

Baby-Friendly Hospitals:

Laws Across the 50 States

September 7, 2017



ChangeLab Solutions

Speakers



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Our mission:
Healthy communities for all
through better laws & policies

Disclaimer

The information provided in this discussion is for informational purposes only, and does not constitute legal advice. ChangeLab Solutions does not enter into attorney-client relationships.

ChangeLab Solutions is a non-partisan, nonprofit organization that educates and informs the public through objective, non-partisan analysis, study, and/or research. The primary purpose of this discussion is to address legal and/or policy options to improve public health. There is no intent to reflect a view on specific legislation.

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Agenda



The Project

50-State Survey of Baby-Friendly Hospital Laws



The Tool

LawAtlas Database of Baby-Friendly Hospital Laws



The Findings

Baby-Friendly Hospital Laws

Polls!



- How familiar are you with baby-friendly hospitals?



- Where are you?



- What do you do?

How familiar are you with baby-friendly hospitals?

1. I'm an expert!
2. I know a good amount.
3. I know a little bit.
4. This is a new topic for me.

Where are you located?

1. Northwest
2. West
3. Southwest
4. Midwest
5. Southeast
6. Mid-Atlantic
7. Northeast
8. Outside the mainland US

What do you do?

1. Academic research
2. Policy work
3. Advocacy
4. Direct services
5. Hospital administration
6. Government
7. Other



THE PROJECT

50-State Survey of
Baby-Friendly
Hospital Laws

Baby-Friendly Hospitals

10 Steps to Successful Breastfeeding

AT PRENATAL VISITS



Inform all parents-to-be of the benefits of breastfeeding

AMONG STAFF

Provide regular opportunities for staff training



Establish a breastfeeding policy and make sure all staff are familiar with it

DURING HOSPITAL STAY

Keep moms and their babies together 24 hours a day



Help moms breastfeed for the first time within one hour of birth

Encourage moms to feed their babies whenever they show signs of hunger

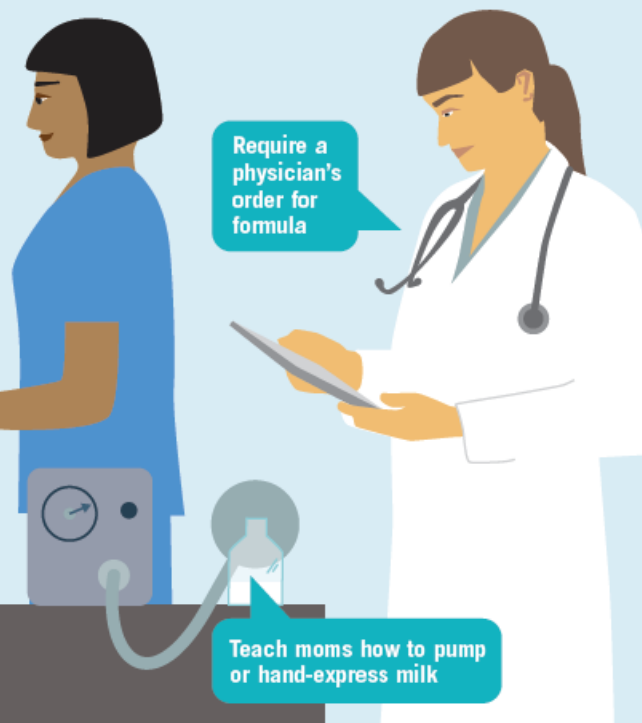
Soothe babies at the breast or using skin-to-skin – not with pacifiers or bottles



Refer moms to a breastfeeding support group upon discharge



Require a physician's order for formula



Teach moms how to pump or hand-express milk

- Written policy
- Staff training





- Inform pregnant women about benefits and management of breastfeeding



- Breastfeeding within 1 hour of birth
- Rooming-in
- Breastfeeding on demand



- Formula only if medically necessary
 - No pacifiers or artificial nipples
- Instruction on maintenance of lactation
- Support groups upon hospital discharge



Evidence on Baby-Friendly Hospitals



Higher rates of
breastfeeding
initiation



Hospital policies &
practices can
strengthen
implementation



Cost varies



May reduce
inequities in
breastfeeding

Evidence on Baby-Friendly Hospitals



**Higher rates of
breastfeeding
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practices can
strengthen
implementation**



Cost varies



**May reduce
inequities in
breastfeeding**

baby-friendly

≠

Baby-Friendly Hospital



THE TOOL

LawAtlas Database

LawAtlas Website:

www.lawatlas.org/datasets/baby-friendly-hospital

Legal Epidemiology



Legal
Prevention and
Control



Legal Etiology



Policy
Surveillance

lawatlas.org/dataset/baby-friendly-hospital

Search for...



Baby-Friendly Hospital Laws

The Baby-Friendly Hospital Initiative (BFHI) is a global initiative of UNICEF and the World Health Organization (WHO) aimed at promoting hospital policies that encourage and support breastfeeding. Baby-Friendly USA, the organization with primary responsibility for implementing BFHI in the United States, has outlined 10 evidence-based practices that hospitals can implement to support breastfeeding (the "10 Steps to Successful Breastfeeding"). These include written breastfeeding policies, staff training, rooming-in, and educating mothers about the benefits and management of breastfeeding. Several states have enacted statutes or regulations encouraging or requiring hospitals to adopt one or more of these "baby-friendly practices."

