

HOUSE BILL 1364

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6lr0639

By: **Delegate Pena-Melnyk**
Introduced and read first time: February 13, 2026
Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Mammograms – Arterial Calcification Notice**

3 FOR the purpose of requiring certain centers where mammography testing is performed to
4 include in the screening results letter that is sent to a patient, as required by federal
5 law, a notice of the presence of arterial calcification as observed during the patient’s
6 mammogram; and generally relating to mammography testing.

7 BY repealing and reenacting, with amendments,
8 Article – Health – General
9 Section 20–115
10 Annotated Code of Maryland
11 (2023 Replacement Volume and 2025 Supplement)

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

14 **Article – Health – General**

15 20–115.

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

17 (2) (i) “Center” means any facility that produces, develops, or
18 interprets:

19 1. Screening mammograms; or

20 2. Diagnostic mammograms.

2 REPRINT OF HOUSE BILL 1364 as amended by HB1364/643723/1 02/19/26 at 10:52 AM

1 (ii) "Center" includes a hospital, outpatient department, medical
2 laboratory, clinic, radiology practice, office of a health care provider, or other testing facility
3 conducting mammography testing.

4 (iii) "Center" does not include a facility of the federal Department of
5 Veterans Affairs.

6 (3) "Dense breast tissue" means heterogeneously dense or extremely dense
7 tissue as defined in nationally recognized guidelines or systems for breast imaging
8 reporting of mammography screening, including the breast imaging reporting and data
9 system of the American College of Radiology.

10 (4) "Mammogram" means a radiographic image produced through
11 mammography.

12 (5) "Mammography testing" means the imaging of the breast with ionizing
13 radiation.

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

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

18 (2) The center where the mammography testing is performed:

19 (i) Is accredited or has applied for accreditation under the American
20 College of Radiology Screening Mammography Accreditation Program; and

21 (ii) Has obtained a certificate of approval from the federal Food and
22 Drug Administration as specified in the federal Mammography Quality Standards Act of
23 1992.

24 (c) (1) (i) This ~~section~~ **SUBSECTION** does not apply if the federal Mammography
Quality
25 Standards Act of 1992, or regulations adopted under the Act, requires a notice regarding
26 breast density to be included in the screening results letter that is sent to a patient.

27 (ii) This ~~section~~ **SUBSECTION** may not be construed to:

28 1. Require a notice regarding breast density to be sent to a
29 patient that is inconsistent with the provisions of the federal Mammography Quality
30 Standards Act of 1992, or regulations adopted under the Act; or

31 2. Create a standard of care, obligation, or duty that provides
32 a basis for a cause of action.

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1 (2) Subject to paragraph (3) of this subsection, a center where
 2 mammography testing is performed shall include in a screening results letter that is sent
 3 to a patient, as required by federal law, the following notice: "This notice contains the
 4 results of your recent mammogram, including information about breast density.

5 If your mammogram shows that your breast tissue is dense, you should know that
 6 dense breast tissue is a common finding and is not abnormal, with about half of women
 7 having dense or highly dense breasts. However, dense breast tissue can make it harder to
 8 find cancer on a mammogram and may also be associated with an increased risk of cancer.

9 ~~IF YOUR MAMMOGRAM SHOWS BREAST ARTERIAL CALCIFICATION, YOU~~
 10 ~~SHOULD KNOW THAT BREAST ARTERIAL CALCIFICATION IS A COMMON FINDING.~~
 11 ~~HOWEVER, BREAST ARTERIAL CALCIFICATION MAY BE AN INDICATOR OF AN~~
 12 ~~INCREASED RISK OF CARDIOVASCULAR DISEASE. IF YOU HAVE BREAST ARTERIAL~~
 13 ~~CALCIFICATIONS, PLEASE DISCUSS THIS WITH YOUR PHYSICIAN TO ASSESS YOUR~~
 14 ~~CARDIOVASCULAR RISKS AND DETERMINE IF ADDITIONAL TESTING MAY BE~~
 15 ~~APPROPRIATE FOR YOU.~~

16 This information about the result of your mammogram is given to you to raise your
 17 awareness and to inform your conversations with your physician. Together, you can decide
 18 whether additional screening options are right for you based on your mammogram results,
 19 individual risk factors, or physical examination. A report of your results was sent to your
 20 physician.”.

21 (3) If the Department finds significant differences between the content of
 22 the notice that is required to be provided under paragraph (2) of this subsection and current
 23 medical evidence on breast density, the Department may adopt regulations that change the
 24 content of the notice.

25 (d) **(1) THIS SUBSECTION MAY NOT BE CONSTRUED TO CREATE A STANDARD OF CARE, OBLIGATION, OR DUTY THAT PROVIDES A BASIS FOR A CAUSE OF ACTION.**

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A CENTER WHERE MAMMOGRAPHY TESTING IS PERFORMED SHALL INCLUDE IN A SCREENING RESULTS LETTER THAT IS SENT TO A PATIENT, AS REQUIRED BY FEDERAL LAW, THE FOLLOWING NOTICE:

“THIS NOTICE CONTAINS THE RESULTS OF YOUR RECENT MAMMOGRAM, INCLUDING INFORMATION ABOUT BREAST ARTERIAL CALCIFICATION.

IF YOUR MAMMOGRAM SHOWS BREAST ARTERIAL CALCIFICATION, YOU SHOULD KNOW THAT BREAST ARTERIAL CALCIFICATION IS A COMMON FINDING. HOWEVER, BREAST ARTERIAL CALCIFICATION MAY BE AN INDICATOR OF AN INCREASED RISK OF CARDIOVASCULAR DISEASE. IF YOU HAVE BREAST ARTERIAL CALCIFICATIONS, PLEASE DISCUSS THIS WITH YOUR PHYSICIAN TO ASSESS YOUR CARDIOVASCULAR RISKS AND DETERMINE IF ADDITIONAL TESTING MAY BE APPROPRIATE FOR YOU.

THIS INFORMATION ABOUT THE RESULT OF YOUR MAMMOGRAM IS GIVEN TO YOU TO RAISE YOUR AWARENESS AND TO INFORM YOUR CONVERSATIONS WITH YOUR PHYSICIAN. TOGETHER YOU CAN DECIDE WHETHER ADDITIONAL SCREENING OPTIONS ARE RIGHT FOR YOU BASED ON YOUR MAMMOGRAM RESULTS, INDIVIDUAL RISK FACTORS, OR PHYSICAL EXAMINATION. A REPORT OF YOUR RESULTS WAS SENT TO YOUR PHYSICIAN.”.

(3) IF THE DEPARTMENT FINDS SIGNIFICANT DIFFERENCES BETWEEN THE CONTENT OF THE NOTICE THAT IS REQUIRED TO BE PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND CURRENT MEDICAL EVIDENCE ON BREAST ARTERIAL CALCIFICATION, THE DEPARTMENT MAY ADOPT REGULATIONS THAT CHANGE THE CONTENT OF THE NOTICE.

26 (E) Notwithstanding any other provision of this title, the penalty for a violation of
 subsection (b) of this section may not exceed \$1,000.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 28 October 1, 2026.