



Hospital Practices That Support Breastfeeding Among Maternity Patients in California: Background, Benefits, and Laws and Regulations

Breastfeeding in Hospitals in the United States

Breastfeeding produces health benefits for both child and mother, including optimal nutrition for the infant,¹ decreased risk of infant morbidity and mortality, and decreased risk of maternal morbidity.² Nationally, breastfeeding rates have been rising, with 4 in 5 (81.1%) mothers who gave birth in 2013 initiating breastfeeding, and more than half (51.8%) of mothers who gave birth in 2013 still breastfeeding at 6 months.³ Despite this progress, many states fall short of the Healthy People 2020 breastfeeding duration and exclusivity targets. These targets include increasing the proportion of infants who are ever breastfed to 81.9% and increasing the proportion of infants who are breastfed at 6 months to 60.6%.⁴ There are also inequitable disparities in breastfeeding rates, notably along racial⁵ and socioeconomic⁶ lines.

Current high rates of breastfeeding initiation indicate that mothers in the United States want to breastfeed, but low breastfeeding rates among older infants (6–12 months) indicate that mothers do not continue to do so.⁷ According to the Centers for Disease Control and Prevention (CDC), this drop-off in breastfeeding rates suggests that mothers may not be receiving the necessary support to fulfill their breastfeeding intentions.⁸

The early postpartum period is critical for establishing breastfeeding and providing mothers with the support they need to continue. An important environment for early breastfeeding support is the hospital, where the majority of mothers give birth. For that reason, public health and policy advocates have focused on improving hospital maternity practices related to breastfeeding. Evidence indicates that institutional improvements to make maternity practices more supportive of breastfeeding help increase breastfeeding rates,⁹ particularly among underserved populations.¹⁰

The Baby-Friendly Hospital Initiative (BFHI), a joint global initiative of the United Nations Children’s Fund (UNICEF) and the World Health Organization (WHO), establishes evidence-based policies, standards, and best practices for infant breastfeeding in hospitals. Baby-Friendly USA, a nonprofit organization, oversees the implementation and supervision of

BFHI in the United States. Based on guidance developed by WHO, Baby-Friendly USA outlines 10 steps that hospitals must follow to receive a Baby-Friendly designation (the “10 Steps to Successful Breastfeeding”):¹¹

1. Have a written breastfeeding policy that is routinely communicated to all health care staff
2. Train all health care staff in the skills necessary to implement this policy
3. Inform all pregnant women about the benefits and management of breastfeeding
4. Help mothers initiate breastfeeding within 1 hour of birth
5. Show mothers how to breastfeed and how to maintain lactation, even if they are separated from their infants
6. Give infants no food or drink other than breast milk, unless medically indicated
7. Practice rooming-in—allow mothers and infants to remain together 24 hours a day
8. Encourage breastfeeding on demand
9. Give no pacifiers or artificial nipples to breastfeeding infants
10. Foster the establishment of breastfeeding support groups and refer mothers to them on discharge from the hospital or birth center¹

According to Baby-Friendly USA, as of May 18, 2018, there were 518 Baby-Friendly hospitals and birthing centers, including at least 1 in each of the 50 states and the District of Columbia.¹² (These figures represent the facilities voluntarily complying with the Baby-Friendly Hospitals Initiative and do not necessarily reflect the number of hospitals implementing breastfeeding-supportive practices required by law.) The CDC considers the number of live births that occur in Baby-Friendly-certified hospitals to be a “breastfeeding support indicator.”¹³

In many states, statutes and regulations require hospitals to adopt some or all of the practices described in the 10 Steps to Successful Breastfeeding (“10 Steps”). As of April 1, 2018, 18 states had enacted laws or regulations that encourage and support breastfeeding initiation and continuation through hospital maternity policies and practices. In 15 of those states, hospitals must follow 1 or more of the practices specifically outlined by the 10 Steps.¹⁴

¹ The 10 Steps listed here do not reflect revisions made by WHO in April 2018. All research cited in this fact sheet is based on the version of the 10 Steps listed here. The steps remain substantively the same despite these revisions. For more information on the updated 10 Steps, see <http://www.who.int/nutrition/bfhi/ten-steps/en/>.

Public health professionals and policymakers can use these statutes and regulations to understand the patterns, trends, and gaps in breastfeeding-supportive hospital practices in their state or nationwide and to identify opportunities for improvement.

Baby-Friendly Hospitals in California

California partially meets the Healthy People 2020 objectives of 81.9% of new mothers ever breastfeeding and 60.6% breastfeeding at 6 months.⁴ As of 2013, 90.2% of mothers in California had ever breastfed and 58.5% were breastfeeding at 6 months.³ As of May 2018, 99 hospitals in California had been formally designated as Baby-Friendly by Baby-Friendly USA.¹⁵

State Law Related to Hospital Practices That Support Breastfeeding

This section examines California's laws and regulations that recommend or require hospitals to implement 1 or more practices that support breastfeeding—that is, 1 or more of the 10 Steps to Successful Breastfeeding.