This map identifies key features of state laws and regulations regarding recommendations or requirements for hospitals related to any of the 10 Steps to Successful Breastfeeding. It also includes state laws recommending or requiring certain hospital discharge practices related to breastfeeding. Click any state below to view that state's Baby-Friendly Hospital Laws, or [click here](#) to view D.C. [Read more](#) about Baby-Friendly Hospital Laws.

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Explore the law

Use the questions below to select criteria to see all the state laws with those characteristics, or click on a single state on the map on the right to see that state's law on this issue.

- Does state law address baby-friendly hospital practices?**
- Does state law address hospitals' mandatory breastfeeding policies?**
- Does state law require that healthcare staff be trained in the skills necessary to implement baby-friendly practices?**
- Does state law require hospitals to inform patients about breastfeeding?**
- Must the hospital make a breastfeeding consultant available?**
- Does state law require hospitals to help mothers initiate breastfeeding within one hour of birth?**
- What instruction does state law require hospitals to provide mothers?**
- Does state law include requirements about when infants may be given food or drink other than breast-milk?**
- Does state law require hospitals to permit rooming-in?**
- Does state law require that hospitals allow mothers to breastfeed on demand?**



Does state law address baby-friendly hospital practices?

Search for...



Explore the law

Use the questions below to select criteria to see all the state laws with those characteristics, or click on a single state on the map on the right to see that state's law on this issue.

Does state law address baby-friendly hospital practices?

- Yes
 No

Are hospitals required to comply with baby-friendly hospital practices?

- Yes, the practices are mandatory
 No, the practices are voluntary
 No, but facilities must adhere to certain guidelines if they implement baby-friendly practices

Does the law explicitly reference Baby-Friendly Hospital Initiative (BFHI) or Baby-Friendly USA?

- Yes, BFHI
 Yes, Baby-Friendly USA
 No

Does state law address hospitals' mandatory breastfeeding policies?

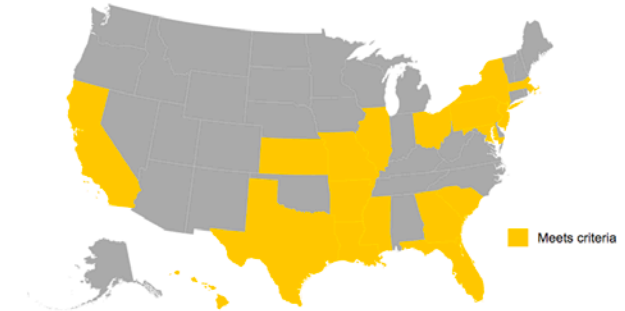
Does state law require that healthcare staff be trained in the skills necessary to implement baby-friendly practices?

Does state law require hospitals to inform patients about breastfeeding?

Must the hospital make a breastfeeding consultant available?

Does state law require hospitals to help mothers initiate breastfeeding within one hour of birth?

What instruction does state law require hospitals to provide mothers?



JURISDICTIONS FOUND: 18

CRITERIA SELECTED:

Does state law address baby-friendly hospital practices? Yes

Share results

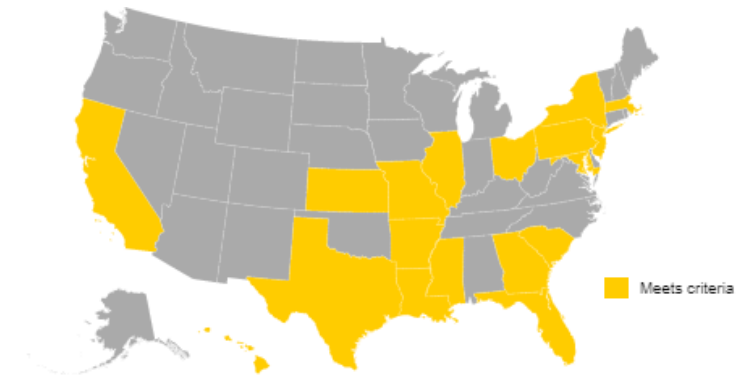
Show Details

Clear All

Does state law address baby-friendly hospital practices?

Detailed Results

Jurisdiction	Effective	Through	Law	
Arkansas	2016-01-01	2016-10-01		Yes §
California	2015-01-01	2016-10-01		Yes §
Florida	2014-07-01	2016-10-01		Yes §
Georgia	2013-03-12	2016-10-01		Yes §
Hawaii	1992-08-03	2016-10-01		Yes §
Illinois	2014-06-10	2016-10-01		Yes §
Kansas	2010-07-09	2016-10-01		Yes



JURISDICTIONS FOUND: 18

CRITERIA SELECTED:

