

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by changing Section 2310-345 as follows:

7 (20 ILCS 2310/2310-345) (was 20 ILCS 2310/55.49)

8 Sec. 2310-345. Breast cancer; written summary regarding
9 early detection and treatment.

10 (a) From funds made available for this purpose, the
11 Department shall publish, in layman's language, a standardized
12 written summary outlining methods for the early detection and
13 diagnosis of breast cancer. The summary shall include
14 recommended guidelines for screening and detection of breast
15 cancer ~~through the use of techniques that shall include but~~
16 ~~not be limited to self examination, clinical breast exams, and~~
17 ~~diagnostic radiology.~~

18 (b) The summary shall also inform ~~suggest that~~ women they
19 should seek mammography services only from facilities that are
20 certified to perform mammography as required by the federal
21 Mammography Quality Standards Act of 1992.

22 (c) The summary shall also include the medically viable
23 alternative methods for the treatment of breast cancer,

1 including, but not limited to, hormonal, radiological,
2 chemotherapeutic, or surgical treatments or combinations
3 thereof. The summary shall contain information on breast
4 reconstructive surgery, including, but not limited to, the use
5 of breast implants and their side effects. The summary shall
6 inform the patient of the advantages, disadvantages, risks,
7 and dangers of the various procedures. The summary shall
8 include ~~(i)~~ a statement that mammography is the primary ~~most~~
9 ~~accurate~~ method for making an early detection of breast
10 cancer, however, no diagnostic tool is 100% effective, ~~(ii)~~
11 ~~the benefits of clinical breast exams, and (iii) instructions~~
12 ~~for performing breast self-examination and a statement that it~~
13 ~~is important to perform a breast self-examination monthly.~~

14 (c-5) The summary shall specifically address the benefits
15 of early detection and review the clinical standard
16 recommendations by the Centers for Disease Control and
17 Prevention and the American Cancer Society for mammography,
18 ~~clinical breast exams, and breast self exams.~~

19 (c-10) (Blank). ~~The summary shall also inform individuals~~
20 ~~that public and private insurance providers shall pay for~~
21 ~~clinical breast exams as part of an exam, as indicated by~~
22 ~~guidelines of practice.~~

23 (c-15) The summary shall also inform individuals, in
24 layman's terms, of the meaning and consequences of "dense
25 breast tissue" under the guidelines of the Breast Imaging
26 Reporting and Data System of the American College of Radiology

1 and potential recommended follow-up tests or studies.

2 (d) In developing the summary, the Department shall
3 consult with the Advisory Board of Cancer Control, the
4 Illinois State Medical Society and consumer groups. The
5 summary shall be updated by the Department every 2 years.

6 (e) The summaries shall additionally be translated into
7 Spanish, and the Department shall conduct a public information
8 campaign to distribute the summaries to the Hispanic women of
9 this State in order to inform them of the importance of early
10 detection and mammograms.

11 (f) The Department shall distribute the summary to
12 hospitals, public health centers, physicians, and other health
13 care professionals who are likely to perform or order
14 diagnostic tests for breast disease or treat breast cancer by
15 surgical or other medical methods. Those hospitals, public
16 health centers, physicians, and other health care
17 professionals shall make the summaries available to the
18 public. The Department shall also distribute the summaries to
19 any person, organization, or other interested parties upon
20 request. The summaries may be duplicated by any person,
21 provided the copies are identical to the current summary
22 prepared by the Department.

23 (g) The summary shall display, on the inside of its cover,
24 printed in capital letters, in bold face type, the following
25 paragraph:

26 "The information contained in this brochure regarding

1 recommendations for early detection and diagnosis of breast
2 disease ~~and alternative breast disease treatments~~ is only for
3 the purpose of assisting you, the patient, in understanding
4 the medical information and advice offered by your physician.
5 This brochure cannot serve as a substitute for the sound
6 professional advice of your physician. The availability of
7 this brochure or the information contained within is not
8 intended to alter, in any way, the existing physician-patient
9 relationship, nor the existing professional obligations of
10 your physician in the delivery of medical services to you, the
11 patient."

