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

B. A health facility may direct a patient who receives a diagnostic or screening mammogram to information about breast density, which may include:

   (1) the American college of radiology's most current brochure on the subject of breast density available on the American college of radiology's website;

   (2) materials related to cancer or mammography produced by an educational institution; or

   (3) materials related to cancer or mammography produced by an advocacy organization.

C. Nothing in this section shall be deemed to create a duty of care or other legal obligation beyond the duty to provide notice as set forth in Subsection A of this section. Nothing in this section shall be deemed to require a notice that is inconsistent with the provisions of the federal Mammography Quality Standards Act of 1992 or any regulations promulgated pursuant to that act.