

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB File No. R100-13

November 8, 2013

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 457.065 and 457.1857.

A REGULATION relating to mammography; requiring a statement regarding breast density and certain other information to be included in a report provided to the patient; and providing other matters properly relating thereto.

Section 1. NAC 457.313 is hereby amended to read as follows:

457.313 *1.* The operator of a facility shall ensure that:

~~11~~ *(a)* Each mammogram has a preliminary interpretation not later than 7 working days after the mammogram is performed;

~~12~~ *(b)* For each mammogram that indicates cancerous or potentially cancerous tissue, the responsible provider of care of the patient is contacted at the time the preliminary interpretation is complete;

~~13~~ *(c)* For each mammogram that otherwise indicates the need for additional workup or evaluation which prevents the written report from being sent to the responsible provider of care of the patient within 7 working days, the responsible provider of care is contacted at the time the preliminary interpretation is complete; and

~~14~~ *(d)* Mammography records and reports comply with the provisions of 21 C.F.R. § 900.12.

2. If a patient undergoes mammography, the owner, lessee or other person responsible for the radiation machine used to perform the mammography shall ensure that each written report provided pursuant to 42 U.S.C. § 263b(f)(1)(G)(ii)(IV) includes a statement of the category of the patient's breast density as required pursuant to NRS 457.1857 and a statement in substantially the following form:

Regular breast examination by mammography is the primary modality used for detection of early stage carcinoma of the breast. Diagnosis by mammography may be limited by factors including, but not limited to, patient habitus, prior surgery, breast implants, the composition of breast tissue and other pathologies. These limitations may obscure or limit the finding of acute pathology. A risk of cancer caused by exposure to radiation is inherent to all radiographic examinations. However, the diagnostic benefit of early detection far outweighs the risk of a mammogram causing breast cancer. You are encouraged to use this letter to discuss your individual risk factors for breast cancer with your physician or other health care provider. At that time, you are also encouraged to discuss the appropriate schedule for your personal mammograms and if any additional screening should be considered because of your breast density or other individual risk factors for breast cancer.

Sec. 2. This regulation becomes effective on January 1, 2014.