12 (h) The summary shall be updated when necessary.

13 (Source: P.A. 98-502, eff. 1-1-14; 98-886, eff. 1-1-15;
14 99-581, eff. 1-1-17.)

15 Section 10. The Radiation Protection Act of 1990 is
16 amended by changing Section 5 as follows:

17 (420 ILCS 40/5) (from Ch. 111 1/2, par. 210-5)

18 (Section scheduled to be repealed on January 1, 2027)

19 Sec. 5. Limitations on application of radiation to human
20 beings and requirements for radiation installation operators
21 providing mammography services.

22 (a) No person shall intentionally administer radiation to
23 a human being unless such person is licensed to practice a
24 treatment of human ailments by virtue of the Illinois Medical,

1 Dental or Podiatric Medical Practice Acts, or, as physician
2 assistant, advanced practice registered nurse, technologist
3 ~~technician~~, nurse, or other assistant, is acting under the
4 supervision, prescription or direction of such licensed
5 person. However, no such physician assistant, advanced
6 practice registered nurse, technologist ~~technician~~, nurse, or
7 other assistant acting under the supervision of a person
8 licensed under the Medical Practice Act of 1987, shall
9 administer radiation to human beings unless accredited by the
10 Agency, except that persons enrolled in a course of education
11 approved by the Agency may apply ionizing radiation to human
12 beings as required by their course of study when under the
13 direct supervision of a person licensed under the Medical
14 Practice Act of 1987. No person authorized by this Section to
15 apply ionizing radiation shall apply such radiation except to
16 those parts of the human body specified in the Act under which
17 such person or his supervisor is licensed. No person may
18 operate a radiation installation where ionizing radiation is
19 administered to human beings unless all persons who administer
20 ionizing radiation in that radiation installation are
21 licensed, accredited, or exempted in accordance with this
22 Section. Nothing in this Section shall be deemed to relieve a
23 person from complying with the provisions of Section 10.

24 (b) In addition, no person shall provide mammography
25 services unless all of the following requirements are met:

26 (1) the mammography procedures are performed using a

1 radiation machine that is specifically designed for
2 mammography;

3 (2) the mammography procedures are performed using a
4 radiation machine that is used solely for performing
5 mammography procedures;

6 (3) the mammography procedures are performed using
7 equipment that has been subjected to a quality assurance
8 program that satisfies quality assurance requirements
9 which the Agency shall establish by rule;

10 (4) beginning one year after the effective date of
11 this amendatory Act of 1991, if the mammography procedure
12 is performed by a radiologic technologist, that
13 technologist, in addition to being accredited by the
14 Agency to perform radiography, has satisfied training
15 requirements specific to mammography, which the Agency
16 shall establish by rule.

17 (c) Every operator of a radiation installation at which
18 mammography services are provided shall ensure and have
19 confirmed by each ~~mammography~~ patient that the patient is
20 provided with a printed or digital pamphlet that has been
21 prepared in accordance with Section 2310-345 of the Department
22 of Public Health Powers and Duties Law of the Civil
23 Administrative Code of Illinois, which ~~which~~ is orally
24 reviewed with the patient ~~and which contains the following:~~

25 ~~(1) how to perform breast self-examination;~~

26 ~~(2) that early detection of breast cancer is maximized~~

1 ~~through a combined approach, using monthly breast~~
2 ~~self-examination, a thorough physical examination~~
3 ~~performed by a physician, and mammography performed at~~
4 ~~recommended intervals;~~

5 ~~(3) that mammography is the most accurate method for~~
6 ~~making an early detection of breast cancer, however, no~~
7 ~~diagnostic tool is 100% effective;~~

8 ~~(4) that if the patient is self-referred and does not~~
9 ~~have a primary care physician, or if the patient is~~
10 ~~unfamiliar with the breast examination procedures, that~~
11 ~~the patient has received information regarding public~~
12 ~~health services where she can obtain a breast examination~~
13 ~~and instructions.~~

14 (Source: P.A. 100-513, eff. 1-1-18.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.