

***Health Care Committee***

***HB 1590***

***Brief Description:*** *Supporting the practice of breastfeeding.*

***Sponsors:*** *Representatives Cody, Clements, Conway, Skinner, Gombosky, Mitchell, Edmonds, Hatfield, Keiser, Kenney, Kagi, McIntire, Wood, Ruderman, Santos and Hurst.*

***Brief Summary of Bill***

- *State and local governmental agencies, and businesses are encouraged to consider the benefits of providing a private room for mothers to breastfeed their infants.*
- *The act of breastfeeding or expressing breast milk is not indecent exposure.*
- *Allows any employer to use the designation of mother-friendly on its promotional materials if they follow certain requirements.*
- *Employers, both governmental and private business, seeking approval of a workplace breastfeeding policy are required to submit the breastfeeding policy to the Department of Health.*

***Hearing Date:*** *2/13/01*

***Staff:*** *Antonio Sanchez (786-7383).*

***Background:***

*Good nutrition is especially important for pregnant women and developing children. Breastfeeding is one way to provide good nutrition to the nation's children. Low rates of breastfeeding remain a public health concern. National data from 1997 show an increase from 1990 (51.5 percent) to 62.4 percent of mothers who breastfeed newborns in the hospital and 26 percent of mothers who breastfeed infants five to six months postpartum. These are several percentage points lower than the national Healthy People 2000, and now Healthy People 2010, objectives of 75 percent and 50 percent, respectively.*

*At least half of the states have enacted legislation related to breastfeeding within the last seven years. Most such laws allow mothers to breastfeed in any public or private location or provide that breastfeeding does not constitute indecent exposure. Some states have taken legislation a step further. California (1995) requires the human service department to promote breastfeeding in public health campaigns and hospitals to provide lactation consultation and support to patients. Hawaii prohibits employers from discriminating against a mother who breastfeeds or expresses milk at the workplace. Georgia, Minnesota and Tennessee require employers to provide reasonable, unpaid break time for an employee to express breastmilk, and Georgia further provides that employers may make reasonable efforts to provide a private location (other than toilet stalls) to do so. Missouri law establishes that certain obstetrical care facilities distribute information on breastfeeding to new mothers. In Iowa and Oregon, laws exclude nursing mothers from participating in jury duty and California and Idaho allow a nursing mother to postpone jury duty.*

*A person is guilty of indecent exposure if the person intentionally makes any open and obscene exposure of himself or herself knowing that such conduct is likely to cause reasonable affront or alarm. Indecent exposure can be either a misdemeanor, gross misdemeanor, or class C felony, depending upon various factors.*

**Summary of Bill:**

*The Legislature finds and declares the importance and need for promoting more infant breastfeeding and acknowledges the social and workplace challenges in accomplishing higher infant breastfeeding goals. State and local governmental agencies, and businesses are encouraged to consider the benefits of providing a private room for mothers to breastfeed their infants.*

*The act of breastfeeding or expressing breast milk is not indecent exposure.*

*Allows any employer to use the designation of mother-friendly- on its promotional materials if they follow certain requirements:*

- a. A flexible work schedule that provides time for expression of breast milk.*
- b. A place, other than a bathroom, for expressing breast milk.*
- c. A water source for washing hands and cleaning breast-pumping equipment.*
- d. A refrigerator in the workplace specifically for mothers' breast milk.*

*Employers, both governmental and private business, seeking approval of a workplace breastfeeding policy are required to submit the breastfeeding policy to the Department of Health.*

**Appropriation:** *None.*

**Fiscal Note:** *Not Requested.*

**Effective Date:** *Ninety days after adjournment of session in which bill is passed.*

