



STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

James W. Clyne, Jr.
Executive Deputy Commissioner

May 27, 2010

Dear Chief Operating Officer:

Recognizing the importance of breastfeeding, the New York State Legislature enacted the Breastfeeding Mothers' Bill of Rights in July 2009. The statute specifies the rights of pregnant women and new mothers to be informed about the benefits of breastfeeding, and to obtain support from health care providers and health care facilities during pregnancy, after delivery and after discharge from birthing facilities.

The new law imposes the following additional requirements:

- the Breastfeeding Mothers' Bill of Rights must be conspicuously posted in all hospitals and birthing centers in the state providing maternity care services;
- hospitals and birthing facilities must include the Breastfeeding Mothers' Bill of Rights in the Maternity Information Leaflet, which is provided to new mothers when admission arrangements are made; and
- after delivery, hospitals are required to assure that new mothers have the appropriate supports and services to best ensure success in breastfeeding their infants.

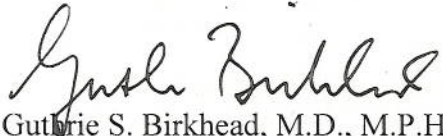
These include supports allowing babies to stay with mothers immediately after birth, the right for babies not to be bottle fed or be given pacifiers, and for provisions to allow babies to room-in with mothers. New mothers also have the right to have trained staff provide breastfeeding support and information on breastfeeding and expressing milk; to be provided information regarding their success with breastfeeding; and assistance to improve breastfeeding whenever necessary. The law also affords new mothers the right to obtain breastfeeding information without commercial material, the right to be released from the hospital without discharge packs that contain infant formula, and the right to obtain information about community resources to support breastfeeding.

The Department of Health has posted the Breastfeeding Mothers' Bill of Rights on the public Web site in English and six of the languages more commonly spoken in New York State (Spanish, Russian, Italian, Haitian Creole, Korean and Chinese), for use by maternity hospitals and birthing centers. We encourage you to review the Bill of Rights to understand the legislative requirements with which hospitals and birthing centers must comply. You may also utilize the versions of the Breastfeeding Mothers' Bill of Rights posted on the Web site to produce materials for posting at your facilities and for inclusion in the Maternity Information Leaflet. These materials are available at:

<http://www.nyhealth.gov/community/pregnancy/breastfeeding/>

The law has an effective date of May 1, 2010. Hospitals will be expected to be in full compliance by August 1, 2010. Thank you for your ongoing commitment and support for this most important endeavor.

Sincerely,



Guthrie S. Birkhead, M.D., M.P.H.
Deputy Commissioner
Office of Public Health

Sincerely,



John N. Morley, M.D., FACP
Medical Director
Office of Health Systems Management