



Sen. Suzy Glowiak Hilton

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10300SB3547sam001

LRB103 38313 RPS 70803 a

1 AMENDMENT TO SENATE BILL 3547

2 AMENDMENT NO. _____. Amend Senate Bill 3547 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by changing Section 2310-345 as follows:

7 (20 ILCS 2310/2310-345) (was 20 ILCS 2310/55.49)

8 Sec. 2310-345. Breast cancer; written summary regarding
9 early detection and treatment.

10 (a) From funds made available for this purpose, the
11 Department shall publish, in layman's language, a standardized
12 written summary outlining methods for the early detection and
13 diagnosis of breast cancer. The summary shall include
14 recommended guidelines for screening and detection of breast
15 cancer ~~through the use of techniques that shall include but~~
16 ~~not be limited to self examination, clinical breast exams, and~~

1 ~~diagnostic radiology.~~

2 (b) The summary shall also inform ~~suggest that~~ women they
3 should seek mammography services only from facilities that are
4 certified to perform mammography as required by the federal
5 Mammography Quality Standards Act of 1992.

6 (c) The summary shall also include the medically viable
7 alternative methods for the treatment of breast cancer,
8 including, but not limited to, hormonal, radiological,
9 chemotherapeutic, or surgical treatments or combinations
10 thereof. The summary shall contain information on breast
11 reconstructive surgery, including, but not limited to, the use
12 of breast implants and their side effects. The summary shall
13 inform the patient of the advantages, disadvantages, risks,
14 and dangers of the various procedures. The summary shall
15 include ~~(i)~~ a statement that mammography is the primary ~~most~~
16 ~~accurate~~ method for making an early detection of breast
17 cancer, however, no diagnostic tool is 100% effective, ~~(ii)~~
18 ~~the benefits of clinical breast exams, and (iii) instructions~~
19 ~~for performing breast self examination and a statement that it~~
20 ~~is important to perform a breast self examination monthly.~~

21 (c-5) The summary shall specifically address the benefits
22 of early detection and review the clinical standard
23 recommendations by the Centers for Disease Control and
24 Prevention and the American Cancer Society for mammography,
25 ~~clinical breast exams, and breast self exams.~~

26 (c-10) (Blank). ~~The summary shall also inform individuals~~

1 ~~that public and private insurance providers shall pay for~~
2 ~~clinical breast exams as part of an exam, as indicated by~~
3 ~~guidelines of practice.~~

4 (c-15) The summary shall also inform individuals, in
5 layman's terms, of the meaning and consequences of "dense
6 breast tissue" under the guidelines of the Breast Imaging
7 Reporting and Data System of the American College of Radiology
8 and potential recommended follow-up tests or studies.

9 (d) In developing the summary, the Department shall
10 consult with the Advisory Board of Cancer Control, the
11 Illinois State Medical Society and consumer groups. The
12 summary shall be updated by the Department every 2 years.

13 (e) The summaries shall additionally be translated into
14 Spanish, and the Department shall conduct a public information
15 campaign to distribute the summaries to the Hispanic women of
16 this State in order to inform them of the importance of early
17 detection and mammograms.

18 (f) The Department shall distribute the summary to
19 hospitals, public health centers, physicians, and other health
20 care professionals who are likely to perform or order
21 diagnostic tests for breast disease or treat breast cancer by
22 surgical or other medical methods. Those hospitals, public
23 health centers, physicians, and other health care
24 professionals shall make the summaries available to the
25 public. The Department shall also distribute the summaries to
26 any person, organization, or other interested parties upon

1 request. The summaries may be duplicated by any person,
2 provided the copies are identical to the current summary
3 prepared by the Department.

4 (g) The summary shall display, on the inside of its cover,
5 printed in capital letters, in bold face type, the following
6 paragraph:

7 "The information contained in this brochure regarding
8 recommendations for early detection and diagnosis of breast
9 disease ~~and alternative breast disease treatments~~ is only for
10 the purpose of assisting you, the patient, in understanding
11 the medical information and advice offered by your physician.
12 This brochure cannot serve as a substitute for the sound
13 professional advice of your physician. The availability of
14 this brochure or the information contained within is not
15 intended to alter, in any way, the existing physician-patient
16 relationship, nor the existing professional obligations of
17 your physician in the delivery of medical services to you, the
18 patient."

