AN ACT Relating to creating the breastfeeding-friendly Washington designation; adding new sections to chapter 70.54 RCW; repealing RCW 43.70.640; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. A new section is added to chapter 70.54 RCW to read as follows:

(1) Breastfeeding-friendly Washington is a voluntary program to encourage and recognize hospitals, health care providers, workplaces, and child day care centers that offer an optimal level of care for infant feeding.

(2) The department of health shall create the breastfeeding-friendly Washington designations and may adopt rules to recognize the level of achievement by participating hospitals, health care providers, workplaces, and child day care centers.

NEW SECTION. Sec. 2. A new section is added to chapter 70.54 RCW to read as follows:

(1) Beginning July 1, 2014, a hospital may use the breastfeeding-friendly Washington designation provided in subsection (2) of this
section on promotional materials if the hospital achieves criteria defined by the department of health based on the following ten steps to successful breastfeeding:

(a) Have a written breastfeeding policy that is routinely communicated to all health care staff;
(b) Train all health care staff in skills necessary to implement this policy;
(c) Inform all pregnant women about the benefits and management of breastfeeding;
(d) Help mothers initiate breastfeeding within one hour of birth;
(e) Show mothers how to breastfeed and how to maintain lactation, even if they are separated from their infants;
(f) Give newborn infants no food or drink other than breast milk, unless medically indicated;
(g) Practice rooming in by allowing mothers and infants to remain together twenty-four hours a day;
(h) Encourage breastfeeding on demand;
(i) Give no pacifiers or artificial nipples to breastfeeding infants; or
(j) Foster the establishment of breastfeeding support groups and refer mothers to them on discharge from the hospital or clinic.

(2) A hospital seeking to use the breastfeeding-friendly Washington designation must submit its breastfeeding policy and supporting documentation with its application to the department of health for approval. The department shall review and approve those policies and supporting documentation that meet the requirements of this section and issue a designation based on the number of steps met by the hospital.

(3) For the purposes of this section, "hospital" means the maternity or newborn service of a facility licensed under chapter 70.41 RCW and includes "birthing center" or "childbirth center" as defined in RCW 18.46.010.

NEW SECTION. Sec. 3. A new section is added to chapter 70.54 RCW to read as follows:

(1) Beginning July 1, 2014, a health care provider may use the breastfeeding-friendly Washington designation provided in subsection (2) of this section on promotional materials if the health care
provider achieves criteria defined by the department of health based on the following ten steps:

(a) Develops a written policy supporting breastfeeding mothers and breastfeeding as the optimal infant feeding method and communicates the policy clearly and routinely to all clinic staff;

(b) Does not offer coupons for formula, free formula samples, or gift bags containing formula (for nonemergency situations) and does not display formula manufacturer's marketing materials;

(c) Provides a breastfeeding-friendly environment, such as welcoming mothers to nurse their babies at the facility, displaying posters that support breastfeeding, and making available infant feeding best practice information;

(d) Completes training on breastfeeding, assures office staff receive training on breastfeeding, and stays up-to-date with current practices of care;

(e) Assures office staff provide updated breastfeeding resources to pregnant and breastfeeding women;

(f) Helps pregnant women and their families learn about breastfeeding management and the importance of breastfeeding for their babies and themselves;

(g) Encourages pregnant women to include breastfeeding in their birth plan and to attend breastfeeding classes;

(h) Includes evidence-based breastfeeding support as a standard of care, such as ensuring mother and baby see a health care provider to discuss infant feeding within three days of hospital discharge;

(i) Establishes partnerships for coordinated care after delivery; or

(j) Implements a quality improvement plan to support breastfeeding and to address the quality of care provided to breastfeeding mothers and their babies.

(2) A health care provider seeking to use the breastfeeding-friendly Washington designation must submit its breastfeeding policy and supporting documentation with his or her application to the department of health for approval. The department of health shall review and approve those policies and supporting documentation that meet the requirements of this section and issue a designation based on the number of steps met by the health care provider.
(3) For the purposes of this section, "health care provider" means any person licensed under Title 18 RCW to provide maternity and infant care services.

NEW SECTION. Sec. 4. A new section is added to chapter 70.54 RCW to read as follows:

(1) Beginning July 1, 2016, an employer may use the breastfeeding-friendly Washington designation provided in subsection (2) of this section on promotional materials if the employer achieves criteria defined by the department of health based on the following ten steps:

(a) Develops a written policy that supports breastfeeding or allows flexible schedules for employees to pump their milk;
(b) Provides a secure place with an electrical outlet for pumping milk other than a toilet stall or bathroom;
(c) Provides a safe place for employees to store their pumped milk;
(d) Educates managers on the importance of breastfeeding and policies that support breastfeeding employees;
(e) Provides updated breastfeeding resources to pregnant and breastfeeding employees to help them balance the requirements for breastfeeding with their job responsibilities;
(f) Provides a minimum of twelve weeks of unpaid leave that can be used for maternity leave under the family and medical leave act;
(g) Offers lactation support programs as part of the basic employee benefits package;
(h) Offers breastfeeding employees options for returning to work such as part-time employment, job sharing, telecommuting, or flextime to accommodate continued breastfeeding;
(i) Includes policies and benefits that support breastfeeding employees in new employee orientation; or
(j) Provides on-site child care or policies that allow mothers to directly breastfeed their babies after they return to work.

(2) An employer seeking to use the breastfeeding-friendly Washington designation must submit its breastfeeding policy and supporting documentation with its application to the department of health for approval. The department of health shall review and approve those policies and supporting documentation that meet the requirements of this section and issue a designation based on the number of steps met by the employer.
(3) For the purposes of this section, "employer" includes those employers defined in RCW 49.12.005 and also includes the state, state institutions, state agencies, political subdivisions of the state, and municipal corporations or quasi-municipal corporations.

NEW SECTION. Sec. 5. A new section is added to chapter 70.54 RCW to read as follows:

(1) Beginning July 1, 2016, a child day care center may use the breastfeeding-friendly Washington designation provided in subsection (2) of this section on promotional materials if the child day care center achieves criteria defined by the department of health based on the following ten steps:

(a) Makes a commitment to the importance of breastfeeding, especially exclusive breastfeeding, and shares this commitment with staff;

(b) Trains all staff to promote optimal infant and young child feeding;

(c) Informs women and families about the importance of breastfeeding;

(d) Develops a breastfeeding-friendly feeding plan with each family;

(e) Trains all staff to handle, store, and feed mother's milk properly;

(f) Ensures that all breastfeeding families are able to properly store and label milk for child day care center use;

(g) Provides a breastfeeding-friendly environment, such as welcoming mothers to nurse their babies at the facility, displaying posters that support breastfeeding, and having information that shows best practices;

(h) Supports breastfeeding employees;

(i) Keeps updated resource lists of local breastfeeding services and share these lists with breastfeeding employees; or

(j) Offers staff ongoing training opportunities and updates about breastfeeding support.

(2) A child day care center seeking to use the breastfeeding-friendly Washington designation must submit its breastfeeding policy and supporting documentation with its application to the department of health for approval. The department of health shall review and approve
those policies and supporting documentation that meet the requirements of this section and issue a designation based on the number of steps met by the child day care center.

(3) For the purposes of this section, "child day care center" has the meaning provided in RCW 43.215.010.

**NEW SECTION. Sec. 6.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective July 1, 2016: RCW 43.70.640 (Workplace breastfeeding policies--Infant-friendly designation) and 2001 c 88 s 3.

--- END ---