

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE CONCURRENT RESOLUTION NO. 4009
(Senators Mathern, Hogan)
(Representatives Conmy, Dobervich, Karls, Weisz)

A concurrent resolution directing the Legislative Management to consider studying whether health insurance should provide coverage for diagnostic and supplemental breast examinations without imposing cost-sharing requirements.

WHEREAS, cost-sharing requirements mean deductible, coinsurance, copayment, and any maximum limitations on the application of the deductible, coinsurance, copayment, or similar out-of-pocket expenses; and

WHEREAS, diagnostic breast examinations are medically necessary and clinically appropriate examinations of the breast, including examinations using diagnostic mammography, breast magnetic resonance imaging, or breast ultrasound, which are used to evaluate an abnormality seen or suspected from a screening examination for breast cancer, or used to evaluate an abnormality detected by another means of examination; and

WHEREAS, supplemental breast examinations are medically necessary and appropriate examinations of the breast, including examinations using breast magnetic resonance imaging or breast ultrasound, which are used to screen for breast cancer when there is no abnormality seen or suspected, and based on personal or family medical history or on additional factors that may increase the individual's risk of breast cancer; and

WHEREAS, diagnostic and supplemental imaging are essential tools in the screening and diagnosis of breast cancer; and

WHEREAS, approximately 12 to 16 percent of patients undergoing a screening mammogram are referred by their radiologist for diagnostic testing; and

WHEREAS, screening mammograms are cost-free under the federal Affordable Care Act, cost-sharing requirements apply to diagnostic and supplemental imaging procedures under private insurance plans, ranging in cost from the hundreds to the thousands of dollars per procedure; and

WHEREAS, cost is a contributing factor in why patients skip diagnostic testing and do not follow up after their initial screening mammogram; and

WHEREAS, the current coverage disparity is most evident by income level and race, with lower and middle-income patients, insured but unable to pay higher costs for additional testing, often forgoing testing and potential treatment until cancer has progressed to a more advanced stage; and

WHEREAS, early detection of breast cancer leads to the greatest chance of survivability;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Management consider studying whether health insurance should provide coverage for diagnostic and supplemental breast examinations without imposing cost-sharing requirements; and

BE IT FURTHER RESOLVED, that the Legislative Management report its findings and recommendations, together with any legislation required to implement the recommendations, to the Sixty-ninth Legislative Assembly.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

Filed in this office this _____ day of _____, 2023,
at _____ o'clock _____ M.

Secretary of State