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AN ACT

RELATING TO HEALTH; REQUIRING HEALTH FACILITIES THAT PERFORM
MAMMOGRAMS TO PROVIDE CERTAIN INFORMATION RELATING TO BREAST
DENSITY TO PATIENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. MAMMOGRAMS--HEALTH FACILITIES--BREAST
DENSITY DISCLOSURE.--

A. A health facility that performs a mammogram
examination shall include in the summary of the mammography
report that is required pursuant to federal law to be
provided to a patient information that identifies the
patient's individual breast density classification based on
the breast imaging reporting and data system established by
the American college of radiology. If the health facility
determines that a patient has heterogeneously dense or
extremely dense breast tissue, the summary of the mammography
report shall include the following notice:

"Your mammogram indicates that you have dense breast tissue.
Dense breast tissue is common and is not abnormal. However,
dense breast tissue may make it harder to evaluate the
results of your mammogram. It may also be associated with an
increased risk of breast cancer. This information is being
provided to raise your awareness and to inform your
conversation with your health care provider. Together, you

1 can decide if additional screening options may be right for
2 you. A report of your results was sent to your health care
3 provider.".

4 B. A health facility may direct a patient who
5 receives a diagnostic or screening mammogram to information
6 about breast density. This informative material may include
7 the American college of radiology's most current brochure on
8 the subject of breast density available on the American
9 college of radiology's website. Patients and health care
10 providers can be further informed by materials from
11 educational and advocacy organizations related to cancer or
12 mammography.

13 C. Nothing in this section shall be deemed to
14 create a duty of care or other legal obligation beyond the
15 duty to provide notice as set forth in Subsection A of this
16 section. Nothing in this section shall be deemed to require a
17 notice that is inconsistent with the provisions of the federal
18 Mammography Quality Standards Act or any regulations
19 promulgated pursuant to that act.

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