 SECTION 2. AND BE IT FURTHER ENACTED, That the Insurance
30 Commissioner shall report to the General Assembly before October 1, 1998, in
31 accordance with § 2-1312 of the State Government Article, on the change in the total
32 number of screening mammograms reported under Article 48A, § 490M of the Annotated
33 Code of Maryland.

34 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 1996.

