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**SUBSTITUTE HOUSE BILL 1101**

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**State of Washington                      62nd Legislature                      2011 Regular Session**

**By House Health Care & Wellness (originally sponsored by Representatives Moeller and Kenney)**

READ FIRST TIME 02/17/11.

1            AN ACT Relating to providing patients with information on options  
2 for breast reconstruction; adding a new section to chapter 18.57 RCW;  
3 and adding a new section to chapter 18.71 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 18.57 RCW  
6 to read as follows:

7            (1) An osteopathic physician and surgeon performing a mastectomy,  
8 lymph node dissection, or lumpectomy shall provide the patient with  
9 information regarding the option of postprocedure reconstructive  
10 surgery. The information must be provided to the patient in writing  
11 and in advance of, or simultaneously with, obtaining consent to the  
12 procedure.

13            (2) The information must include at least the following:

14            (a) A description of the various reconstructive options and the  
15 advantages and disadvantages of each, including a statement that breast  
16 reconstruction may not be appropriate for all patients;

17            (b) A description of the statutory provisions requiring coverage by  
18 insurers for reconstructive surgery following a mastectomy in 29 U.S.C.  
19 Sec. 1885b and RCW 48.20.395, 48.21.230, 48.44.330, and 48.46.280;

1 (c) A description of how a patient may access reconstructive care,  
2 including the potential of transferring to another facility or choosing  
3 to pursue reconstruction after the completion of breast cancer surgery  
4 and chemotherapy or radiotherapy, if warranted; and

5 (d) Any other information as may be required by the board.

6 (3) The patient shall acknowledge receipt of the information  
7 required in this section in writing.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.71 RCW  
9 to read as follows:

10 (1) A physician performing a mastectomy, lymph node dissection, or  
11 lumpectomy shall provide the patient with information regarding the  
12 option of postprocedure reconstructive surgery. The information must  
13 be provided to the patient in writing and in advance of, or  
14 simultaneously with, obtaining consent to the procedure.

15 (2) The information must include at least the following:

16 (a) A description of the various reconstructive options and the  
17 advantages and disadvantages of each, including a statement that breast  
18 reconstruction may not be appropriate for all patients;

19 (b) A description of the statutory provisions requiring coverage by  
20 insurers for reconstructive surgery following a mastectomy in 29 U.S.C.  
21 Sec. 1885b and RCW 48.20.395, 48.21.230, 48.44.330, and 48.46.280;

22 (c) A description of how a patient may access reconstructive care,  
23 including the potential of transferring to another facility or choosing  
24 to pursue reconstruction after the completion of breast cancer surgery  
25 and chemotherapy or radiotherapy, if warranted; and

26 (d) Any other information as may be required by the commission.

27 (3) The patient shall acknowledge receipt of the information  
28 required in this section in writing.

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