

## Comparative Analysis of State Density Inform Efforts and Insurance Coverage

*\*States listed in order of effective "inform" law date*

State	"Inform" Law Effective Date	Notification Required or Suggested	Mandates Specific Language	Who Receives Information	Informs Woman Her Breasts are Dense	Includes Personal Breast Density Category	"Cancer" or "Abnormality" Masking Effect Mentioned	Density as a Risk Factor Mentioned	Supplemental Screening Tests Mentioned <sup>a</sup>	Insurance: 3D and/or Supplemental Screening Coverage <sup>b</sup>	Insurance: Copay and Deductible Apply for Supplemental Screening
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CT	10/1/2009	R	Yes, if dense <sup>p</sup>	All, general info If dense, supplemental screening info <sup>p</sup>	No	No	Yes	No	Yes, if dense	If dense, US (10/1/06); high-risk, MRI (1/1/12) <sup>d</sup> ; all women, 3D (1/1/17); ages 35-39, mammo (1/1/20)	Yes; US \$20 maximum copay (1/1/15), \$20 maximum out of pocket (1/1/20)  3D, no (1/1/19)  US, MRI, no (10/1/21)
TX	9/1/2011	R	Yes <sup>e</sup>	All <sup>c</sup>	No	No	Yes	Yes	Yes	All women, 3D (9/1/17); if personal history or dense, US/MRI; diagnostic imaging (9/1/21)	No
UT	5/8/2012, amended 5/8/2018	R, amendment	Yes	Dense <sup>c</sup>	Yes	No	Yes	Yes	No		
VA	7/1/2012, amended 7/1/2013	R	Yes	Dense	Yes	No	Yes	Yes	Yes		
NY	1/19/2013	R	Yes	Dense	Yes	No	Yes	Yes	Yes	All women, screening + diagnostic breast imaging (1/1/17); ages 35-39, mammo (9/1/19)	No
CA	4/1/2013 <sup>f</sup>	R	Yes	Dense	Yes	No	No	Yes	No		
AL	8/1/2013	R	Yes	Dense	Yes	No	Yes	Yes	Yes		

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MD	10/1/2013, amended 10/1/2017	R	Yes	All	No	No	Yes	Yes	No	All women, 3D (1/1/18)	Yes
TN	1/1/2014, amended 7/1/2018	R	Yes <sup>e</sup>	Dense	Yes	No	Yes, amendment	Yes	Yes, amendment		
HI	1/1/2014	R	Yes	Dense	Yes	No	Yes	Yes	Yes		
NV	1/1/2014, amended 7/1/2015	R	Yes	All	Yes	Yes	No	Yes	No		
OR	1/1/2014	R	Yes	Extremely Dense	Yes	No	Yes	Yes	Yes		
NC	1/1/2014	R	Yes	Dense	Yes	Yes	Yes	Yes	No		
PA	1/30/2014	R	Yes	All	Yes	Yes	Yes	Yes	No	All women, 3D (10/1/15) If extremely dense, high-risk, or heterogeneously dense + high risk, US, MRI (8/30/20 <sup>u</sup> )	No, 3D Yes, all else
NJ	5/1/2014	R	Yes	All	No	No	Yes	Yes	No	All women, 3D (8/1/18) If extremely dense, US, MRI (5/1/14)	No, 3D Yes, all else
MN	7/1/2014	R	No	Dense	Yes	No	Yes	Yes	No	Dense or other risk, 3D (1/1/20)	No
RI	10/1/2014	R	Yes	Dense	Yes	Yes	Yes	Yes	Yes		
AZ	10/1/2014	R	Yes	Dense	Yes	No	Yes	Yes	No		

