
By: Senator Pinsky

Introduced and read first time: February 7, 1996

Assigned to: Rules

Re-referred to: Finance, February 23, 1996

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 1996

CHAPTER ____

1 AN ACT concerning

2 **Mammography Testing**

3 FOR the purpose of ~~prohibiting mammography testing unless the center where the testing~~
4 ~~occurs has attained a certificate of approval from the federal Food and Drug~~
5 ~~Administration as specified in a certain federal law~~ altering the conditions under
6 which a certain center may perform mammography testing; defining certain terms;
7 altering certain definitions; and generally relating to mammography testing.

8 BY repealing and reenacting, with amendments,

9 Article - Health - General

10 Section 20-115

11 Annotated Code of Maryland

12 (1990 Replacement Volume and 1995 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Health - General**

16 20-115.

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

18 (2) (i) "Center" means any facility that [performs mammography
19 testing] PRODUCES, DEVELOPS, OR INTERPRETS:

20 1. SCREENING;

21 2. DIAGNOSTIC MAMMOGRAMS; OR

2

1 3. BOTH.

2 (ii) "Center" includes [any unit within a hospital, medical laboratory,
3 office of a health care provider, or medical test unit where mammography testing is
4 performed] A HOSPITAL, OUTPATIENT DEPARTMENT, MEDICAL LABORATORY,
5 CLINIC, RADIOLOGY PRACTICE, OFFICE OF A HEALTH CARE PROVIDER, OR OTHER
6 TESTING FACILITY CONDUCTING MAMMOGRAPHY TESTING.

7 (III) "CENTER" DOES NOT INCLUDE A FACILITY OF THE FEDERAL
8 DEPARTMENT OF VETERANS AFFAIRS.

9 (3) "MAMMOGRAM" MEANS A RADIOGRAPHIC IMAGE PRODUCED
10 THROUGH MAMMOGRAPHY.

11 [(3)] (4) ~~(4)~~ "Mammography testing" means the imaging of the breast
12 with ionizing radiation.

13 ~~(ii)~~ (ii) "Mammography testing" includes xeromammography.

14 ~~(4)~~ (4) "Radiation machine" means any device that is capable of producing
15 radiation.]

16 (b) On or after July 1, 1992, a person may not perform mammography testing
17 unless:

18 (1) The individual performing mammography testing is qualified under Title
19 14 of the Health Occupations Article; and

20 (2) The center where the mammography testing is performed~~f~~:

21 (i) Is accredited or has applied for accreditation under the American
22 College of Radiology Screening Mammography Accreditation Program; AND

23 (ii) ~~(i)~~ Is approved by the Health Care Financing Administration of
24 the United States Department of Health and Human Services; or

25 (iii) Meets the standards established jointly by the Department of
26 Health and Mental Hygiene, the Medical and Chirurgical Faculty of Maryland, the
27 Maryland Hospital Association, and the Maryland Radiology Society] HAS ATTAINED A
28 CERTIFICATE OF APPROVAL FROM THE FEDERAL FOOD AND DRUG
29 ADMINISTRATION AS SPECIFIED IN THE FEDERAL MAMMOGRAPHY QUALITY
30 STANDARDS ACT OF 1992.

31 (c) Notwithstanding any other provision of this title, the penalty for a violation of
32 this section may not exceed \$1,000.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1996.

