

Women's Health and Cancer Rights Act / Mastectomy Reconstruction

A federal law known as the Women's Health and Cancer Rights Act of 1998 (WHCRA) requires group health plans that provide coverage for mastectomies to provide mastectomy related benefits to plan participants. Specifically, WHCRA requires that when a covered person receives benefits for a mastectomy and decides to have breast reconstructive surgery, the plan must provide coverage, in a manner determined in consultation with the attending physician for:

- All stages of reconstruction of the breast on which the mastectomy was performed;
- Surgery and reconstruction of the other breast to produce a symmetrical appearance;
- Prostheses; and
- Treatment of physical complications at all stages of the mastectomy, including lymphedemas.

The plan complies with these requirements. Benefits for these items generally are comparable to those provided under the plan for similar types of medical services and supplies. Of course, the extent to which any of these items is appropriate following mastectomy is a matter to be determined by consultation between the attending physician and the patient. The plan neither imposes penalties (for example, reducing or limiting reimbursements) nor provides incentives to induce attending providers to provide care inconsistent with these requirements.