ESSENTIAL INFORMATION
April 2018

Laws That Support Breastfeeding Among Hospital Maternity Patients

Prepared by ChangeLab Solutions

SUMMARY
This dataset covers state laws and regulations governing hospital practices that support breastfeeding among maternity patients, including recommendations or requirements for hospitals related to any of the 10 Steps to Successful Breastfeeding as outlined by the Baby-Friendly Hospital Initiative. It also covers state laws recommending or requiring certain hospital discharge practices related to breastfeeding. The laws included here are in effect as of April 1, 2018.

ABOUT LAWS THAT SUPPORT BREASTFEEDING AMONG MATERNITY PATIENTS AND THE DATA
Breastfeeding produces health benefits for both child and mother, and existing evidence suggests that certain breastfeeding-supportive practices in hospitals increase breastfeeding rates,1 particularly among underserved populations.2 The Baby-Friendly Hospital Initiative (BFHI), a joint UNICEF/World Health Organization (WHO) global initiative, establishes evidence-based policies, standards, and best practices for infant breastfeeding in hospitals. Baby-Friendly USA, a non-profit organization, oversees the implementation and supervision of BFHI in the United States.

Based on guidance developed by WHO, Baby-Friendly USA outlines 10 steps for hospitals to follow to receive a Baby-Friendly designation (called the “10 Steps to Successful Breastfeeding”):3:

1. Have a written breastfeeding policy that is routinely communicated to all health care staff.
2. Train all health care staff in the skills necessary to implement this policy.
3. Inform all pregnant women about the benefits and management of breastfeeding.
4. Help mothers initiate breastfeeding within one hour of birth.
5. Show mothers how to breastfeed and how to maintain lactation, even if they are separated from their infants.
6. Give infants no food or drink other than breast milk, unless medically indicated.
7. Practice rooming in — allow mothers and infants to remain together 24 hours a day.
8. Encourage breastfeeding on demand.
9. Give no pacifiers or artificial nipples to breastfeeding infants.
10. Foster the establishment of breastfeeding support groups and refer mothers to them on discharge from the hospital or birth center.

According to Baby-Friendly USA, as of May 23, 2018, there are 518 Baby-Friendly Hospitals and birthing centers in the United States, including at least one in each state and the District of Columbia.4

This dataset explores state laws and regulations governing hospital practices that support breastfeeding among maternity patients. It shows key features of state laws and regulations regarding recommendations or requirements for hospitals related to any of the 10 Steps to Successful Breastfeeding. It also covers state laws recommending or requiring certain hospital discharge practices related to breastfeeding.

As of April 1, 2018, 18 states had enacted laws or regulations that encourage and support breastfeeding initiation and continuation. In 15 of these states, hospitals are required to implement one or more practices that support breastfeeding among maternity patients. In this research, hospital laws that support breastfeeding include all laws and regulations that address any one of the above 10 steps, or that address hospital discharge practices related to breastfeeding. States that have these laws may not necessarily also require hospitals to comply with Baby-Friendly USA’s requirements.

The dataset was last updated with laws in effect through April 1, 2018.

**NAVIGATING THE DATA**

There are two ways to explore the data for each topic on this data page — selecting criteria by answering a series of questions using the Filter tab, or question by question using the Explore tab (these options can be selected along the left side of your screen, beginning at the middle of each data page). For each option, the data can be displayed in a map and table format or in jurisdiction profiles.

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4 Find Facilities. Baby-Friendly USA website. [https://www.babyfriendlyusa.org/find-facilities](https://www.babyfriendlyusa.org/find-facilities). Updated May 23, 2018. Accessed May 23, 2018. These figures represent the facilities voluntarily complying with the Baby-Friendly Hospitals Initiative, and do not necessarily reflect the number of hospitals implementing practices that support breastfeeding among maternity patients, as required by law.
Question Selection
Policy surveillance uses a question and answer format to identify characteristics of laws and policies. LawAtlas.org offers two question-and-answer-based ways of exploring the law: Filter and Explore.

Filter
LawAtlas.org will default to the Filter tab. Here users may answer a series of questions to select any number of criteria to learn more about the characteristics of the laws. Answering more than one question will show all the jurisdictions that meet the combined criteria. Criteria selected will be listed above the questions, and can be removed by clicking the white X or by clicking “Reset” above the questions. The criteria selected will also be cleared when switching between the Filter and Explore tabs.

Explore
While LawAtlas.org data pages default to the Filter tab, users can access Explore by clicking the Explore tab in the bar above the questions.

Using Explore, users may see all possible responses to one question in all jurisdictions at once — enabling the user to compare jurisdictions directly across the full landscape. For questions where responses are binary (i.e., yes or no) and categorical, mutually exclusive questions (i.e., the answer to the question is either one option or another), instead of choosing an answer, all possible answers to the question will be displayed automatically, color-coded in the results display. For categorical, “check-all-that-apply” questions, users can select one of the answers and all jurisdictions that meet that criteria will be shown.