Does state law address baby-friendly hospital practices? Yes








Share results

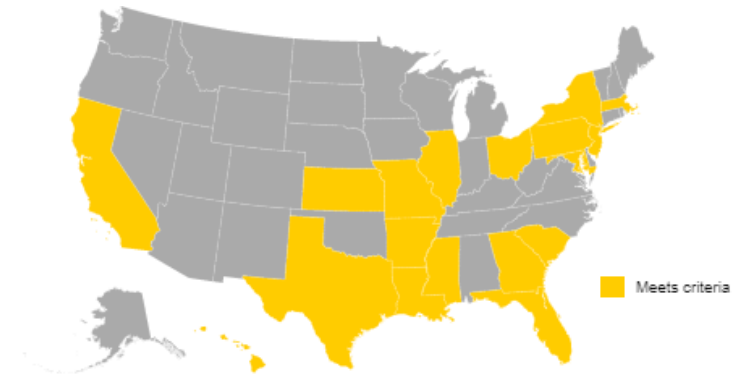
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Does state law address baby-friendly hospital practices? Yes

 Share results

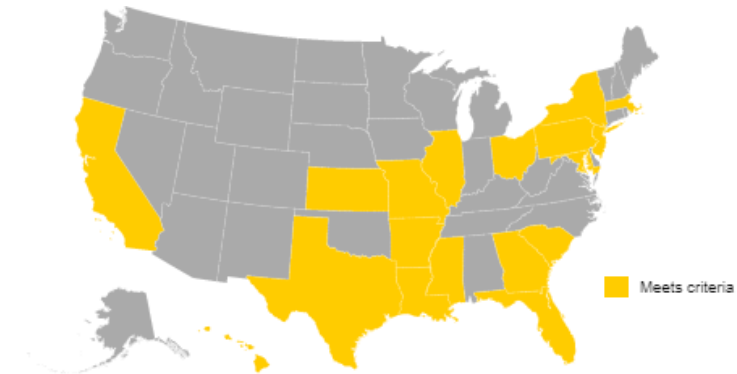
Show Details 

Clear All 

Does state law address baby-friendly hospital practices?

Detailed Results

Jurisdiction	Effective	Through	Law	
Arkansas	2016-01-01	2016-10-01		Yes §
California	2015-01-01	2016-10-01		Yes §
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Hawaii	1992-08-03	2016-10-01		Yes §
Illinois	2014-06-10	2016-10-01		Yes §
Kansas	2010-07-09	2016-10-01		Yes



JURISDICTIONS FOUND: 18

CRITERIA SELECTED:

Does state law address baby-friendly hospital practices? Yes

Share results

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The Law

Close

Cal. Health & Safety Code § 1257.9. Training for hospital staff on hospital policies and recommendations that promote breast-feeding.

(a) (1) The department shall recommend training for general acute care hospitals, as defined in subdivision (a) of Section 1250, and special hospitals, as defined in subdivision (f) of Section 1250, that is intended to improve breast-feeding rates among mothers and infants. This recommended training should be designed for general acute care hospitals that provide maternity care and have exclusive patient breast-feeding rates in the lowest 25 percent, according to the data published yearly by the State Department of Public Health, when ranked from highest to lowest rates. The training offered shall include a minimum of eight hours of training provided to appropriate administrative and supervisory staff on hospital policies and recommendations that promote exclusive breast-feeding. Hospitals that meet the minimum criteria for exclusive breast-feeding rates prescribed in the most current Healthy People Guidelines of the United States Department of Health and Human Services shall be excluded from the training requirements recommended by this paragraph.

(2) The department shall notify the hospital director or other person in charge of a hospital to which paragraph (1) applies, that the eight-hour model training course developed pursuant to subdivision (b) of Section 123360, is available, upon request, to the hospital.

(b) The recommendations provided for in this section are advisory only. Nothing in this section shall require a hospital to comply with the training recommended by this section. Section 1290 shall not apply to this section, nor shall meeting the recommendations of this section be a condition of licensure.

Cal. Health & Safety Code § 123365. Consultation and information.

(a) All general acute care hospitals, as defined in subdivision (a) of Section 1250, and all special hospitals providing maternity care, as defined in subdivision (f) of Section 1250, shall make available a breast feeding consultant or alternatively, provide information to the mother on where to receive breast feeding information.

(b) The consultant may be a registered nurse with maternal and newborn care experience, if available.

(c) The consultation shall be made available during the hospitalization associated with the delivery, or alternatively, the hospital shall provide information to the mother on where to receive breast feeding information.

(d) The patient may decline this consultation or information.

Cal. Health & Safety Code § 123366. Hospital Infant Feeding Act; infant-feeding policy required at general acute care and special hospitals that have perinatal unit; communication; application to all infants in perinatal unit.

(a) This section shall be known, and may be cited, as the Hospital Infant Feeding Act.

(b) For the purposes of this section, the following definitions shall apply:

(1) "Perinatal unit" means a maternity and newborn service of the hospital for the provision of care during pregnancy, labor, delivery, and postpartum and neonatal periods with appropriate staff, space, equipment, and supplies.

Detailed Results

Jurisdiction	Effective	Thru
Arkansas	2016-01-01	2016-
California	2015-01-01	2016-
Florida	2014-07-01	2016-

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Meets criteria

D: 18

baby-friendly hospital practices? x | Yes

Does state law address baby-friendly hospital practices?

Yes

No

Are hospitals required to comply with baby-friendly hospital practices?

Yes, the practices are mandatory

No, the practices are voluntary

No, but facilities must adhere to certain guidelines if they implement baby-friendly practices

Does the law explicitly reference Baby-Friendly Hospital Initiative (BFHI) or Baby-Friendly USA?