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MO	1/1/2015	R	Yes <sup>e</sup>	All	No	No	Yes	Yes	Yes	All women, 3D (1/1/19); Medically necessary, not modality specific; above-average risk, US, MRI (08/28/20 <sup>u</sup> )	No, 3D Yes, all else
MA	1/1/2015	R	No	Dense	Yes	Yes	Yes	Yes	Yes		
OH	3/19/2015	R	Yes	Dense	Yes	No	Yes	Yes	No		
ND	4/8/2015 <sup>h</sup>	R-expired	No	Dense	Yes	No	Yes	Yes	No		
MI	6/1/2015	R	Yes	Dense	Yes	No	Yes	Yes	Yes		
ME <sup>i</sup>	N/A	S	No	Dense	Yes	No	Yes	Yes	Yes		
DE <sup>j</sup>	12/21/2015	R	No	All	Yes	Yes	Yes	Yes	Yes		
LA	1/1/2016	R	Yes	All	No	No	Yes	Yes	Yes	All women, 3D (1/1/19); all women screening US, diagnostic mammo/US (1/1/21); pathogenic mutation/chest wall radiation age >25, MRI, age >30, mammo; high-risk age >35 mammo/MRI; dense, prior history age <50, supplemental imaging (1/1/22)	No, mammogram, screening US, diagnostic mammogram (1/1/21)  Coverage ambiguous, (amendments 1/1/22)
SC	5/12/2016	R	Yes	"Where applicable"	Yes	No	No	Yes	No		

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IN <sup>k</sup>	7/1/2016	R	No	Unclear	No	No	No	No	No	If dense, not modality specific (7/1/13)	Yes
OK	11/1/2016	R	Yes	Dense	Yes	Yes	Yes	Yes	No	All women, 3D (11/1/18)	No
VT	1/15/2017	R	No <sup>f</sup>	Dense	Yes	Yes	Yes	Yes	No	All women, 3D; if dense, US (1/1/19 <sup>g</sup> )	No
KY	Expired 1/1/2021; reinstated 7/1/2021 <sup>l</sup>	R	Yes	Dense	Yes	No	Yes	Yes	No	All women, 3D (on/about 7/3/17)	No
NE	7/24/2017	R	No <sup>f</sup>	All	Yes	Yes	Yes	Yes	No		
AR	8/2017 <sup>m</sup> amended 8/2019 <sup>m</sup> , 8/2021 <sup>m</sup>	Neither	N/A	N/A	N/A	N/A	N/A	N/A	N/A	All women, 3D; ages 35-40 mammo; if dense, US (8/2017)	Yes No (8/2021)
CO	10/1/2017	R	Yes	Dense	Yes	No	No	Yes	No	If high risk, dense or diagnostic, “non-invasive” modality coverage (1/1/21)	No, if “non-invasive”
IA	11/15/2017	R	No	All	Yes	Yes	Possibly <sup>n</sup>	Yes	No		
WI	4/4/2018	R	No <sup>f</sup>	Dense	Yes	No	Yes	Yes	No		
FL	7/1/2018 <sup>o</sup>	R	Yes	Dense	Yes	No	Yes	Yes	No		
NH	8/7/18 <sup>m</sup> amended 9/10/19	Neither	N/A	N/A	N/A	N/A	N/A	N/A	N/A	All women, 3D (8/7/18)	Yes (amendment 9/10/19)
WA	1/1/2019 <sup>o</sup>	R	Yes	Dense	Yes	Yes	No	Yes	No	All women, 3D (6/7/18)	No

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IL	1/1/2019 <sup>8</sup>	R	No <sup>r</sup>	Dense	Yes	No	Yes	Yes	No	Diagnostic mammo (1/1/20); Screening: if dense, US (3/27/09); all, 3D (7/1/16); high-risk, MRI (1/1/18)	No
DC <sup>t</sup>	3/22/2019	R	Yes	Dense	Yes	Yes	Yes	Yes	Yes	All women, 3D; if dense/high-risk, US, MRI, MBI (3/22/19)	No, 3D Yes, all else
NM	7/1/2019	R	Yes	Dense	Yes	Yes	No	Yes	No		
SD	7/1/2019	R	Yes	Dense	Yes	Yes	Yes	Yes	Yes		
GA	7/1/2019	R	Yes	Dense	Yes	No	Yes	Yes	Yes		

