HEALTH AND SAFETY CODE

TITLE 2. HEALTH

SUBTITLE D. PREVENTION, CONTROL, AND REPORTS OF DISEASES; PUBLIC HEALTH DISASTERS AND EMERGENCIES

CHAPTER 86. BREAST CANCER AND LUNG CANCER

SUBCHAPTER B. BREAST CANCER SCREENING

Sec. 86.013.  INFORMATION ON SUPPLEMENTAL BREAST CANCER SCREENING. (a)  A mammography facility certified by the United States Food and Drug Administration or by a certification agency approved by the United States Food and Drug Administration shall:

(1)  be aware of and comply with all applicable federal and state "dense breast" reporting requirements; and

(2)  on completion of a mammogram provide to the patient:

(A)  based on the patient's reported breast density, notice that includes one of the following:

(i)  for a mammography report identifying the patient's breast density as "The breasts are almost entirely fatty" or "There are scattered areas of fibroglandular density," the statement: "Breast tissue can be either dense or not dense.  Dense tissue makes it harder to find breast cancer on a mammogram and also raises the risk of developing breast cancer.  Your breast tissue is not dense.  Talk to your healthcare provider about breast density, risks for breast cancer, and your individual situation."; or

(ii)  for a mammography report identifying the patient's breast density as "The breasts are heterogeneously dense, which may obscure small masses" or "The breasts are extremely dense, which lowers the sensitivity of mammography," the statement: "Breast tissue can be either dense or not dense.  Dense tissue makes it harder to find breast cancer on a mammogram and also raises the risk of developing breast cancer.  Your breast tissue is dense.  In some people with dense tissue, other imaging tests in addition to a mammogram may help find cancers.  Talk to your health care provider about breast density, risks for breast cancer, and your individual situation."; and

(B)  notice that includes the statement:

"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."

(b)  Notwithstanding any other law, this section does not create a cause of action or create a standard of care, obligation, or duty that provides a basis for a cause of action.

(c)  The information required by this section or evidence that a person violated this section is not admissible in a civil, judicial, or administrative proceeding.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1154 (H.B. [2102](http://capitol.texas.gov/tlodocs/82R/billtext/html/HB02102F.HTM)), Sec. 2, eff. September 1, 2011.

Amended by:

Acts 2025, 89th Leg., R.S., Ch. 796 (S.B. [1084](http://capitol.texas.gov/tlodocs/89R/billtext/html/SB01084F.HTM)), Sec. 1, eff. September 1, 2025.