

By Mr. Tolman of Watertown, petition of Warren E. Tolman and other members of the House for legislation to regulate the information to patients relative to breast implantations. Health Care.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Two.

**AN ACT RELATIVE TO INFORMING PATIENTS OF THE DISADVANTAGES AND RISKS ASSOCIATED WITH BREAST IMPLANTATIONS.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 70E of Chapter 111 of the General  
2 Laws, as appearing in the 1990 Official Edition, is hereby  
3 amended by inserting after paragraph 7 the following paragraph:  
4 At least five days before a physician operates on a patient to  
5 insert a breast implant, the physician shall inform the patient of  
6 the disadvantages and risks associated with breast implantation.  
7 The information shall include, but not be limited to, the  
8 standardized written summary provided by the department. The  
9 patient shall sign a statement provided by the department,  
10 acknowledging the receipt of said standardized written summary.

1 SECTION 2. The Department of Public Health shall:  
2 (1) develop a standardized written summary, as set forth in  
3 Section 70E of Chapter 111 of the General Laws, in layman's  
4 language that discloses side effects, warnings, and cautions for a  
5 breast implantation operation within three months of the date of  
6 enactment of this act;  
7 (2) update as necessary the standardized written summary;  
8 (3) distribute the standardized written summary to each  
9 hospital, clinic, and physician's office and any other facility that  
10 performs breast implants;  
11 (4) provide the physician inserting the breast implant with a  
12 statement to be signed by the patient acknowledging receipt of  
13 the standardized written summary.

