

1-1 By: Hernandez Luna, et al. (Senate Sponsor - Ellis) H.B. No. 2102
1-2 (In the Senate - Received from the House May 12, 2011;
1-3 May 12, 2011, read first time and referred to Committee on State
1-4 Affairs; May 20, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 May 20, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2102 By: Ellis

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the requirement that certain mammography reports
1-11 contain information regarding supplemental breast cancer
1-12 screening.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. This Act shall be known as Henda's Law.

1-15 SECTION 2. Subchapter B, Chapter 86, Health and Safety
1-16 Code, is amended by adding Section 86.013 to read as follows:

1-17 Sec. 86.013. INFORMATION ON SUPPLEMENTAL BREAST CANCER
1-18 SCREENING. (a) On completion of a mammogram, a mammography
1-19 facility certified by the United States Food and Drug
1-20 Administration or by a certification agency approved by the United
1-21 States Food and Drug Administration shall provide to the patient
1-22 the following notice:

1-23 "If your mammogram demonstrates that you have dense breast
1-24 tissue, which could hide abnormalities, and you have other risk
1-25 factors for breast cancer that have been identified, you might
1-26 benefit from supplemental screening tests that may be suggested by
1-27 your ordering physician.

1-28 "Dense breast tissue, in and of itself, is a relatively
1-29 common condition. Therefore, this information is not provided to
1-30 cause undue concern, but rather to raise your awareness and to
1-31 promote discussion with your physician regarding the presence of
1-32 other risk factors, in addition to dense breast tissue.

1-33 "A report of your mammography results will be sent to you and
1-34 your physician. You should contact your physician if you have any
1-35 questions or concerns regarding this report."

1-36 (b) Notwithstanding any other law, this section does not
1-37 create a cause of action or create a standard of care, obligation,
1-38 or duty that provides a basis for a cause of action.

1-39 (c) The information required by this section or evidence
1-40 that a person violated this section is not admissible in a civil,
1-41 judicial, or administrative proceeding.

1-42 SECTION 3. A mammography facility is not required to comply
1-43 with the requirements of Section 86.013, Health and Safety Code, as
1-44 added by this Act, until January 1, 2012.

1-45 SECTION 4. This Act takes effect September 1, 2011.

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