
HOUSE BILL 2329

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Riccelli, Short, Hudgins, Cody, Stanford, Walkinshaw, Bergquist, Farrell, Jinkins, Hunt, Green, Tharinger, Morrell, Van De Wege, Clibborn, Harris, Tarleton, Vick, Moeller, Kagi, Roberts, Senn, and Pollet

Read first time 01/15/14. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to creating the breastfeeding-friendly Washington
2 designation; adding new sections to chapter 70.54 RCW; repealing RCW
3 43.70.640; and providing an effective date.

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

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

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

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

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

17 (1) Beginning July 1, 2014, a hospital may use the breastfeeding-
18 friendly Washington designation provided in subsection (2) of this

1 section on promotional materials if the hospital achieves criteria
2 defined by the department of health based on the following ten steps to
3 successful breastfeeding:

4 (a) Have a written breastfeeding policy that is routinely
5 communicated to all health care staff;

6 (b) Train all health care staff in skills necessary to implement
7 this policy;

8 (c) Inform all pregnant women about the benefits and management of
9 breastfeeding;

10 (d) Help mothers initiate breastfeeding within one hour of birth;

11 (e) Show mothers how to breastfeed and how to maintain lactation,
12 even if they are separated from their infants;

13 (f) Give newborn infants no food or drink other than breast milk,
14 unless medically indicated;

15 (g) Practice rooming in by allowing mothers and infants to remain
16 together twenty-four hours a day;

17 (h) Encourage breastfeeding on demand;

18 (i) Give no pacifiers or artificial nipples to breastfeeding
19 infants; or

20 (j) Foster the establishment of breastfeeding support groups and
21 refer mothers to them on discharge from the hospital or clinic.

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

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

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

34 (1) Beginning July 1, 2014, a health care provider may use the
35 breastfeeding-friendly Washington designation provided in subsection

36 (2) of this section on promotional materials if the health care

1 provider achieves criteria defined by the department of health based on
2 the following ten steps:

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

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

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

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

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

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

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

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

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

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

31 (2) A health care provider seeking to use the breastfeeding-
32 friendly Washington designation must submit its breastfeeding policy
33 and supporting documentation with his or her application to the
34 department of health for approval. The department of health shall
35 review and approve those policies and supporting documentation that
36 meet the requirements of this section and issue a designation based on
37 the number of steps met by the health care provider.

1 (3) For the purposes of this section, "health care provider" means
2 any person licensed under Title 18 RCW to provide maternity and infant
3 care services.

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

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

10 (a) Develops a written policy that supports breastfeeding or allows
11 flexible schedules for employees to pump their milk;

12 (b) Provides a secure place with an electrical outlet for pumping
13 milk other than a toilet stall or bathroom;

14 (c) Provides a safe place for employees to store their pumped milk;

15 (d) Educates managers on the importance of breastfeeding and
16 policies that support breastfeeding employees;

17 (e) Provides updated breastfeeding resources to pregnant and
18 breastfeeding employees to help them balance the requirements for
19 breastfeeding with their job responsibilities;

20 (f) Provides a minimum of twelve weeks of unpaid leave that can be
21 used for maternity leave under the family and medical leave act;

22 (g) Offers lactation support programs as part of the basic employee
23 benefits package;

24 (h) Offers breastfeeding employees options for returning to work
25 such as part-time employment, job sharing, telecommuting, or flextime
26 to accommodate continued breastfeeding;

27 (i) Includes policies and benefits that support breastfeeding
28 employees in new employee orientation; or

29 (j) Provides on-site child care or policies that allow mothers to
30 directly breastfeed their babies after they return to work.

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

1 (3) For the purposes of this section, "employer" includes those
2 employers defined in RCW 49.12.005 and also includes the state, state
3 institutions, state agencies, political subdivisions of the state, and
4 municipal corporations or quasi-municipal corporations.

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

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

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

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

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

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

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

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

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

29 (h) Supports breastfeeding employees;

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

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

34 (2) A child day care center seeking to use the breastfeeding-
35 friendly Washington designation must submit its breastfeeding policy
36 and supporting documentation with its application to the department of
37 health for approval. The department of health shall review and approve

1 those policies and supporting documentation that meet the requirements
2 of this section and issue a designation based on the number of steps
3 met by the child day care center.

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

6 NEW SECTION. **Sec. 6.** The following acts or parts of acts, as now
7 existing or hereafter amended, are each repealed, effective July 1,
8 2016: RCW 43.70.640 (Workplace breastfeeding policies--Infant-friendly
9 designation) and 2001 c 88 s 3.

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