

1 HB769  
2 141830-1  
3 By Representative Boman  
4 RFD: Health  
5 First Read: 01-MAY-12

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8 SYNOPSIS: This bill would require any hospital that  
9 provides mastectomy surgery, lymph node dissection,  
10 or a lumpectomy to provide, prior to obtaining the  
11 patient's consent to the surgical procedure,  
12 information to the patient concerning the option of  
13 breast reconstructive surgery, including the  
14 availability of coverage for reconstructive  
15 surgery, in accordance with state insurance law and  
16 applicable provisions of federal law.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT

21  
22 Relating to public health; to require any hospital  
23 that provides mastectomy surgery, lymph node dissection, or a  
24 lumpectomy to provide, prior to obtaining the patient's  
25 consent to the surgical procedure, information to the patient  
26 concerning the option of breast reconstructive surgery.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. (a) Any hospital licensed by the State  
2 Board of Health that provides mastectomy surgery, lymph node  
3 dissection, or a lumpectomy shall provide information to the  
4 patient concerning the option of breast reconstructive  
5 surgery, including the availability of coverage for  
6 reconstructive surgery, in accordance with state insurance law  
7 and applicable provisions of federal law.

8           (b) The information shall be provided to the patient  
9 in writing and in advance of obtaining consent to the surgical  
10 procedure.

11           (c) The information provided shall include at least  
12 the following:

13           (1) A description of the various reconstructive  
14 options and the advantages and disadvantages of each.

15           (2) A description of the provisions assuring  
16 coverage by public and private insurance plans of the costs  
17 related to reconstructive surgery under federal and state law.

18           (3) A description of how a patient may access  
19 reconstructive care, including the potential of transferring  
20 care to a facility that provides reconstructive care or  
21 choosing to pursue reconstruction after completion of breast  
22 cancer surgery and chemotherapy or radiotherapy, if warranted.

23           (4) Any other information as may be required by the  
24 Board of Health.

25           Section 2. This act shall become effective on the  
26 first day of the third month following its passage and  
27 approval by the Governor, or its otherwise becoming law.

