



Missouri Radiation Control Program Guidance Document/Frequently Asked Question

See below for regulatory guidance on the following issue. If you have additional questions, you may contact the Missouri Radiation Control Program at MRCP@health.mo.gov or 573-751-6083

In 2014, Missouri passed the Dense Breast Tissue Law, which was codified as 192.769, RSMo. Missouri was the 18th state to pass a similar law. Perhaps unlike in some other states, Missouri's version of the law is actually fairly simple and straightforward, and does not leave much room for interpretation or flexibility beyond the plain language of the law itself.

192.769. 1. On completion of a mammogram, a mammography facility certified by the United States Food and Drug Administration (FDA) or by a certification agency approved by the FDA shall provide to the patient the following notice:

"If your mammogram demonstrates that you have dense breast tissue, which could hide abnormalities, and you have other risk factors for breast cancer that have been identified, you might benefit from supplemental screening tests that may be suggested by your ordering physician. Dense breast tissue, in and of itself, is a relatively common condition. Therefore, this information is not provided to cause undue concern, but rather to raise your awareness and to promote discussion with your physician regarding the presence of other risk factors, in addition to dense breast tissue. A report of your mammography results will be sent to you and your physician. You should contact your physician if you have any questions or concerns regarding this report."

That is the entire law. As a reminder:

- A. This law was effective January 1, 2015, and has been actively enforced since that time. As part of a facility's routine annual mammography survey, inspectors will check to see evidence of a system that provides the notice to all mammography patients.
- B. A facility may meet this law either by providing a separate notice to the patient, or by including the required paragraph on the lay letter of results provided to the patient. The quotation marks indicate the language is to be given as complete and without alteration of what is noted in the law.
- C. This notice must be given to ALL patients, upon completion of the mammogram, and regardless of whether or not a specific, individual patient herself may or may not have dense breast tissue.

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