

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1389

By: Provenzano

7 AS INTRODUCED

8 An Act relating to mammography screening; amending 36  
9 O.S. 2021, Section 6060, as amended by Section 1,  
Chapter 294, O.S.L. 2022 (36 O.S. Supp. 2024, Section  
10 6060), which relates to coverage for low-dose  
mammography screening; adding new types of  
examinations; adding a definition; and providing an  
11 effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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15 SECTION 1. AMENDATORY 36 O.S. 2021, Section 6060, as

16 amended by Section 1, Chapter 294, O.S.L. 2022 (36 O.S. Supp. 2024,  
17 Section 6060), is amended to read as follows:

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19 Section 6060. A. For the purposes of this section:

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21 1. "Breast magnetic resonance imaging" means a diagnostic tool  
used to produce detailed pictures of the structure of the breast;

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23 2. "Breast ultrasound" means a noninvasive, diagnostic imaging  
technique that uses high-frequency sound waves to produce detailed  
24 images of the breast;

3. "Diagnostic examination for breast cancer" means a medically necessary and clinically appropriate examination, ~~as defined by current guidelines in accordance with National Comprehensive Cancer Network guidelines,~~ and as determined by a clinician who is evaluating the individual for breast cancer, to evaluate the abnormality in the breast that is:

- a. seen or suspected from a screening examination for breast cancer,
  - b. detected by another means of examination, or
  - c. suspected based on the medical history or family medical history of the individual.

This examination may include, but is not limited to, a contrast-enhanced mammogram, diagnostic mammogram, breast magnetic resonance imaging, or a breast ultrasound, or molecular breast imaging;

4. "Diagnostic mammography" means a diagnostic tool that:

- a. uses X-ray, and
  - b. is designed to evaluate abnormality in a breast;

5. "Health benefit plan" means any plan or arrangement as

defined in subsection C of Section 6060.4 of this title;

6. "Low-dose mammography" means:

- a. the X-ray examination of the breast using equipment specifically dedicated for such purpose, with an average radiation exposure delivery of less than one rad mid-breast and with two views for each breast,

1           b. digital mammography, or

2           c. breast tomosynthesis;

3       7. "Breast tomosynthesis" means a radiologic mammography

4 procedure involving the acquisition of projection images over a

5 stationary breast to produce cross-sectional digital three-

6 dimensional images of the breast from which breast cancer screening

7 diagnoses may be made; and

8       8. "Screening mammography" means a radiologic procedure

9 provided to a woman, who has no signs or symptoms of breast cancer,

10 for the purpose of early detection of breast cancer, including

11 breast tomosynthesis; and

12       9. "Supplemental examinations" means a medically necessary and

13 appropriate, in accordance with National Comprehensive Cancer

14 Network Guidelines, examination of the breast, including, but not

15 limited to, such an examination using contrast-enhanced mammography,

16 breast magnetic resonance imaging, breast ultrasound, or molecular

17 breast imaging that is:

18           a. used to screen for breast cancer when there is no

19           abnormality seen or suspected; and

20           b. based on personal or family medical history or

21           additional factors that increase the individual's risk

22           of breast cancer, including heterogeneously or

23           extremely dense breasts.

1       B. All health benefit plans shall include the coverage  
2 specified by this section for a low-dose mammography screening for  
3 the presence of occult breast cancer and a diagnostic and  
4 supplemental examination for breast cancer. Such coverage shall  
5 not:

- 6           1. Be subject to the policy deductible, co-payments and co-  
7 insurance limits of the plan; or  
8           2. Require that a female undergo a mammography screening at a  
9 specified time as a condition of payment.

10          C. 1. Any female thirty-five (35) through thirty-nine (39)  
11 years of age shall be entitled pursuant to the provisions of this  
12 section to coverage for a low-dose mammography screening once every  
13 five (5) years.

14           2. Any female forty (40) years of age or older shall be  
15 entitled pursuant to the provisions of this section to coverage for  
16 an annual low-dose mammography screening.

17          D. If application of this act would result in health savings  
18 account ineligibility under Section 223 of the federal Internal  
19 Revenue Code, as amended, the provisions of this section shall only  
20 apply to health savings accounts with qualified high deductible  
21 health plans with respect to the deductible of such a plan after the  
22 enrollee has satisfied the minimum deductible. Provided, however,  
23 the provisions of this section shall apply to items of services that  
24 are preventive care pursuant to Section 223(c)(2)(c) of the federal

1 Internal Revenue Code, as amended, regardless of whether the minimum  
2 deductible has been satisfied.

3 SECTION 2. This act shall become effective November 1, 2025.

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