The primary questions in this dataset are:

1. Does state law address hospital practices that support breastfeeding among maternity patients?
2. Does state law address hospitals’ mandatory breastfeeding policies?
3. Does state law require that healthcare staff be trained in the skills necessary to implement practices that support breastfeeding among maternity patients?
4. Does state law require hospitals to inform maternity patients about breastfeeding?
5. Must hospitals make a breastfeeding consultant available to maternity patients?
6. Does state law require hospitals to help mothers initiate breastfeeding within one hour of birth?
7. What instruction does state law require hospitals to provide mothers?
8. Does state law include requirements about when infants may be given food or drink other than breast milk?
9. Does state law require hospitals to permit rooming-in?
10. Does state law require that hospitals allow mothers to breastfeed on demand?
11. Does state law prohibit hospitals from giving pacifiers or artificial nipples (e.g., bottle feeding) to breastfeeding infants?
12. Does state law require hospitals to foster the establishment of breastfeeding groups and/or refer mothers to them?
13. Does state law include requirements related to breastfeeding that hospitals must follow when discharging a maternity patient?

Displaying Results
There are two display modes once criteria have been selected (using either the Filter or Explore tab): Map display mode and Profiles display mode.

Map Display
LawAtlas.org data pages default to the map display mode. When querying the data using the Filter tab, all jurisdictions that meet the criteria selected will display in one tone of yellow. Those jurisdictions that do not meet the criteria selected will be colored gray. When querying the data using the Explore tab, the map will illuminate with colors from yellow to red that are associated with the various answer choices (the color-coding is defined by the key to the left of the map).

Below the map, a table will appear. Using the Filter or Explore tab to navigate the questions will change the display:

- Using the Filter tab, the table will only display the jurisdictions that meet the criteria selected, and columns for each question answered will be added to the right in the table showing the answers to those questions based on the laws.
- Using the Explore tab, the table will display all jurisdictions included in the dataset for the question selected.

Profiles Display
The Profiles display presents the results of the criteria selected in a text-based format, jurisdiction by jurisdiction. Using the Filter tab, only jurisdiction profiles that meet the criteria selected will display, as well as the responses to the criteria selected.

Using the Explore tab, all jurisdiction profiles will display, and only the question selected and relevant answers will display within the profile.

If no criteria are selected, the full profiles for each state will appear under both Filter and Explore.

Within each Profile box, above the questions and answers, there are additional options and information useful in exploring the law:

<table>
<thead>
<tr>
<th>$$$</th>
<th><strong>Toggle Legal Text</strong> – Selecting this option will show all the legal text used to answer questions for this jurisdiction.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☀️</td>
<td><strong>Toggle Full Place Profile</strong> – Selecting this option will show all questions and answers for this jurisdiction, regardless of what was selected using the Filter or Explore tabs.</td>
</tr>
<tr>
<td>➡️</td>
<td><strong>Toggle Size</strong> – Selecting this option will make the profile larger, but will not change the information displayed.</td>
</tr>
</tbody>
</table>
Legal Text History – This interactive timeline shows when changes in the law have occurred. Using the arrows to the left or right, users may explore how the law has changed over time as new iterations of the law have been enacted. The timeline will change from gray to a shade of yellow when the jurisdiction passed its first law, each change in the law after that is marked by a break in the timeline.

Legend
There are a few symbols to be aware of in both Map and Profiles display modes:

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>§</td>
<td>Section Symbol – Clicking this symbol will open a small window that displays excerpts from the law that answer the question selected.</td>
</tr>
<tr>
<td>!</td>
<td>Caution Note – Clicking on this symbol will open a small window that displays text that describes important divergences or greater detail about the characteristics of the law.</td>
</tr>
</tbody>
</table>

DATASET RESOURCES
Each dataset homepage includes the following resources available for download:

- **Data:** The Data file exports in CSV. Format and may contain two tabs. If there are two tabs, the “Statistical Data” tab contains the legal variables coded in the dataset, displayed as values defined in the accompanying Codebook. The “Summary Data” tab contains the legal variables coded in the dataset in text form, as well as the accompanying citations and any caution notes that may be included. Note: if there is only one tab available for download it will be the “Statistical Data” as described above.

- **Codebook:** The Codebook defines all of the coded variables in the dataset. The Codebook lists the question, question type, variable name, variable value and variable label. The Codebook should be used in conjunction with the Statistical Data extract.

- **Research Protocol:** The Research Protocol is a comprehensive document that outlines the entire methodology of the project, including the scope, inclusion and exclusion criteria, data collection methods, definitions, coding scheme decisions, as well as the quality control process.

- **Summary Report:** The Summary Report provides a snapshot of important findings from the dataset.
ADDITIONAL INFORMATION

To learn about how we created this dataset, including more detail about the methods used during legal research and coding, please refer to the Research Protocol and the Codebook. The Codebook provides a list of the coding questions and their corresponding variable names. A Summary Report highlights some significant research findings. You can also download the underlying data into Microsoft Excel or other statistical analysis software. You can download the Research Protocol, Codebook, Summary Report and data from the Laws That Support Breastfeeding Among Maternity Patients webpage.

For more information and resources about the Baby-Friendly Hospital Initiative, please see Baby-Friendly USA and the World Health Organization.