Yes, BFHI

Yes, Baby-Friendly USA

No

Does state law address hospitals' mandatory breastfeeding policies?

Yes

No

No, but state law addresses hospitals' voluntary breastfeeding policies

Does state law require hospitals' breastfeeding policy be written?

Yes

No

What elements must the breastfeeding policy include?

Promote breastfeeding

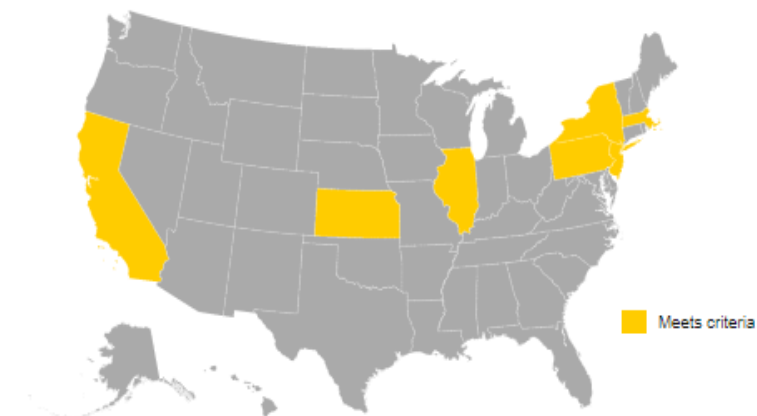
Guidance on breastfeeding initiation within 1 hour after birth

Guidance on formula supplementation

Guidance on bottle-feeding

Rooming-in

No elements specified in the law



JURISDICTIONS FOUND: 7

CRITERIA SELECTED:

Does state law address baby-friendly hospital practices? | Yes

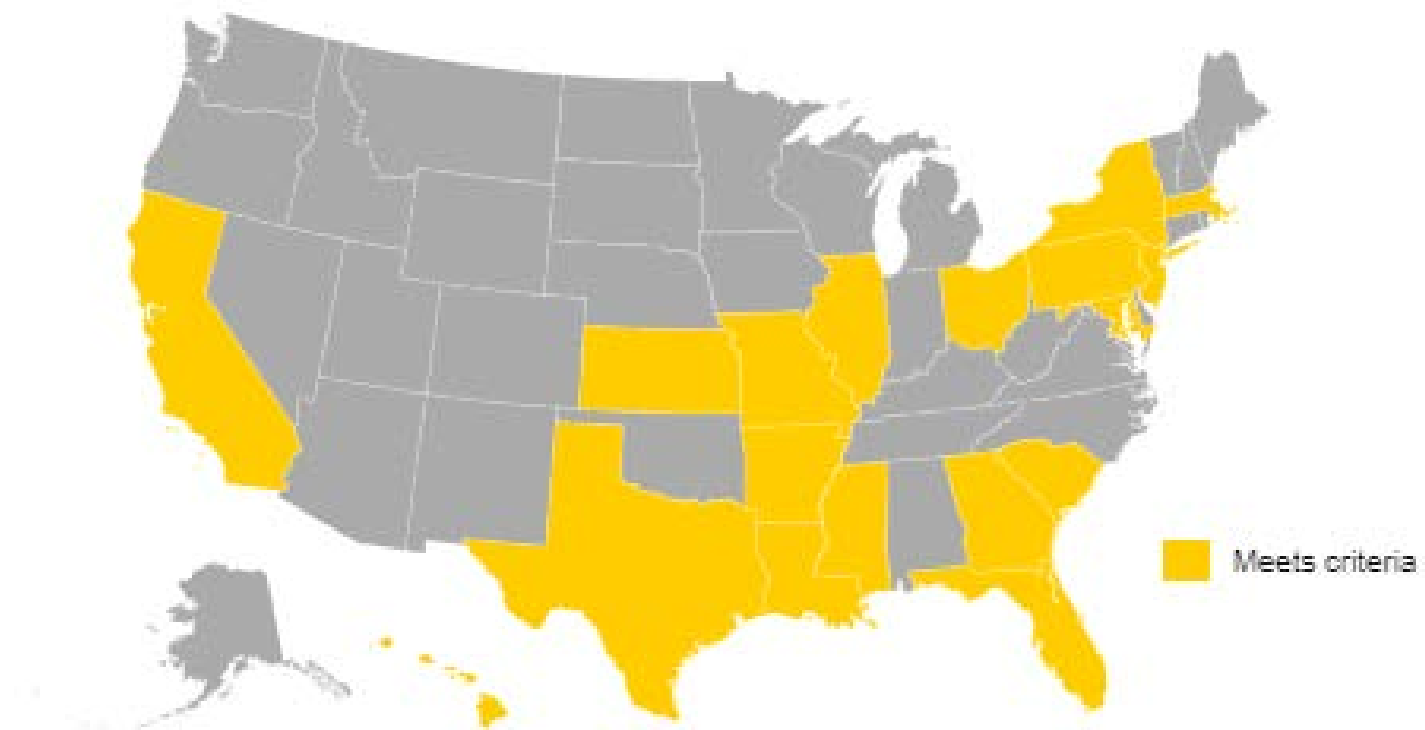
Does state law address hospitals' mandatory breastfeeding policies? | Yes

| Yes

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JURISDICTIONS FOUND: 18

CRITERIA SELECTED:

