

ASSEMBLY, No. 821

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblywoman BRITNEE N. TIMBERLAKE

District 34 (Essex and Passaic)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

SYNOPSIS

Requires certain health care facilities to offer consultations with lactation counselors to persons who have given birth.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning lactation consultation and supplementing Title
2 26 of the Revised Statues.

3

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

6

7 1. a. Every hospital that provides inpatient maternity services
8 and every birthing center licensed in the State pursuant to P.L.1971,
9 c.136 (C.26:2H-1 et seq.) shall offer a person who has given birth at
10 the hospital or birthing center:

11 (1) at least one in-person, one-on-one consultation with a
12 lactation counselor prior to that person's discharge from the
13 hospital or birthing center; or

14 (2) lactation counseling or a consultation with a lactation
15 counselor conducted remotely through live voice communication, if
16 requested.

17 b. The counseling provided by the lactation counselor pursuant
18 to subsection a. of this section shall comprise of:

19 (1) breastfeeding education and support services, including
20 educating the person who has given birth and the person's family
21 about the impact of breastfeeding and human lactation on health and
22 what to expect in the normal course of breastfeeding;

23 (2) advocacy for breastfeeding as the norm for feeding infants
24 and young children;

25 (3) breastfeeding support and, encouragement during weaning in
26 order to help the person who has given birth meet their
27 breastfeeding goals;

28 (4) the implementation of a lactation care plan for, and the
29 provision of lactation education to, the person who has given birth
30 including demonstration and instruction on how to breast feed;

31 (5) recommendations on assistive devices, including, but not
32 limited to breast milk pumps, and how to use and purchase such
33 devices; and

34 (6) the distribution of informational literature on breastfeeding,
35 including, but not limited to, information on the health benefits of
36 breastfeeding.

37 c. As used in this section:

38 "Lactation counselor" means an individual or a licensed health
39 care provider who is:

40 (1) licensed or certified to practice lactation counseling under
41 any law, or who is an accredited member belonging to another
42 profession or occupation, who provides breastfeeding education and
43 support services for which that person is licensed, regulated,
44 accredited, or certified; or

45 (2) a community-based lactation supporter who has received at
46 least 40 hours of specialty education in breastfeeding and lactation,
47 and who works within a lactation counselor's scope of practice.

