



Health Care Availability and Access Committee

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09500HB0147ham001

LRB095 03747 DRJ 31857 a

1 AMENDMENT TO HOUSE BILL 147

2 AMENDMENT NO. _____. Amend House Bill 147 by replacing
3 lines 4 through 23 on page 1 and lines 1 through 16 on page 2
4 with the following:

5 "Section 2. The Department of Public Health Powers and
6 Duties Law of the Civil Administrative Code of Illinois is
7 amended by changing Section 2310-345 as follows:

8 (20 ILCS 2310/2310-345) (was 20 ILCS 2310/55.49)

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

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

1 be limited to self-examination and diagnostic radiology.

2 (b) The summary shall also suggest that women seek
3 mammography services from facilities that are certified to
4 perform mammography as required by the federal Mammography
5 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, and
14 dangers of the various procedures. The summary shall include
15 (i) a statement that mammography is the most accurate method
16 for making an early detection of breast cancer, however, no
17 diagnostic tool is 100% effective and (ii) instructions for
18 ~~instructions for~~ performing breast self-examination and a
19 statement that it is important to perform a breast
20 self-examination monthly.

21 (c-5) The summary shall specifically address the benefits
22 of early detection and regular comprehensive clinical breast
23 examinations as well as the mandate that health and government
24 benefit payers pay for the breast examinations.

25 (d) In developing the summary, the Department shall consult
26 with the Advisory Board of Cancer Control, the Illinois State

1 Medical Society and consumer groups. The summary shall be
2 updated by the Department every 2 years.

3 (e) The summaries shall additionally be translated into
4 Spanish, and the Department shall conduct a public information
5 campaign to distribute the summaries to the Hispanic women of
6 this State in order to inform them of the importance of early
7 detection and mammograms.

8 (f) The Department shall distribute the summary to
9 hospitals, public health centers, and physicians who are likely
10 to perform or order diagnostic tests for breast disease or
11 treat breast cancer by surgical or other medical methods. Those
12 hospitals, public health centers, and physicians shall make the
13 summaries available to the public. The Department shall also
14 distribute the summaries to any person, organization, or other
15 interested parties upon request. The summaries may be
16 duplicated by any person, provided the copies are identical to
17 the current summary prepared by the Department.

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

21 "The information contained in this brochure regarding
22 recommendations for early detection and diagnosis of breast
23 disease and alternative breast disease treatments is only for
24 the purpose of assisting you, the patient, in understanding the
25 medical information and advice offered by your physician. This
26 brochure cannot serve as a substitute for the sound

1 professional advice of your physician. The availability of this
2 brochure or the information contained within is not intended to
3 alter, in any way, the existing physician-patient
4 relationship, nor the existing professional obligations of
5 your physician in the delivery of medical services to you, the
6 patient."

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

8 (Source: P.A. 91-239, eff. 1-1-00; revised 10-19-05.)

9 Section 5. The Illinois Insurance Code is amended by adding
10 Section 356g.5 as follows:

11 (215 ILCS 5/356g.5 new)

12 Sec. 356g.5. Comprehensive clinical breast exam.

13 (a) The General Assembly finds that comprehensive clinical
14 breast examinations are a critical tool in the early detection
15 of breast cancer, while the disease is in its earlier and
16 potentially more treatable stages. Insurer reimbursement of
17 comprehensive clinical breast examinations is essential to the
18 effort to reduce breast cancer deaths in Illinois.

19 (b) Every insurer shall provide, in each group or
20 individual policy, contract, or certificate of accident or
21 health insurance issued or renewed for persons who are
22 residents of Illinois, coverage for a complete and thorough
23 comprehensive clinical breast examination for each breast,
24 performed by a physician licensed to practice medicine in all

1 its branches, an advanced practice nurse who has a
2 collaborative agreement with a collaborating physician that
3 authorizes comprehensive breast examinations, or a physician
4 assistant who has been delegated authority to provide
5 comprehensive breast examinations, to check for lumps and other
6 changes for the purpose of early detection and prevention of
7 breast cancer as follows:

8 (1) annually for women 18 years of age and older; and

9 (2) at any time at the recommendation of the woman's
10 health care professional.

11 (c) An insurance policy, contract, or certificate must
12 provide separate and distinct coverage for physical
13 examinations of the breast as described in subsection (b)
14 regardless of whether a health care professional performs other
15 preventive women's health examinations or makes a referral for
16 other preventive women's health examinations at the same time
17 the health care professional performs the breast
18 examination."