

# Breastfeeding Policy Updates

*NWA 27th Annual Washington Leadership Conference*

February 27, 2017



United States Breastfeeding  
COMMITTEE  
PROTECTING • PROMOTING • SUPPORTING

# Outline

- Breastfeeding Supports within ACA
  - Funding for CDC, esp. Maternity Care Practice Programs
  - “Break Time” (Workplace Support) Provision
  - Health Plan Coverage
- Bills to be Reintroduced in 115<sup>th</sup> Congress
  - Supporting Working Moms Act (SWMA)
  - Friendly Airports for Mothers (FAM) Act
- Bills Passed in 114<sup>th</sup> Congress
  - Safe Meds for Moms/Babies Act
  - BABES Act



# CDC FUNDING

[www.usbreastfeeding.org/cdc-funding](http://www.usbreastfeeding.org/cdc-funding)

# Prevention & Public Health Fund (PPHF)



- ❑ Created by ACA in 2010 (Sec. 4002)
- ❑ Target for elimination in last year's repeal bill -> House majority (E&C Cte) discussion draft just released would repeal starting in FY19
- ❑ Supplies more than 12% of CDC budget, including core public health programs
- ❑ CDC budget authority decreased by 11.4% since FY10, PPHF has helped make up difference

**TFAH Webpage:**

<http://healthyamericans.org/health-issues/pphf/>

# CDC Breastfeeding Funds



- Joint letter to Congressional Appropriations Cte leaders w/ briefing document: 7 March 2011
  - Co-signed by 38 national organizations and 98 regional/state/local organizations
  - Asked for \$15 million for breastfeeding support initiatives
- Allocated from PPHF since FY12
  - FY12 = \$7M
  - FY13 = \$2.5M
  - FY14, FY15, FY16 = \$8M
  - FY17 President's Budget, House & Senate Cte Bills = \$8M
- **USBC agenda:** requesting continuation in FY17 and beyond with or without PPHF



# NURSING BREAKS LAW

[www.usbreastfeeding.org/workplace-law](http://www.usbreastfeeding.org/workplace-law)

# “Break Time for Nursing Mothers” Provision



- ❑ Created by ACA in 2010 (Sec. 4207)
- ❑ Originally included in ACA with bipartisan support (unanimous HELP Cte vote)
- ❑ Not target for repeal in past -> not subject to budget reconciliation -> not in House majority (E&C) draft
- ❑ DoL enforcement actions under Trump Admin – TBD?
- ❑ **USBC agenda:** pursuing expansion of coverage to exempt (salaried) workers via SWMA with bipartisan co-sponsorship \*and\* implementing education/promotion campaign



# HEALTH PLAN COVERAGE

[www.usbreastfeeding.org/preventive-services](http://www.usbreastfeeding.org/preventive-services)



# Breastfeeding Support in Preventive Services



- ❑ ACA Sec. 1302 required health plans to cover “Essential Health Benefits”, including Preventive Services
- ❑ ACA also amended Sec. 2713 of Public Health Service Act to require health plans to cover certain preventive services with no cost sharing
- ❑ Breastfeeding doubly included via US Preventive Services Task Force (USPSTF) *and* Women’s Preventive Services (WPS)
- ❑ Not target for repeal in past -> Essential Health Benefits left to states in House majority (E&C) draft

# Avenues to Protect



- **USBC agenda:** maintain federal mandate for supplies \*and\* counseling, expand definitions
  - Advocating to protect EHB and preventive services more broadly in ACA repeal/replace/repair
- But IF they go away...**
  - Exploring coalition building around proposal to keep maternity care as a federal mandate
    - Request language that includes breastfeeding supports (including prenatal and postpartum), similar to how has been defined under preventive services



# BILLS TO BE REINTRODUCED

# Friendly Airports for Mothers (FAM) Act



- Would require all large and medium hub airports to provide a private, non-bathroom space in each terminal for mothers to express breast milk
- Last session:
  - **Senate:** Passed as part of FAA Reauthorization Act
  - **House:** 63 cosponsors (57D, 6R); Duckworth (D-IL)
- Pending reauthorization = unique opportunity
- In July a short-term compromise FAA extension was passed, only through September 2017

[www.usbreastfeeding.org/fam-act](http://www.usbreastfeeding.org/fam-act)

# Supporting Working Moms Act (SWMA)



- Would extend existing federal “Break Time” law to cover executive, administrative, and professional employees, including elementary and secondary school teachers
- Last session:
  - **Senate:** 8 cosponsors (7D, 1R); Merkley (D-OR)
  - **House:** 21 cosponsors (21D); Maloney (D-NY-12)
- 114<sup>th</sup> had first Republican co-sponsor, Senator Lisa Murkowski (AK); now seeking House Republican
- Exploring possibilities to incorporate as part of “replace/repair” bills

[www.usbreastfeeding.org/swma](http://www.usbreastfeeding.org/swma)



**BILLS PASSED LAST SESSION**

# Bottles & Breastfeeding Equipment Screening (BABES) Act



- ❑ Directs TSA to provide ongoing training so agents consistently enforce procedures at all airport security checkpoints for traveling with breast milk, formula, & infant feeding equipment
- ❑ First breastfeeding-specific bill to go to the floor of either house as a standalone measure
- ❑ Republican sponsors: Rep. Herrera Beutler (WA-3) & Senator Ayotte (NH)
- ❑ Passed via unanimous consent in both Houses
- ❑ Implementation actions:
  - USBC/AAP SoB doing second webinar training for TSA in May
  - Suggested questions for Congresswoman's briefing by TSA on their SOPs on handling and screening breast milk

# 21<sup>ST</sup> Century Cures Act



- ❑ Includes Safe Medications for Moms and Babies Act - HR 5219
- ❑ Co-authors Rep. Herrera Beutler (R-WA-3) & Castor (D-FL-14)
- ❑ Establishes federal/medical expert task force to advance research on medication use during pregnancy/breastfeeding; report to Congress:
  - plan to identify/address gaps in knowledge and research
  - ethical issues around inclusion of pregnant/lactating women in research
  - current state of federal research
  - recommendations for coordination/collaboration on research
- ❑ Implementation actions:
  - Coalition to Advance Maternal Therapeutics sign-on letter to Price
  - Hoping to move quickly to form: 1/2-1/3 non-federal members



# Connect with Us



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# Thank you!