Does state law address baby-friendly hospital practices? | Yes

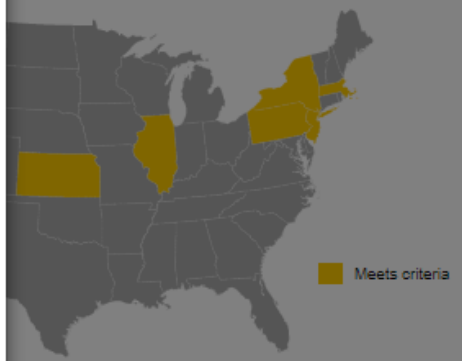
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Detailed Results

Jurisdiction	Effective
California	2015-01-01
Illinois	2014-06-10
Kansas	2010-07-09
Massachusetts	2014-10-24
New Jersey	2014-01-21



Share

Close

Name: Sabrina Adler

Email: sadler@changelabsolutions.org

Sharing: Policy Surveillance Program | Share Results | <http://j.mp/2f0dRVz>

Body: Hi Sabrina,

This link will show you the states where the law address Baby-Friendly Hospital Practices and hospitals' mandatory breastfeeding policies.

Best,
Derek Carr

Send

Close

Yes	Yes	✕ Yes
§	§	Share results
Yes	Yes	Back to criteria >
§	§	

Baby-Friendly Hospital Laws

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Does state law require that healthcare staff be trained in the skills necessary to implement baby-friendly practices?

Does state law require hospitals to inform patients about breastfeeding?

Must the hospital make a breastfeeding consultant available?

Does state law require hospitals to help mothers initiate breastfeeding within one hour of birth?

What instruction does state law require hospitals to provide mothers?

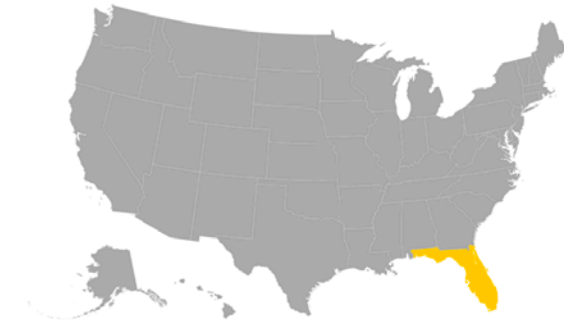
Does state law include requirements about when infants may be given food or drink other than breast-milk?

Does state law require hospitals to permit rooming-in?



Florida

Effective Date and Valid-Through Date	2014-07-01 - 2016-10-01
Does state law address baby-friendly hospital practices?	Yes §
Are hospitals required to comply with baby-friendly hospital practices?	No, the practices are voluntary §
Does the law explicitly reference Baby-Friendly Hospital Initiative (BFHI) or Baby-Friendly USA?	Yes, BFHI §
Does the law allow hospitals to substitute alternative policies and practices?	No, hospitals are not allowed to substitute alternative policies and practices §
Does state law address hospitals' mandatory breastfeeding policies?	No ⊖
Does state law require that healthcare staff be trained in the skills necessary to implement baby-friendly practices?	No
Does state law require hospitals to inform patients about breastfeeding?	No
Must the hospital make a breastfeeding consultant available?	
Does state law require hospitals to help mothers initiate breastfeeding within one hour of birth?	No
What instruction does state law require hospitals to provide mothers?	No instruction specified in the law



[Back to criteria >](#)

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Factsheets & Other Info

Overview of baby-friendly hospital requirements generally, statistics on breastfeeding, and specific requirements in each state

www.changelabsolutions.org

How Can You Use This Information on Baby-Friendly Hospital Laws?



Evaluate These Laws' Effects on Health-promoting Behaviors



Understand Baby-Friendly Hospital Requirements in Your State



Compare Baby-Friendly Hospital Laws Across States



Educate the Public & Policymakers about Baby-Friendly Hospital Laws and Potential Gaps in Your State