R = required; S = suggested; 3D = 3D mammography (tomosynthesis); US = ultrasonography; MRI = contrast-enhanced breast magnetic resonance imaging; N/A = not applicable

- <sup>a</sup> “Supplemental screening tests mentioned” indicates state inform law requires the notification to mention imaging tests that might be added to mammography (generally or by modality). State inform laws that mention only “screening options” have been excluded as this language may be interpreted to refer to screening frequency.
- <sup>b</sup> 3D screening benefit guaranteed at age 40 or above, if younger under certain circumstances. A state insurance law does not necessarily apply to all policies within the state. Further, national insurance providers may be exempt from state laws
- <sup>c</sup> “Dense” refers to women with heterogeneously or extremely dense breasts per the mammogram report. “All” means every woman receives some notification post-mammogram.
- <sup>d</sup> Benefits must also include screening MRI of an entire breast or breasts in accordance with guidelines established by the American Cancer Society.
- <sup>e</sup> State law requires notification but does not specify that notification must be included in the patient letter
- <sup>f</sup> Sunset Clause, 1/1/2025
- <sup>g</sup> Directs patients to their breast imaging health provider for questions
- <sup>h</sup> Sunset Clause, 7/31/2017; law no longer in effect.
- <sup>i</sup> No law, however, a state Work Group recommended Maine radiologists voluntarily communicate information about breast density to women with heterogeneously or extremely dense breasts in the letter sent to them after their mammograms.
- <sup>j</sup> No language specifically required, however Delaware mammography facilities have been provided sample wording to use based on guidelines from the American College of Radiology (ACR). The notification will include the patient’s breast density based on the ACR Breast Imaging Reporting and Data System (BI-RADS), and awareness statements about breast density. It will also include notice to patients to use this information to guide discussions about screening with their referring physicians. Table data completed on assumption facilities will utilize ACR sample lay letter: Negative or Benign Finding(s) / dense tissue (<http://www.acr.org/Quality-Safety/Accreditation/Mammography/Lay-Letters>)
- <sup>k</sup> Not specified. The law does not provide specific guidelines, suggest/recommend reporting language or require that a patient be provided information on breast density in clear language. Law specifies only that if imaging facility determines patient has “an amount of breast and connective tissue in comparison to fat in the breast” the facility shall notify the patient of the determination.
- <sup>l</sup> On or about 7/1/2021; Sunset Clause, 1/1/2025
- <sup>m</sup> Not a density inform law; insurance only
- <sup>n</sup> State law requires notification about “...the effects of dense breast tissue on screening mammography...”, however no specific language is required.
- <sup>o</sup> Becomes law on 6/7/2018, compliance required by 1/1/2019. Sunset Clause, 1/1/2025
- <sup>p</sup> All women receive “information about breast density.” No further specifications are provided. The law additionally states that “where applicable” notification is required about supplemental screening. “Where applicable” has been interpreted to mean women with heterogeneously or extremely dense breasts.
- <sup>q</sup> Sunset Clause, 6/30/2023
- <sup>r</sup> Inform language must be “substantially similar” to that included in the law
- <sup>s</sup> Effective January 1, 2019 on such date as a health insurer offers, issues, or renews the health insurance plan, but in no event later than January 1, 2020
- <sup>t</sup> The District of Columbia is not a U.S. state
- <sup>u</sup> Subject to individual policy applicability, issuance or renewal date

**DenseBreast-info.org endeavors to provide an informed interpretation of the state laws as they relate to breast density; however, state legislative language varies and can be complex or vague. These codes may not be the most recent version; a state may have more current, amended or accurate information. No representations or warranties of any kind are made, express or implied, about the completeness, accuracy or reliability of the information or interpretation provided. Questions about a state law should be directed to that state’s legislature.**