

HOUSE BILL REPORT

HB 2329

As Passed House:
February 13, 2014

Title: An act relating to creating the breastfeeding-friendly Washington designation.

Brief Description: Creating the breastfeeding-friendly Washington designation.

Sponsors: Representatives Riccelli, Short, Hudgins, Cody, Stanford, Walkinshaw, Bergquist, Farrell, Jinkins, S. Hunt, Green, Tharinger, Morrell, Van De Wege, Clibborn, Harris, Tarleton, Vick, Moeller, Kagi, Roberts, Senn and Pollet.

Brief History:

Committee Activity:

Health Care & Wellness: 1/29/14, 2/3/14 [DP].

Floor Activity:

Passed House: 2/13/14, 85-13.

Brief Summary of Bill

- Establishes the Breastfeeding Friendly Washington program as a voluntary program to recognize hospitals, health care providers, employers, and child day care centers that demonstrate to the Department of Health that they meet identified criteria to support breastfeeding.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 12 members: Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Clibborn, Green, Jinkins, Moeller, Morrell, Ross, Tharinger and Van De Wege.

Minority Report: Do not pass. Signed by 3 members: Representatives DeBolt, G. Hunt and Manweller.

Staff: Chris Blake (786-7392).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The United States Centers for Disease Control and Prevention tracks several factors related to breastfeeding practices, including the percentage of newborns that are ever breastfed, the duration of breastfeeding, formula supplementation practices, and hospital practices that encourage breastfeeding. In 2010, 88 percent of infants in Washington were ever breastfed with 60 percent continuing to breastfeed at 6 months of age. The data also found that approximately 9 percent of infants in Washington were born in a facility designated as "baby-friendly" by the Baby-Friendly Hospital Initiative. To become a "baby-friendly" facility, a hospital or birthing facility must demonstrate compliance with 10 identified practices.

In 2001 legislation was enacted to allow employers to use the designation "infant-friendly" if they have a workplace breastfeeding policy that addresses: (1) providing flexible work schedules to accommodate expressing milk; (2) maintaining a convenient, sanitary, safe, and private location for breastfeeding or expressing milk; (3) providing a convenient and safe water source for washing hands and breast-pumping equipment; and (4) having a convenient, hygienic refrigerator in the workplace for storing breast milk. Funding for the program was eliminated in 2002.

Summary of Bill:

The Breastfeeding Friendly Washington program is established as a voluntary program to encourage and recognize hospitals, health care providers, employers, and child day care centers that maintain specific policies to support breastfeeding. The Department of Health (Department) must create designations to recognize different levels of compliance with the outlined policies.

The program begins for hospitals and health care providers on July 1, 2014, and for employers and child day care centers on July 1, 2016. As of those dates, an entity may seek the Breastfeeding Friendly Washington designation by submitting an application to the Department that includes its breastfeeding policies and supporting documentation. The Department shall issue a designation based on the number of steps met by the entity.

The steps that apply to hospitals include:

- having a written breastfeeding policy communicated to all health care staff;
- training all health care staff in skills necessary to implement the policy;
- informing all pregnant women of the benefits and management of breastfeeding;
- helping mothers initiate breastfeeding within one hour of birth;
- showing mothers how to breastfeed and maintain lactation;
- giving newborn infants no food or drink other than breast milk, unless medically indicated;
- practicing rooming-in by allowing mothers and infants to remain together 24 hours a day;
- encouraging breastfeeding on demand;
- giving no pacifiers to breastfeeding infants; and
- fostering the establishment of breastfeeding support groups and referring mothers to them.

The steps that apply to health care providers include:

- developing a written policy to support breastfeeding mothers;

- not offering coupons for formula, formula samples, or gift bags with formula;
- providing a breastfeeding-friendly environment;
- completing training on breastfeeding and assuring that office staff complete the training;
- assuring that office staff provide updated breastfeeding resources to pregnant and breastfeeding women;
- helping pregnant women and families learn about the importance of breastfeeding;
- encouraging pregnant women to include breastfeeding in their birth plan and to attend breastfeeding classes;
- including evidence-based breastfeeding support as a standard of care;
- establishing partnerships for coordinated care after delivery; and
- implementing a quality improvement plan to support breastfeeding.

The steps that apply to employers include:

- developing a written policy to support breastfeeding or allowing flexible hours for employees to pump milk;
- providing a secure place with an electrical outlet for pumping milk;
- providing a safe place for employees to store their pumped milk;
- educating managers on the importance of breastfeeding and policies to support breastfeeding employees;
- providing resources to pregnant and breastfeeding employees to help them balance breastfeeding with job responsibilities;
- providing a minimum of 12 weeks of unpaid maternity leave;
- offering lactation support programs in the basic employee benefits package;
- offering breastfeeding employees with options for returning to work, such as part-time employment, job sharing, telecommuting, or flextime;
- including policies and benefits that support breastfeeding employees in new employee orientation; and
- providing on-site child care or policies that allow mothers to directly breastfeed their babies after they return to work.

The steps that apply to child day care centers include:

- making a commitment to the importance of breastfeeding and sharing this with staff;
- training all staff to promote optimal infant and young child feeding;
- informing women and families about the importance of breastfeeding;
- developing a breastfeeding-friendly feeding plan with each family;
- training staff to handle, store, and feed mother's milk properly;
- ensuring that breastfeeding families are able to properly store and label milk;
- providing a breastfeeding-friendly environment;
- supporting breastfeeding employees;
- keeping updated resource lists of local breastfeeding services; and
- offering staff ongoing training opportunities and updates about breastfeeding support.

The "infant-friendly" designation program for employers is repealed as of July 1, 2016.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Breast milk is the perfect first food. Breast milk provides the perfect nutrition for infants because it is easy to digest, helps them fight off bacteria, and lowers the risk of asthma and respiratory problems. Breastfeeding reduces the risk for diabetes and obesity. Mothers receive health benefits from breastfeeding. Breastfeeding provides an important bonding period between a mother and a baby. Most mothers in Washington want to breastfeed and this bill supports their choice. It is easy to opt out of breastfeeding and having support services is very important.

There are countless incentives for babies and families to breastfeed and this bill extends those incentives to other settings. This is a voluntary program which includes four important sectors to provide the support that mothers need for breastfeeding. Washington should be a place where, after giving birth, there are hospitals, health care providers, employers, and child care facilities that support breastfeeding mothers. This bill is about encouragement and recognition, not regulation. The voluntary aspect of the program is good. This bill provides encouragement to hospitals, health care providers, employers, and child care facilities to support breastfeeding. Washington hospitals are dedicated to safe births and healthy starts for babies.

(Opposed) None.

Persons Testifying: Representative Riccelli, prime sponsor; Jennifer McNamara, Washington State Department of Health; Alison Carl White, WithinReach; Lisa Thatcher, Washington State Hospital Association; and Amber Carter, Association of Washington Business.

Persons Signed In To Testify But Not Testifying: None.