THE FINDINGS

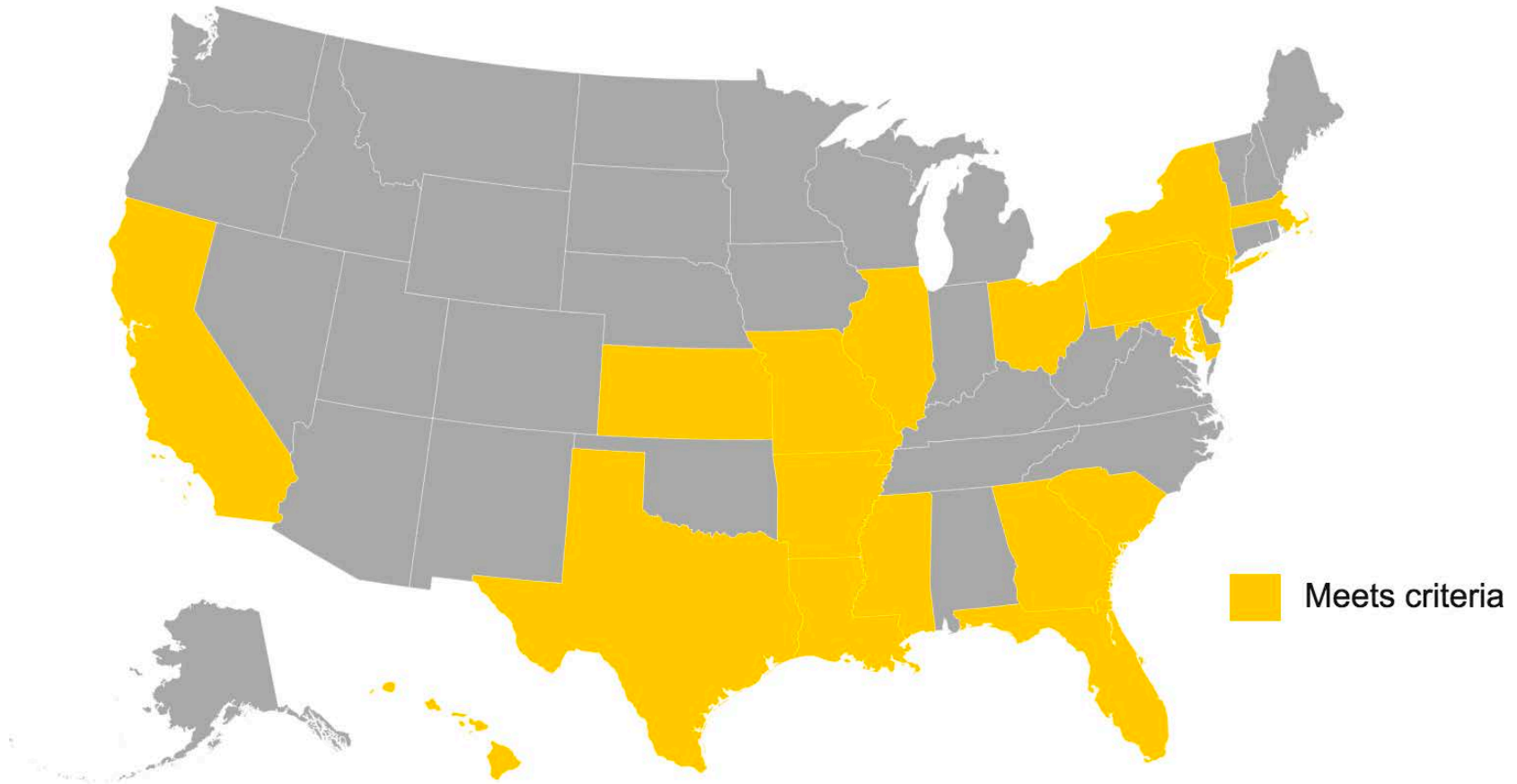
Baby-Friendly Hospital Laws

Baby-Friendly State Laws

18 states

Have laws addressing baby-friendly hospital practices

States with laws addressing baby-friendly practices



JURISDICTIONS FOUND: 18

Baby-Friendly State Laws

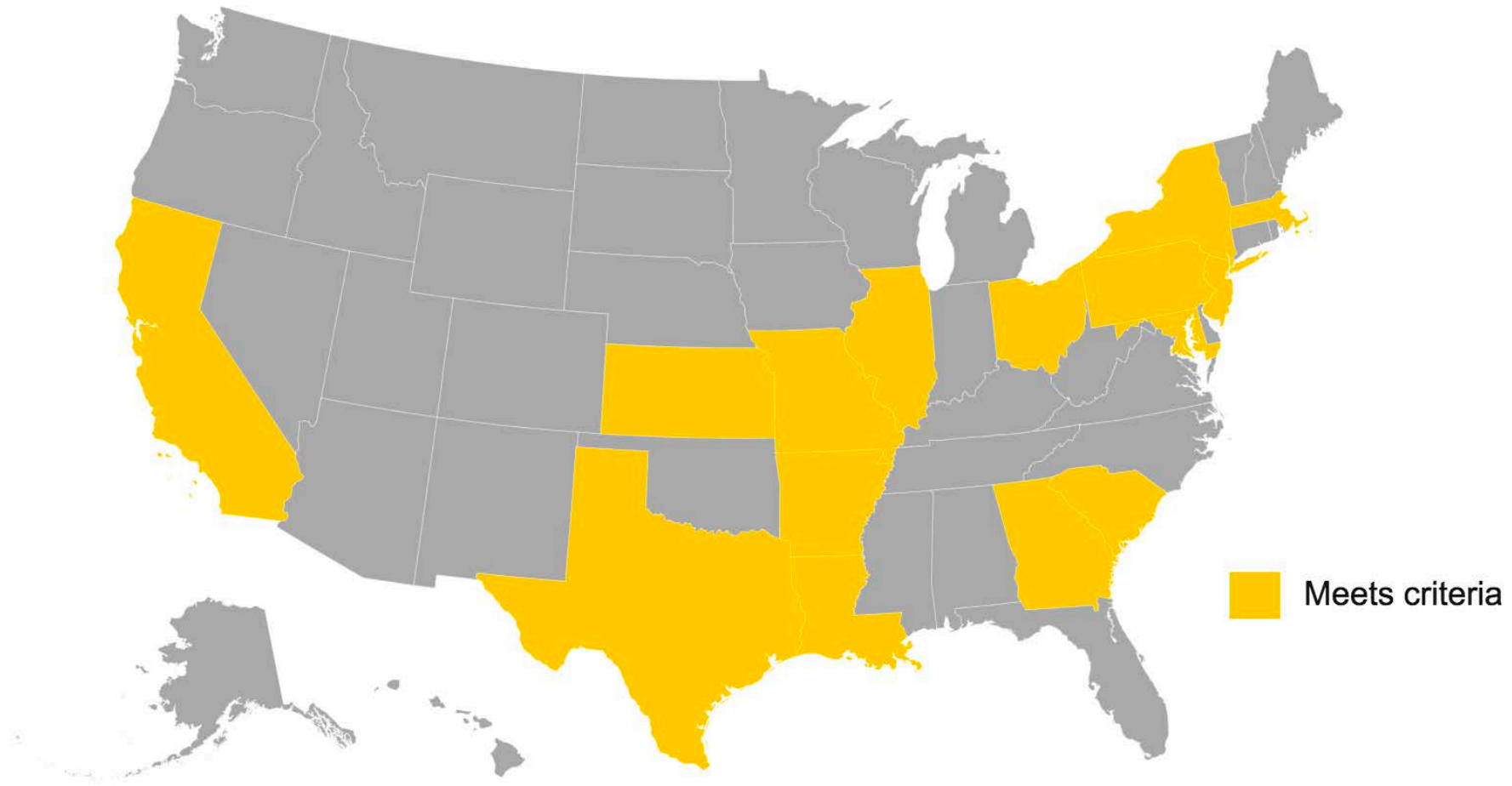
18 states

Have laws addressing baby-friendly hospital practices

15 states