19 (h) The summary shall be updated when necessary.

20 (Source: P.A. 98-502, eff. 1-1-14; 98-886, eff. 1-1-15;
21 99-581, eff. 1-1-17.)

22 Section 10. The Radiation Protection Act of 1990 is
23 amended by changing Section 5 as follows:

24 (420 ILCS 40/5) (from Ch. 111 1/2, par. 210-5)

1 (Section scheduled to be repealed on January 1, 2027)

2 Sec. 5. Limitations on application of radiation to human
3 beings and requirements for radiation installation operators
4 providing mammography services.

5 (a) No person shall intentionally administer radiation to
6 a human being unless such person is licensed to practice a
7 treatment of human ailments by virtue of the Illinois Medical,
8 Dental or Podiatric Medical Practice Acts, or, as physician
9 assistant, advanced practice registered nurse, technologist
10 ~~technician~~, nurse, or other assistant, is acting under the
11 supervision, prescription or direction of such licensed
12 person. However, no such physician assistant, advanced
13 practice registered nurse, technologist ~~technician~~, nurse, or
14 other assistant acting under the supervision of a person
15 licensed under the Medical Practice Act of 1987, shall
16 administer radiation to human beings unless accredited by the
17 Agency, except that persons enrolled in a course of education
18 approved by the Agency may apply ionizing radiation to human
19 beings as required by their course of study when under the
20 direct supervision of a person licensed under the Medical
21 Practice Act of 1987. No person authorized by this Section to
22 apply ionizing radiation shall apply such radiation except to
23 those parts of the human body specified in the Act under which
24 such person or his supervisor is licensed. No person may
25 operate a radiation installation where ionizing radiation is
26 administered to human beings unless all persons who administer

1 ionizing radiation in that radiation installation are
2 licensed, accredited, or exempted in accordance with this
3 Section. Nothing in this Section shall be deemed to relieve a
4 person from complying with the provisions of Section 10.

5 (b) In addition, no person shall provide mammography
6 services unless all of the following requirements are met:

7 (1) the mammography procedures are performed using a
8 radiation machine that is specifically designed for
9 mammography;

10 (2) the mammography procedures are performed using a
11 radiation machine that is used solely for performing
12 mammography procedures;

13 (3) the mammography procedures are performed using
14 equipment that has been subjected to a quality assurance
15 program that satisfies quality assurance requirements
16 which the Agency shall establish by rule;

17 (4) beginning one year after the effective date of
18 this amendatory Act of 1991, if the mammography procedure
19 is performed by a radiologic technologist, that
20 technologist, in addition to being accredited by the
21 Agency to perform radiography, has satisfied training
22 requirements specific to mammography, which the Agency
23 shall establish by rule.

24 (c) Every operator of a radiation installation at which
25 mammography services are provided shall ensure and have
26 confirmed by each ~~mammography~~ patient that the patient is

1 provided with a printed or digital pamphlet that has been
2 prepared in accordance with Section 2310-345 of the Department
3 of Public Health Powers and Duties Law of the Civil
4 Administrative Code of Illinois, which ~~which~~ is orally
5 reviewed with the patient ~~and which contains the following:~~

6 ~~(1) how to perform breast self examination;~~

7 ~~(2) that early detection of breast cancer is maximized~~
8 ~~through a combined approach, using monthly breast~~
9 ~~self examination, a thorough physical examination~~
10 ~~performed by a physician, and mammography performed at~~
11 ~~recommended intervals;~~

12 ~~(3) that mammography is the most accurate method for~~
13 ~~making an early detection of breast cancer, however, no~~
14 ~~diagnostic tool is 100% effective;~~

15 ~~(4) that if the patient is self referred and does not~~
16 ~~have a primary care physician, or if the patient is~~
17 ~~unfamiliar with the breast examination procedures, that~~
18 ~~the patient has received information regarding public~~
19 ~~health services where she can obtain a breast examination~~
20 ~~and instructions.~~

21 (Source: P.A. 100-513, eff. 1-1-18.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."