



COMMONWEALTH of VIRGINIA  
Department of Health

May 1, 2013

Dear Registrant:

This year the General Assembly of Virginia passed *HBI788* that clarifies §32.1-229 of the Code of Virginia by requiring letters be sent to patients who have dense breast tissue and what must be contained in that letter. The changes are effective **July 1, 2013**.

- Dense breast tissue is defined as those patients “who have dense breast tissue as determined by the interpreting physician to have heterogeneously dense breast tissue or extremely dense breast tissue.” Furthermore the statute as amended allows the radiologist/interpreting physician to use nationally recognized guidelines or systems for breast imaging reporting of mammography screening, including the Breast Imaging Reporting and Data System (BI-RADS) of the American College of Radiology, and any equivalent new terms, as such guidelines or systems are updated. The notice as revised also informs the patient that even though their mammogram shows the existence of dense breast tissue, “dense breast tissue is very common and is not abnormal.”
- Mammography facilities are required by §32.1-229 of the Code of Virginia that the following statement must be included in each letter where dense breast tissue has been defined:

*YOUR MAMMOGRAM DEMONSTRATES THAT YOU HAVE DENSE BREAST TISSUE. DENSE BREAST TISSUE IS VERY COMMON AND IS NOT ABNORMAL. HOWEVER, DENSE BREAST TISSUE CAN MAKE IT HARDER TO FIND CANCER ON A MAMMOGRAM AND MAY ALSO BE ASSOCIATED WITH AN INCREASED RISK OF BREAST CANCER.*

*THIS INFORMATION IS GIVEN TO YOU TO RAISE YOUR AWARENESS. USE THIS INFORMATION TO TALK TO YOUR DOCTOR ABOUT YOUR OWN RISKS FOR BREAST CANCER. AT THAT TIME, ASK YOUR DOCTOR IF MORE SCREENING TESTS MIGHT BE USEFUL BASED ON YOUR RISK.*

*A REPORT OF YOUR MAMMOGRAPHY RESULTS HAS BEEN SENT TO YOUR REFERRING PHYSICIAN'S OFFICE, AND YOU SHOULD CONTACT YOUR PHYSICIAN IF YOU HAVE ANY QUESTIONS OR CONCERNS ABOUT THIS REPORT."*

While not required by the statute, the Virginia Department of Health recommends staff responsible for patient notification be trained on the protocol once established and on the issuance of subsequent correspondence to patients when necessary. The protocol will be documented and evaluated for compliance during annual inspections already conducted by the Division of Radiological Health in compliance with the Mammography Quality Standards Act.

Sincerely,

Stan Orchel, Jr  
Assistant Director  
Division of Radiological Health & Safety Regulations