

SENATE BILL REPORT

HB 2329

As of February 26, 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: Passed House: 2/13/14, 85-13.

Committee Activity: Health Care: 2/24/14.

SENATE COMMITTEE ON HEALTH CARE

Staff: Bonnie Kim (786-7316)

Background: The Baby-Friendly Hospital Initiative is a global program to encourage and recognize hospitals and birthing centers that promote breastfeeding for infant feeding and mother and baby bonding. Studies show that breastfed babies are less likely to suffer from serious illnesses, including gastroenteritis, asthma, eczema, and respiratory and ear infections. Adults who were breastfed as babies may be less likely to develop risk factors for heart disease such as obesity and high blood pressure. Women who breastfeed are less likely to develop heart disease, hypertension, diabetes, high cholesterol, breast cancer, and ovarian cancer in later life.

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

Summary of Bill: The Department of Health (DOH) must create a Breastfeeding-Friendly Washington designation to recognize hospitals, health care providers, employers, and child day care centers that support and encourage breastfeeding. To participate in this voluntary program, applicants must submit their breastfeeding policies and supporting documentation

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to DOH. DOH then reviews and approves policies that meet certain practice requirements and issues a designation based on the number of steps met by the applicant.

Hospitals, including birthing centers, and health care providers may begin to apply for the designation on July 1, 2014. The steps that apply to hospitals include the following:

- 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 per 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 the following:

- 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.

Employers and child day care centers may begin to apply for the designation on July 1, 2016.

The steps that apply to employers include the following:

- 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 the following:

- 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 mothers' 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.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Breast milk provides ideal nutrition for infants. This bill creates a permissive designation available to those who want to seek it. This bill encourages communities to increase breastfeeding-friendly policies. The Baby-Friendly USA designation is difficult to achieve and this legislation helps hospitals to reach that goal. The committee should support this bill because it includes health care providers, employers, and day cares. It is a voluntary recognition program that leaves no one out. This bill does not diminish the needs of formula-feeding mothers. Six hospitals in Washington have already adopted the ten steps. Formula can cost a family up to \$1,500 per year.

OTHER: The bill should be amended to allow for pacifiers. Infant formula is the only safe and supported nutrition when breast milk is not available. Restricting information on infant formula restricts access to health care information and limits the patient-provider relationship.

Persons Testifying: PRO: Representative Riccelli, prime sponsor; Alison Carl White, WithinReach; Lisa Thatcher, WA State Hospital Assn.; Jane Dimer, Group Health Cooperative, American Congress of Obstetricians and Gynecologists; Jennifer McNamara, DOH.

OTHER: Mardi Mountford, International Formula Council; Matthew Johnson, Girlfriends Health Guide; Kristina Hermach, citizen.