Have laws requiring that hospitals comply with baby-friendly practices

States with laws requiring adherence to baby-friendly practices



JURISDICTIONS FOUND: 15

Baby-Friendly State Laws

18 states

Have laws addressing baby-friendly hospital practices

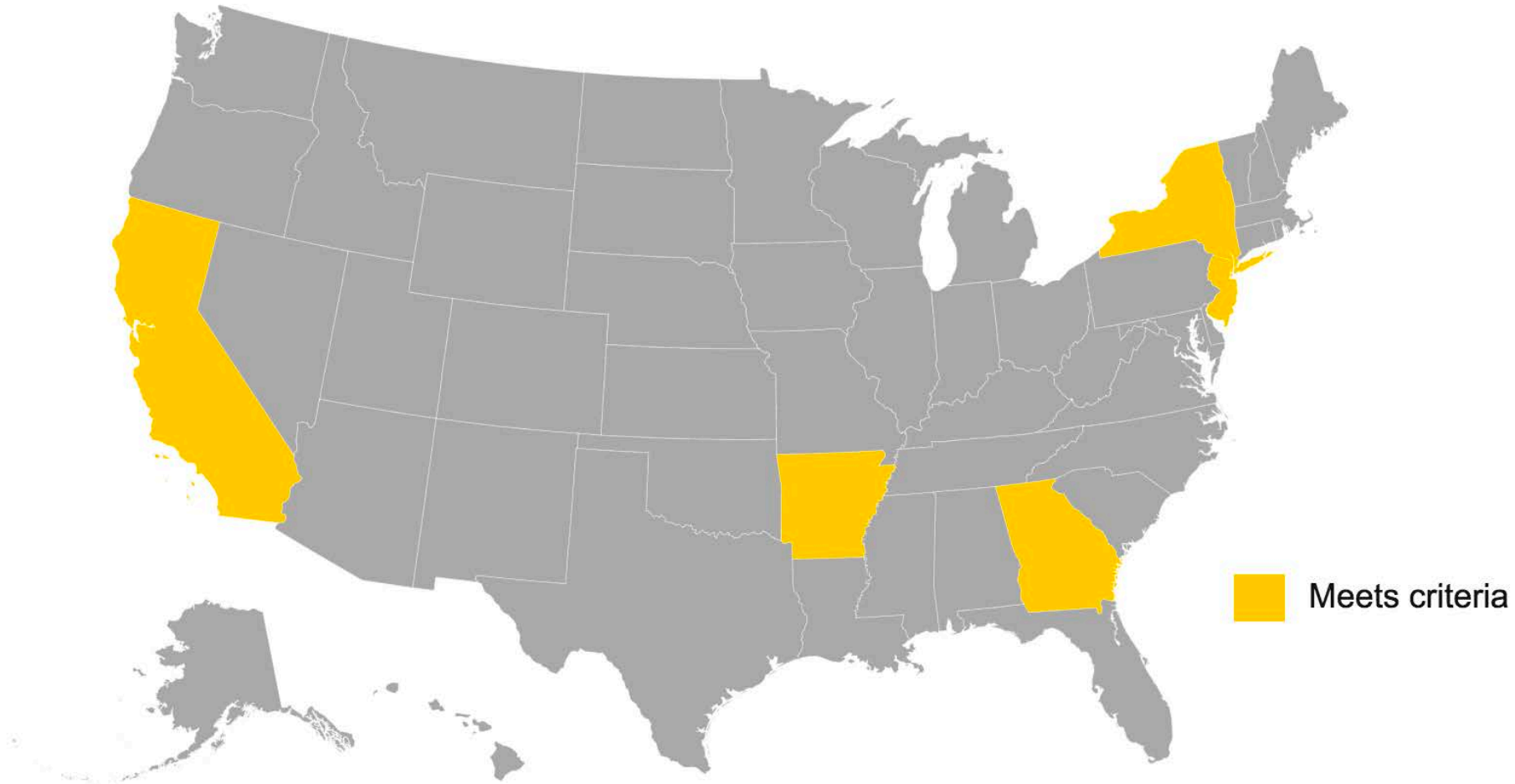
15 states

Have laws requiring that hospitals comply with baby-friendly practices

5 states

Require hospitals to permit rooming-in

