

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

742U0340

## HOUSE BILL NO. 1238

Introduced by: Representatives Conzet, Craig, Cronin, Ecklund, Erickson, Hickey, Hoffman, Mickelson, Munsterman, Nelson, Olson (Betty), Rozum, Solum, and Wink and Senators Kirkeby, Lederman, and Monroe

1 FOR AN ACT ENTITLED, An Act to require that health benefit plans provide coverage for  
2 MRI and ultrasound screenings for breast cancer in certain instances.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 58-17 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Every policy of health insurance that covers a female, that is delivered, issued for delivery,  
7 or renewed in this state, and that provides coverage for occult breast cancer screening shall  
8 provide additional benefits for:

- 9 (1) Comprehensive ultrasound screening of an entire breast or breasts if a mammogram  
10 demonstrates heterogeneous or dense breast tissue based on the Breast Imaging  
11 Reporting and Data System established by the American College of Radiology or if  
12 a woman is believed to be at an increased risk for breast cancer due to family history  
13 or prior personal history of breast cancer, positive genetic testing, or other indications  
14 as determined by a woman's physician or advanced practice registered nurse; and



1       (2)   Magnetic resonance imaging in accordance with guidelines established by the  
2            American Cancer Society or the American College of Radiology or if a woman is  
3            believed to be at an increased risk for breast cancer due to family history or prior  
4            personal history of breast cancer, positive genetic testing, or other indications as  
5            determined by a woman's physician or advanced practice registered nurse.

6       Section 2. That chapter 58-18 be amended by adding thereto a NEW SECTION to read as  
7 follows:

8       Any group health insurance policy that covers a female, that is delivered, issued for delivery,  
9 or renewed in this state, and that provides coverage for occult breast cancer screening shall  
10 provide additional benefits for:

11       (1)   Comprehensive ultrasound screening of an entire breast or breasts if a mammogram  
12            demonstrates heterogeneous or dense breast tissue based on the Breast Imaging  
13            Reporting and Data System established by the American College of Radiology or if  
14            a woman is believed to be at an increased risk for breast cancer due to family history  
15            or prior personal history of breast cancer, positive genetic testing, or other indications  
16            as determined by a woman's physician or advanced practice registered nurse; and

17       (2)   Magnetic resonance imaging in accordance with guidelines established by the  
18            American Cancer Society or the American College of Radiology or if a woman is  
19            believed to be at an increased risk for breast cancer due to family history or prior  
20            personal history of breast cancer, positive genetic testing, or other indications as  
21            determined by a woman's physician or advanced practice registered nurse.

22       Section 3. That chapter 58-38 be amended by adding thereto a NEW SECTION to read as  
23 follows:

24       Each service or indemnity-type contract issued by a nonprofit medical or surgical service

1 plan corporation that covers a female, that is delivered, issued for delivery, or renewed in this  
2 state, and that provides coverage for occult breast cancer screening shall provide additional  
3 benefits for:

- 4 (1) Comprehensive ultrasound screening of an entire breast or breasts if a mammogram  
5 demonstrates heterogeneous or dense breast tissue based on the Breast Imaging  
6 Reporting and Data System established by the American College of Radiology or if  
7 a woman is believed to be at an increased risk for breast cancer due to family history  
8 or prior personal history of breast cancer, positive genetic testing, or other indications  
9 as determined by a woman's physician or advanced practice registered nurse; and
- 10 (2) Magnetic resonance imaging in accordance with guidelines established by the  
11 American Cancer Society or the American College of Radiology or if a woman is  
12 believed to be at an increased risk for breast cancer due to family history or prior  
13 personal history of breast cancer, positive genetic testing, or other indications as  
14 determined by a woman's physician or advanced practice registered nurse.

15 Section 4. That chapter 58-41 be amended by adding thereto a NEW SECTION to read as  
16 follows:

17 Each health maintenance contract that covers a female, that is delivered, issued for delivery,  
18 or renewed in this state, and that provides coverage for occult breast cancer screening shall  
19 provide additional benefits for:

- 20 (1) Comprehensive ultrasound screening of an entire breast or breasts if a mammogram  
21 demonstrates heterogeneous or dense breast tissue based on the Breast Imaging  
22 Reporting and Data System established by the American College of Radiology or if  
23 a woman is believed to be at an increased risk for breast cancer due to family history  
24 or prior personal history of breast cancer, positive genetic testing, or other indications

1 as determined by a woman's physician or advanced practice registered nurse; and  
2 (2) Magnetic resonance imaging in accordance with guidelines established by the  
3 American Cancer Society or the American College of Radiology or if a woman is  
4 believed to be at an increased risk for breast cancer due to family history or prior  
5 personal history of breast cancer, positive genetic testing, or other indications as  
6 determined by a woman's physician or advanced practice registered nurse.