California law explicitly refers to Baby-Friendly USA and the Baby-Friendly Hospital Initiative.^{16, 17} Some but not all of the Baby-Friendly practices are currently required under California law. General acute care hospitals and special hospitals with a perinatal unit have until January 1, 2025, to do one of the following: (1) adopt the 10 Steps to Successful Breastfeeding, (2) follow “an alternate process adopted by a health care service plan that includes evidence-based policies and practices and targeted outcomes,” or (3) adopt California's Model Hospital Policy Recommendations.¹⁶

All general acute care hospitals and special hospitals must have an infant feeding policy that promotes breastfeeding.¹⁶ Specifically, maternal and newborn services must develop written policies that “reflect the standards and recommendations of the American College of Obstetricians and Gynecologists ‘Standard for Obstetric-Gynecologic Hospital Services,’ 1969, and the American Academy of Pediatrics ‘Hospital Care of Newborn Infants,’ 1971.”¹⁸ The policies must address breastfeeding¹⁹ as well as—where deemed necessary—family-centered perinatal care, including rooming-in.²⁰ The infant-feeding policy *may* include “guidance on formula

supplementation or bottlefeeding, if preferred by the mother or when exclusive breastfeeding is contraindicated for the mother or infant.”²¹ In addition, the policy must be “routinely communicated to perinatal unit staff” and “clearly posted in the perinatal unit or on the hospital or health system Internet Web site.”²²

With respect to staff availability and training, the California Department of Public Health recommends a training for general acute care hospitals, intended to improve breastfeeding rates. Hospitals can voluntarily choose to receive this training.²³ In addition, general acute care hospitals and special hospitals providing maternity care must ensure that a breastfeeding consultant is available or, alternatively, let the mother know where to receive breastfeeding information.²⁴

California law does not currently include provisions addressing other aspects of the 10 Steps to Successful Breastfeeding—such as an explicit prohibition on hospitals' giving pacifiers or artificial nipples to breastfeeding infants or a requirement that hospitals help mothers initiate breastfeeding within 1 hour of birth. However, hospitals will presumably be required to comply with additional Baby-Friendly practices by January 1, 2025, when, as noted earlier, they must adopt the full 10 Steps to Successful Breastfeeding “or an alternate process adopted by a health care service plan that includes evidence-based policies and practices and targeted outcomes, or the Model Hospital Policy Recommendations” developed by the state.

Conclusion

Research suggests that improving maternity care at hospitals through practices that support breastfeeding can improve breastfeeding rates and thus health outcomes for mothers and infants. Hospital practices that support breastfeeding among maternity patients have also been shown to reduce inequitable disparities in breastfeeding rates, including disparities among mothers of different races and socioeconomic statuses. State laws and regulations that require these practices ensure that more women give birth in hospitals that support breastfeeding. States that already require some practices that support breastfeeding may consider requiring hospitals to implement additional breastfeeding-supportive practices or all 10 Steps to Successful Breastfeeding.

Resources

California WIC Association’s Hospital Breastfeeding Rates and Reports www.calwic.org/focus-areas/breastfeeding/hospital-rates-a-reports

California Department of Public Health’s Breastfeeding Data www.cdph.ca.gov/Programs/CFH/DMCAH/Breastfeeding/Pages/D ata.aspx

CDC’s Nutrition, Physical Activity, and Obesity: Data, Trends and Maps (can be filtered to review state-specific breastfeeding data) www.cdc.gov/nccdphp/dnpao/data-trends-maps/index.html

CDC’s Breastfeeding Report Cards (includes national and state-level data) www.cdc.gov/breastfeeding/data/reportcard.htm

Maternity Practices in Infant Nutrition and Care (mPINC) Survey (measures breastfeeding-related maternity care practices at all intrapartum care facilities in the United States, including variation by states) www.cdc.gov/BREASTFEEDING/data/mpinc/index.htm

Baby-Friendly USA www.babyfriendlyusa.org/about-us

World Health Organization www.who.int/nutrition/topics/bfhi/en/

Healthy People 2020 www.healthypeople.gov/2020/topics-objectives/topic/maternal-infant-and-child-health/objectives

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- Cal. Health & Safety Code § 123366(b)(2), (c). https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=123366&lawCode=HSC.
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- Cal. Code Regs. tit. 22, § 70547(b)(26).
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- Cal. Health & Safety Code § 1257.9. https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1257.9&lawCode=HSC.
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