States requiring hospitals to permit rooming-in



JURISDICTIONS FOUND: 5

Some Differences Across State Law

MANDATORY OR
VOLUNTARY



CONNECTION
TO BFHI



NUMBER OF
PRACTICES



FACILITIES
COVERED



DISCHARGE
PRACTICES





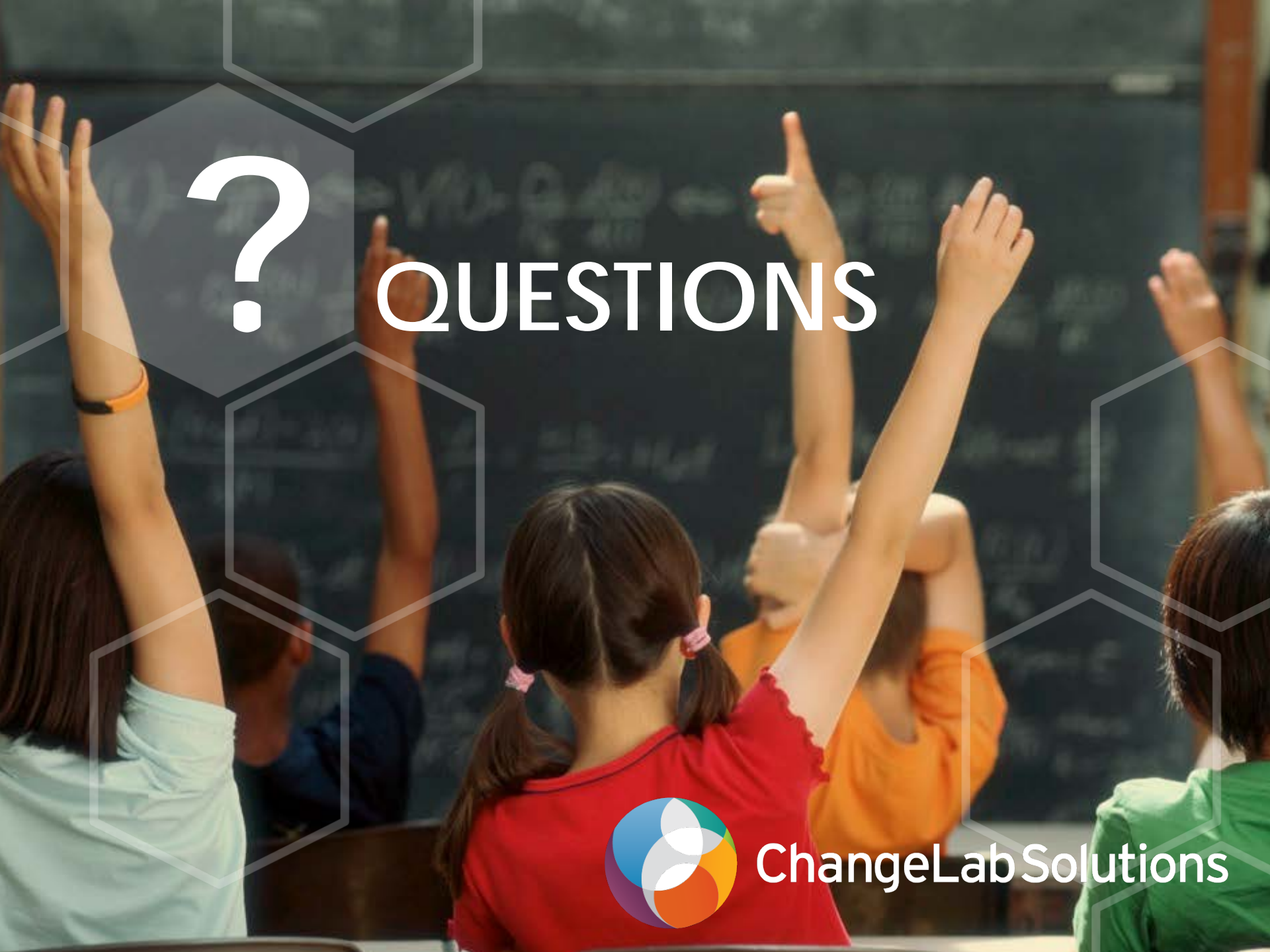
Spotlight:

Alaska



Spotlight:

New York



?

QUESTIONS



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Thank you!

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