Senate passes bill on breast reconstruction rights

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A bill aimed at ensuring breast cancer survivors know their reconstruction rights unanimously passed the Senate on Wednesday and is now on its way to the House.

Senate Bill 5481 would require the state Department of Health and the Health Care Authority, which oversees the Medicaid program, to create and implement an educational campaign about insurance coverage for breast reconstruction and prostheses. The campaign would include educational materials for the departments, the state insurance commissioner's office and health care professionals to distribute to patients.

Sen. Annette Cleveland, D-Vancouver, sponsored the bill. Her mother is a breast cancer survivor.

"This very day, today, she is at the doctor having a breast biopsy of another area," Cleveland said Wednesday afternoon. "This really hits close to home for me."

Dr. Allen Gabriel, a Vancouver plastic surgeon who specializes in breast reconstruction, has long been a proponent of the educational legislation. He pushed for similar action in 2010, but the bill never made it out of the House Health Care and Wellness Committee.

"I'm just thankful people are believing in the cause," Gabriel said this week.

The federal Women's Health and Cancer Rights Act of 1998 requires group health insurance plans that cover mastectomies to also cover breast reconstruction surgeries and prostheses. Many breast cancer patients, however, don't know about the law, Gabriel said.

Gabriel — who founded a Vancouver nonprofit, Pink Lemonade Project, dedicated to empowering breast cancer survivors — believes a statewide campaign will help educate women about the options they are entitled to under the law.

"This is about women's rights," Gabriel said. "We're not pushing surgery. We're pushing education."

"Not everyone is going to have reconstruction," he added. "It's a personal decision."

But ensuring that women know it's an option — as well as external prostheses — that is covered by health insurance is important, he said. In Gabriel's practice at PeaceHealth Plastic Surgery he has seen women who put off surgery for years only to later learn the procedure is covered by insurance. They thought because it's plastic surgery, it must be paid for out of pocket. So they go without because they can't afford it, Gabriel said.

Women may be getting this information from their physicians, but because they're taking in so much information at the time of their diagnoses, they may not remember everything. The bill would make accurate information widely available to breast cancer patients and would allow them to explore their options when they're ready, Cleveland said.

"I've tried to be there for my mom and walk this path with her. I know how overwhelming and how tough it can be to take in all the information," she said. "That's why I felt so strongly that I wanted to do what I could to assist in the work that Dr. Gabriel and his wife have devoted themselves to."

"I will continue to be a strong advocate for this bill," she added. "I think it will be of benefit to our citizens in the state."