

## **BILL ANALYSIS**

Senate Research Center  
82R30163 TRH-F

C.S.H.B. 2102  
By: Hernandez Luna et al. (Ellis)  
State Affairs  
5/20/2011  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Citing reports that one in eight women are diagnosed with breast cancer, interested parties contend that additional screening to detect tumors, such as those hidden by dense breast tissue, would help to ensure a woman's rights as a patient and increase the possibility for a longer, healthier life. While mammograms continue to work for many women, coverage of such supplemental screening can be essential for those women for whom mammograms are unhelpful. Early detection is an important element for survival of cancer, but without financial assistance for those who cannot afford testing, the chances of beating this terrible disease are diminished.

C.S.H.B. 2102 amends current law relating to the requirement that certain mammography reports contain information regarding supplemental breast cancer screening.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Provides that this Act shall be known as Henda's Law.

SECTION 2. Amends Subchapter B, Chapter 86, Health and Safety Code, by adding Section 86.013, as follows:

Sec. 86.013. INFORMATION ON SUPPLEMENTAL BREAST CANCER SCREENING. (a) Requires a mammography facility certified by the United States Food and Drug Administration or by a certification agency approved by the United States Food and Drug Administration, on completion of a mammogram, to provide to the patient a certain notice. Sets forth the required language of the notice.

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

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

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

SECTION 4. Effective date: September 1, 2011.