

RCW 48.43.815 Donor human milk—Standards. (1) For group health plans other than small group health plans issued or renewed on or after January 1, 2023, a health carrier shall provide coverage for medically necessary donor human milk for inpatient use when ordered by a licensed health care provider with prescriptive authority or an international board certified lactation consultant certified by the international board of lactation consultant examiners for an infant who is medically or physically unable to receive maternal human milk or participate in chest feeding or whose parent is medically or physically unable to produce maternal human milk in sufficient quantities or caloric density or participate in chest feeding, if the infant meets at least one of the following criteria:

- (a) An infant birth weight of below 2,500 grams;
- (b) An infant gestational age equal to or less than 34 weeks;
- (c) Infant hypoglycemia;
- (d) A high risk for development of necrotizing enterocolitis, bronchopulmonary dysplasia, or retinopathy of prematurity;
- (e) A congenital or acquired gastrointestinal condition with long-term feeding or malabsorption complications;
- (f) Congenital heart disease requiring surgery in the first year of life;
- (g) An organ or bone marrow transplant;
- (h) Sepsis;
- (i) Congenital hypotonias associated with feeding difficulty or malabsorption;
- (j) Renal disease requiring dialysis in the first year of life;
- (k) Craniofacial anomalies;
- (l) An immunologic deficiency;
- (m) Neonatal abstinence syndrome;
- (n) Any other serious congenital or acquired condition for which the use of pasteurized donor human milk and donor human milk derived products is medically necessary and supports the treatment and recovery of the child; or
- (o) Any baby still inpatient within 72 hours of birth without sufficient human milk available.

(2) Donor human milk covered under this section must be obtained from a milk bank that meets minimum standards adopted by the department of health pursuant to RCW 43.70.645.

(3) For purposes of this section:

- (a) "Donor human milk" means human milk that has been contributed to a milk bank by one or more donors.
- (b) "Milk bank" means an organization that engages in the procurement, processing, storage, distribution, or use of human milk contributed by donors.

(4) The commissioner may adopt any rules necessary to implement this section. [2022 c 236 s 1.]