



Rep. Mike Smiddy

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LRB099 04240 MLM 33164 a

1 AMENDMENT TO HOUSE BILL 3673

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3673 as follows:

3 on page 2, by replacing line 17 with the following:

4 "mammography and shall include breast tomosynthesis. As used in  
5 this Section, the term "breast tomosynthesis" means a  
6 radiologic procedure that involves the acquisition of  
7 projection images over the stationary breast to produce  
8 cross-sectional digital three-dimensional images of the  
9 breast."; and

10 on page 4, immediately below line 23, by inserting the  
11 following:

12 "Section 10. The Health Maintenance Organization Act is  
13 amended by changing Section 4-6.1 as follows:

14 (215 ILCS 125/4-6.1) (from Ch. 111 1/2, par. 1408.7)

1           Sec. 4-6.1. Mammograms; mastectomies.

2           (a) Every contract or evidence of coverage issued by a  
3 Health Maintenance Organization for persons who are residents  
4 of this State shall contain coverage for screening by low-dose  
5 mammography for all women 35 years of age or older for the  
6 presence of occult breast cancer. The coverage shall be as  
7 follows:

8           (1) A baseline mammogram for women 35 to 39 years of  
9 age.

10           (2) An annual mammogram for women 40 years of age or  
11 older.

12           (3) A mammogram at the age and intervals considered  
13 medically necessary by the woman's health care provider for  
14 women under 40 years of age and having a family history of  
15 breast cancer, prior personal history of breast cancer,  
16 positive genetic testing, or other risk factors.

17           (4) A comprehensive ultrasound screening of an entire  
18 breast or breasts if a mammogram demonstrates  
19 heterogeneous or dense breast tissue, when medically  
20 necessary as determined by a physician licensed to practice  
21 medicine in all of its branches.

22           For purposes of this Section, "low-dose mammography" means  
23 the x-ray examination of the breast using equipment dedicated  
24 specifically for mammography, including the x-ray tube,  
25 filter, compression device, and image receptor, with radiation  
26 exposure delivery of less than 1 rad per breast for 2 views of

1 an average size breast. The term also includes digital  
2 mammography and shall include breast tomosynthesis. As used in  
3 this Section, the term "breast tomosynthesis" means a  
4 radiologic procedure that involves the acquisition of  
5 projection images over the stationary breast to produce  
6 cross-sectional digital three-dimensional images of the  
7 breast.

8 (a-5) Coverage as described in subsection (a) shall be  
9 provided at no cost to the enrollee and shall not be applied to  
10 an annual or lifetime maximum benefit.

11 (b) No contract or evidence of coverage issued by a health  
12 maintenance organization that provides for the surgical  
13 procedure known as a mastectomy shall be issued, amended,  
14 delivered, or renewed in this State on or after the effective  
15 date of this amendatory Act of the 92nd General Assembly unless  
16 that coverage also provides for prosthetic devices or  
17 reconstructive surgery incident to the mastectomy, providing  
18 that the mastectomy is performed after the effective date of  
19 this amendatory Act. Coverage for breast reconstruction in  
20 connection with a mastectomy shall include:

21 (1) reconstruction of the breast upon which the  
22 mastectomy has been performed;

23 (2) surgery and reconstruction of the other breast to  
24 produce a symmetrical appearance; and

25 (3) prostheses and treatment for physical  
26 complications at all stages of mastectomy, including

1           lymphedemas.

2           Care shall be determined in consultation with the attending  
3           physician and the patient. The offered coverage for prosthetic  
4           devices and reconstructive surgery shall be subject to the  
5           deductible and coinsurance conditions applied to the  
6           mastectomy and all other terms and conditions applicable to  
7           other benefits. When a mastectomy is performed and there is no  
8           evidence of malignancy, then the offered coverage may be  
9           limited to the provision of prosthetic devices and  
10          reconstructive surgery to within 2 years after the date of the  
11          mastectomy. As used in this Section, "mastectomy" means the  
12          removal of all or part of the breast for medically necessary  
13          reasons, as determined by a licensed physician.

14          Written notice of the availability of coverage under this  
15          Section shall be delivered to the enrollee upon enrollment and  
16          annually thereafter. A health maintenance organization may not  
17          deny to an enrollee eligibility, or continued eligibility, to  
18          enroll or to renew coverage under the terms of the plan solely  
19          for the purpose of avoiding the requirements of this Section. A  
20          health maintenance organization may not penalize or reduce or  
21          limit the reimbursement of an attending provider or provide  
22          incentives (monetary or otherwise) to an attending provider to  
23          induce the provider to provide care to an insured in a manner  
24          inconsistent with this Section.

25          (c) Rulemaking authority to implement this amendatory Act  
26          of the 95th General Assembly, if any, is conditioned on the

1 rules being adopted in accordance with all provisions of the  
2 Illinois Administrative Procedure Act and all rules and  
3 procedures of the Joint Committee on Administrative Rules; any  
4 purported rule not so adopted, for whatever reason, is  
5 unauthorized.

6 (Source: P.A. 94-121, eff. 7-6-05; 95-431, eff. 8-24-07;  
7 95-1045, eff. 3-27-09.); and

8 on page 4, line 24, by replacing "Section 10." with "Section  
9 15."; and

10 on page 11, by replacing line 5 with the following:

11 "includes digital mammography and shall include breast  
12 tomosynthesis. As used in this Section, the term "breast  
13 tomosynthesis" means a radiologic procedure that involves the  
14 acquisition of projection images over the stationary breast to  
15 produce cross-sectional digital three-dimensional images of  
16 the breast.".