



NEW YORK STATE SENATOR

Malcolm Smith

## Breastfeeding Mothers' Bill of Rights Passes Senate

MALCOLM A. SMITH July 17, 2009

(Albany, NY) Just days after new research from the Women's Health Initiative, a long-term study of 140,000 women, indicated clear health benefits relating to breastfeeding for the mother and newborn, the New York State Senate has passed the Breastfeeding Mothers' Bill of Rights (S1107A).

Sponsored by Senator Liz Krueger (D-Manhattan), this legislation is based on the recognition that many women forego the option of breastfeeding their child, despite the health and economic implications of using formula. Oftentimes, women who forego breastfeeding are those who can least afford it—low-income women, whose child was often placed on formula shortly after birth, without their knowing. Once a newborn has adapted to formula it is nearly impossible to switch to breastfeeding.

The legislation is designed to be educational, so that every new mothers can make a fully informed decision—many will continue to find that formula is the best option, but hopefully even more will realize the benefits of breastfeeding and make that choice.

Many studies have shown that there are fewer medical problems and hospital stays for breastfed infants, which translates into lower healthcare costs and workplace absenteeism. The American College of Obstetricians and Gynecologists supports extended breastfeeding because it reduces the risk of ovarian and breast cancers in breastfeeding mothers. Other

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"This is good for baby and this is good for mom," said Senator Krueger. "Women are often made to feel ashamed when they breastfeed, and oftentimes if they start, quit after a few weeks. Women are buying expensive, less healthy formulas when they can't even afford food for themselves. It makes no sense. It is time that we as a society stop being hung up on breasts -- after all 51% of us have them evolutionarily engineered for feeding babies -- and start doing what is right for the health and well-being of our newborns and moms."

She added, "This is common-sense legislation that empowers and supports these new mothers by providing them the information they need prior to, and after the birth of their infant so they can make the best decisions for their child and themselves."

The Breastfeeding Mothers' Bill of Rights requires that new mothers be informed of breastfeeding options before they deliver, while in the maternal healthcare facility, as well as after leaving that facility. In addition, it bans commercial interests (formula providers) from pressuring new mothers while in maternal facilities. Included within the Bill of Rights:

- **Before You Deliver:** The right to information free from commercial interests, which provides the nutritional, medical and psychological benefits of breastfeeding; An explanation of some of the problems a mother may encounter, and how to avoid or solve them.

- **In the Maternal Healthcare Facility:** The mothers' right for her baby to stay with her after delivery to facilitate beginning breastfeeding immediately; to insist the baby not receive bottle feeding; to be informed about and refuse any drugs that may dry up breast milk; 24

hour access to the baby with the right to breastfeed at any time.

- **When You Leave the Maternal Healthcare Facility:** The right to refuse any gifts or take-home packets, distributed by the maternal healthcare facility, that contain commercial advertising or product samples; access to breastfeeding resources in one's community.

The Assembly has also passed this legislation and it is awaiting action by the Governor.

"This is common sense legislation and I applaud Senator Krueger for her diligence over the last several years, in developing this bill and getting it passed by both houses," said Senate President Malcolm A. Smith. "We have to do what is right for our children, and make sure that new mothers have the information they need to make the choice that is best for themselves and their new baby."

"The scientific evidence in favor of breastfeeding is compelling and this bill will help new mothers to make informed decisions," said Senate Health Committee Chair Thomas K. Duane (D-Manhattan). "Among other provisions, the Breastfeeding Bill of Rights will ensure that commercial interests do not improperly interfere with this important postnatal decision."

"As basic as some of these rights are, they are consistently violated. There is a very real problem of women feeling pressured out of breastfeeding because the information they received early in their child's life was manipulated by commercial interests more concerned with their bottom line. The Federal government's Healthy People 2010 initiative has set a goal of increasing rates of breastfeeding mothers to 75% upon birth, and 50% until six months of age. It is critically important to support women who choose to breastfeeding their newest family member," Krueger concluded.