

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-6819

Title: AN ACT CONCERNING LACTATION CONSULTANTS.

Vote Date: 3/20/2023

Vote Action: Joint Favorable Substitute

PH Date: 3/6/2023

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

The Public Health Committee.

REASONS FOR BILL:

Breastfeeding has been proven to be the optimal way to nourish infants providing benefits for both the parent and the child. Assistance with this process by a certified lactation consultant can greatly increase a woman's chance of a successful experience with breastfeeding.

This bill requires the Department of Public Health (DPH) to obtain a list from the International Board of Lactation Consultants (IBCLC) of all Connecticut residents on its registry. This list must be completed and posted on the DPH website annually beginning January 1, 2024.

In addition to compiling a list of lactation consultants, the bill creates a 9-member task force to study lactation licensure qualifications. The focus of the task force is to determine whether the state should license or certify lactation counselors certified by the Academy of Lactation Policy and Practice. The task force must report its findings and recommendations to the Public Health Committee by January 1, 2024.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

Sandra Carbonari, M.D., member, CT Chapter of American Academy of Pediatrics:

Dr. Carbonari has practiced primary care pediatrics in Waterbury for over 30 years providing services to mostly Medicaid patients. She supports that the bill will study licensure and certification by the IBCLC and develop a registry to assure quality of care for breastfeeding

mothers. However, Ms. Carbonari points out that nursing mothers on Medicaid do not have access to lactation consultants because such services are not covered by Medicaid in our state. She encourages the Committee to support licensure of lactation consultants as well as have these services covered by Medicaid.

Lori Atkins, RN, IBCLC, Owner, Oh! Baby Lactation:

Ms. Atkins supports the licensure component of this bill and shares that IBCLC is the highest level of breastfeeding certification in the health care field. The process for certification requires many hours of mentoring, college level studies, a rigorous exam and re-certification every 5 years. Her business continues to grow as clients recognize and respect her level of education and expertise to care for the most complicated of babies. However, she cannot bill Medicaid for her services. Licensing IBCLCs and directing equitable and reasonable Medicaid reimbursement for this service would help thousands of at risk and low-income mothers and their infants in our state.

Anne Brown, FNP, IBCLC, Family Nurse Practitioner:

Ms. Brown shares that she is the only home professional lactation care provider in the entire state of Connecticut. The standard of care for lactation visits to establish the best outcome is in the client's home. Currently, all individuals with health plans that follow the Affordable Care Act (ACA) mandate lactation coverage including in-home visits except those on Medicaid. Also, Medicaid does not cover telemedicine for the initial visit. Medicaid is spending far more on infant formula and childhood sick visits than it would if it provided in home lactation care by IBCLCs. Since Medicaid requires a licensed professional to render care to obtain reimbursement, it makes sense to license IBCLC in our state and work to have this service covered by Medicaid.

Amy Gagliardi, MA, IBCLC, Community Health Center, Inc.:

Ms. Gagliardi supports the concept of the bill but believes it does not go far enough to get clinical breastfeeding services covered by Medicaid.

The American Academy of Obstetricians and Gynecologists, (ACOG):

ACOG supports this bill which can greatly increase a woman's chance of a successful breastfeeding experience.

NATURE AND SOURCES OF OPPOSITION:

Ellie Mulpeter, Director of the Academy of Lactation Policy and Practice (ALPP):

Ms. Mulpeter believes that a registry identifying certified providers of lactation care and services could be a valuable resource for Connecticut families. However, the list created under the bill will be incomplete since it would be limited to individuals who possess certification as IBCLCs and ignoring all Certified Lactation Counselors (CLCs). As of today, there are 410 CLCs certified by ALPP providing lactation services in Connecticut. It is ALPP's firm position that expectant and breastfeeding families are best served when lactation care options are expanded, not restricted. To increase access to care, ALPP supports publicly listing CLCs and IBCLCs on the DPH website and include the following definition of CLC as:

"a person who holds and maintains current certification in good standing as a certified Lactation Counselor with the ALPP."

Marsha Walker, RN, IBCLC, President, National Lactation Consultant Alliance (NLCA):

Ms. Walker points out that a registry on the DPH website is a reasonable step to inform parents, however, such a listing is easily and publicly available from many other sources. It is more important to focus on licensure since this would provide clarity for families and other members of a health care team. With so many different credentials and courses of study concerning certification and training, there is much confusion as to who is qualified to do what. In addition, because IBCLCs are not licensed, public and private insurers typically do not cover these services. Rather than listing IBCLCs in a registry, NLCA asks the Committee to file and support bills that would license IBCLCs.

The following individuals submitted testimony in opposition to the bill because it does not address coverage under Medicaid for lactation consultant services:

- Christine Edelson, retired IBCLC.
- Cody Cuni, Hand to Heart Lactation Services.
- Dawn Gagliardi, West Hartford mother.

Reported by: Kathleen Panazza

Date: March 31, 2023