

AN ACT

1
2 relating to the requirement that certain mammography reports
3 contain information regarding supplemental breast cancer
4 screening.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

7 SECTION 2. Subchapter B, Chapter 86, Health and Safety
8 Code, is amended by adding Section 86.013 to read as follows:

9 Sec. 86.013. INFORMATION ON SUPPLEMENTAL BREAST CANCER
10 SCREENING. (a) On completion of a mammogram, a mammography
11 facility certified by the United States Food and Drug
12 Administration or by a certification agency approved by the United
13 States Food and Drug Administration shall provide to the patient
14 the following notice:

15 "If your mammogram demonstrates that you have dense breast
16 tissue, which could hide abnormalities, and you have other risk
17 factors for breast cancer that have been identified, you might
18 benefit from supplemental screening tests that may be suggested by
19 your ordering physician.

20 "Dense breast tissue, in and of itself, is a relatively
21 common condition. Therefore, this information is not provided to
22 cause undue concern, but rather to raise your awareness and to
23 promote discussion with your physician regarding the presence of
24 other risk factors, in addition to dense breast tissue.

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

4 (b) Notwithstanding any other law, this section does not
5 create a cause of action or create a standard of care, obligation,
6 or duty that provides a basis for a cause of action.

7 (c) The information required by this section or evidence
8 that a person violated this section is not admissible in a civil,
9 judicial, or administrative proceeding.

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

13 SECTION 4. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 2102 was passed by the House on May 11, 2011, by the following vote: Yeas 130, Nays 19, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2102 on May 27, 2011, by the following vote: Yeas 136, Nays 5, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2102 was passed by the Senate, with amendments, on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor