ASSEMBLY, No. 3038

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:
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District 6 (Burlington and Camden)
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SYNOPSIS

Establishes public awareness campaign advising pregnant women, new parents, and women who are breast feeding about dangers of casual milk sharing.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/24/2020)

AN ACT concerning casual milk sharing and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. As used in this act:

"Casual milk sharing" means an informal arrangement in which a mother directly donates human breast milk that has not been collected, processed, distributed, or sold by a human milk bank to a parent who is unable to nurse, or is in need of additional breast milk to feed, the parent's child.

"Human milk bank" means an organized service for the selection of a donor and the collection, processing, storage, distribution, or sale of donated human breast milk to a hospital for use by low birth weight babies or new mothers with delayed lactation, or directly to a parent, with a physician's prescription order, who is unable to nurse, or is in need of additional breast milk to feed, the parent's child.

2. a. The Commissioner of Health shall establish a public awareness campaign to advise pregnant women, new parents, and women who are breast feeding their children about the dangers of casual milk sharing. The campaign shall, at a minimum, provide information on:

(1) risk factors associated with casual milk sharing, including disease transmission and contamination from drugs, germs, or chemicals;

(2) the federal Food and Drug Administration's warning against mothers using donated breast milk obtained directly from individuals or other unknown sources; and

(3) human milk banks and the procedures used by milk banks to select donors and collect, process, store, distribute, or sell donated breast milk.

b. The commissioner shall:

(1) provide for the development of printed educational materials about casual milk sharing as described in subsection a. of this section, in English, Spanish, and any other language that the commissioner determines is the first language of a significant number of citizens in the State;

(2) disseminate information on the dangers of casual milk sharing for distribution to pregnant women, new parents, and women who are breast feeding their children through a variety of entities, including, but not limited to, local health agencies and clinics, physicians, health care facilities, pharmacies, libraries, community-based outreach programs and organizations, and the Department of Health Internet site; and

(3) report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature no later than 18 months after the effective date of this act, on the activities and accomplishments of the public awareness campaign.

3. The Commissioner of Health, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations to effectuate the purposes of this act.

4. This act shall take effect immediately.

STATEMENT

This bill requires the Commissioner of Health to establish a public awareness campaign to advise pregnant women, new parents, and women who are breast feeding their children about the dangers of casual milk sharing.

As defined in the bill, "casual milk sharing" is an informal arrangement in which a mother donates human breast milk that has not been collected, processed, stored, distributed, or sold by a human milk bank to a parent who is unable to nurse, or is in need of additional breast milk to feed, the parent's child.

The bill also defines "human milk bank" as an organized service for the selection of a donor and the collection, processing, storage, distribution, or sale of donated human breast milk to a hospital for use by low birth weight babies or new mothers with delayed lactation, or directly to a parent, with a physician's prescription order, who is unable to nurse, or is in need of additional breast milk to feed, the parent's child.

Under the provisions of the bill, the campaign would, at a minimum, provide information on: risk factors associated with casual milk sharing, including disease transmission and contamination from drugs, germs, or chemicals; the federal Food and Drug Administration's warning against mothers using donated breast milk obtained directly from individuals or other unknown sources; and human milk banks and the procedures they use to select donors and collect, process, store, dispense, or sell donated breast milk.

The commissioner would be required to: develop printed materials about casual milk sharing in English, Spanish, and any other language that the commissioner determines is the first language of a significant number of citizens in the State; disseminate information on the dangers of casual milk sharing for distribution to pregnant women, new parents, and women who are breast feeding their children through entities, including, but not limited to, local health agencies and clinics, physicians, health care

facilities, pharmacies, libraries, community-based outreach programs and organizations, and the Department of Health Internet site; and report to the Governor and the Legislature, no later than 18 months after the effective date of bill, on the activities and accomplishments of the public awareness campaign.