

HOUSE BILL 766

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1998 Regular Session
8lr2192
CF 8lr1777

By: **Delegates Nathan-Pulliam, Pitkin, R. Baker, Benson, Bobo, E. Burns, Cadden, Clagett, Cryor, D. Davis, B. Hughes, D. Hughes, Frush, Goldwater, Grosfeld, Hammen, Harrison, Hecht, Howard, Hubbard, Jones, Kagan, Klausmeier, Kopp, Love, Mandel, Marriott, Mohorovic, Morhaim, Owings, Patterson, Pendergrass, Preis, Snodgrass, Stull, Stup, Taylor, Walkup, and Watson**

Introduced and read first time: February 11, 1998
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Breast Cancer Screening Program**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to
4 establish a Breast Cancer Screening Program; specifying that the Program is to
5 be administered by the local health departments in a certain manner; specifying
6 eligibility for the Program; requiring the Department to fund the Program;
7 requiring the Department to adopt regulations; defining certain terms; and
8 generally relating to the Breast Cancer Screening Program.

9 BY adding to
10 Article - Health - General
11 Section 20-116
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1997 Supplement)

14 Preamble

15 WHEREAS, Approximately 3,400 Maryland women are stricken with breast
16 cancer each year and approximately 800 of them die from the disease; and

17 WHEREAS, Early detection through mammography screening is by far the most
18 important tool medical science has in fighting breast cancer; and

19 WHEREAS, A mammography screening program conducted by the Health
20 Services Cost Review Commission for low-income underinsured and low-income
21 uninsured women age 40 years and over, which detected an estimated 500 cases of
22 breast cancer in nearly 4 years, expired on June 30, 1997 with no comprehensive
23 replacement program in place for thousands of women who need mammograms, but
24 cannot afford them; and

1 WHEREAS, There is a need to continue and expand on the existing federally
2 funded U.S. Centers for Disease Control Breast and Cervical Cancer Screening
3 Program in this State due to the expiration of the mammography screening program
4 conducted by HSCRC; and

5 WHEREAS, The State of Maryland has conducted, for several years, a vigorous
6 public campaign urging women to get their yearly mammograms; and

7 WHEREAS, The Maryland General Assembly believes women age 40 years and
8 over should not be denied the opportunity to get a mammogram because of their lack
9 of financial resources; now, therefore,

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

12 **Article - Health - General**

13 20-116.

14 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
15 INDICATED.

16 (2) "CLINICAL BREAST EXAMINATION" MEANS A BREAST EXAMINATION
17 PERFORMED BY A HEALTH CARE PROFESSIONAL FOR THE PURPOSE OF DETECTING
18 BREAST CANCER.

19 (3) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL WHO IS ELIGIBLE TO
20 RECEIVE BENEFITS UNDER THE PROGRAM IN ACCORDANCE WITH SUBSECTION (D)
21 OF THIS SECTION.

22 (4) "MAMMOGRAM" MEANS AN X-RAY EXAMINATION OF THE BREAST
23 USING DEDICATED EQUIPMENT, INCLUDING X-RAY TUBE, FILTER, COMPRESSION
24 DEVICE, SCREENS, FILMS, AND CASSETTES, SPECIFICALLY FOR MAMMOGRAPHY
25 THAT DELIVERS AN AVERAGE RADIATION EXPOSURE OF LESS THAN ONE RAD
26 MID-BREAST WITH TWO VIEWS FOR EACH BREAST.

27 (5) "PROGRAM" MEANS THE BREAST CANCER SCREENING PROGRAM.

28 (B) (1) THE DEPARTMENT SHALL ESTABLISH A BREAST CANCER
29 SCREENING PROGRAM.

30 (2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE AN ANNUAL
31 SCREENING MAMMOGRAM AND CLINICAL BREAST EXAMINATION TO LOW-INCOME
32 UNDERINSURED AND LOW-INCOME UNINSURED WOMEN AGED 40 YEARS AND OVER.

33 (C) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM THROUGH THE
34 LOCAL HEALTH DEPARTMENTS USING A GRANT PROGRAM UNDER WHICH A LOCAL
35 HEALTH DEPARTMENT MAKES ARRANGEMENTS WITH HEALTH CARE FACILITIES TO
36 PROVIDE ANNUAL SCREENING MAMMOGRAMS AND CLINICAL BREAST
37 EXAMINATIONS TO ELIGIBLE INDIVIDUALS.

1 (D) AN INDIVIDUAL IS ELIGIBLE FOR THE PROGRAM IF THE INDIVIDUAL:

2 (1) HAS A FAMILY INCOME AT OR BELOW 250% OF THE FEDERAL
3 POVERTY LEVEL; AND

4 (2) DOES NOT HAVE ACCESS TO HEALTH INSURANCE COVERAGE THAT
5 COVERS SCREENING MAMMOGRAMS AND CLINICAL BREAST EXAMINATIONS FOR
6 WOMEN AGED 40 YEARS AND OLDER.

7 (E) BEGINNING FISCAL YEAR 1999, THE DEPARTMENT SHALL PROVIDE AT
8 LEAST \$4,200,000 EACH YEAR FROM ITS GENERAL FUND APPROPRIATION TO FUND
9 THE PROGRAM TO EXPAND UPON THE EXISTING FEDERALLY-FUNDED CENTERS FOR
10 DISEASE CONTROL BREAST AND CERVICAL CANCER SCREENING PROGRAM.

11 (F) THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO
12 IMPLEMENT THE PROGRAM.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 1998.