

AMENDED IN ASSEMBLY APRIL 5, 2016
AMENDED IN ASSEMBLY MARCH 18, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2589

Introduced by Assembly Member Gomez

February 19, 2016

An act to add Sections 123362 and 123363 to the Health and Safety Code, relating to lactation services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2589, as amended, Gomez. Lactation services and equipment.

Existing law provides for the California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program) administered by the State Department of Public Health and counties, under which nutrition and other assistance is provided to eligible low-income postpartum and lactating women, infants, and children under 5 years of age.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which health care services, including breastfeeding services, are provided to qualified low-income persons. Existing law requires the State Department of Health Care Services to streamline and simplify existing Medi-Cal program procedures in order to improve access to lactation supports and breast pumps among Medi-Cal recipients.

This bill would require the State Department of Public Health to coordinate with the State Department of Health Care Services to develop processes, procedures, and an electronic interface for eligibility-related information sharing to streamline enrollment into the WIC Program,

as part of the application process for Medi-Cal and health plans offered through the California Health Benefit Exchange. The bill would require the State Department of Public Health to coordinate with the State Department of Health Care Services, through a stakeholder engagement process, *as specified*, to develop measures and outcomes for breastfeeding, ~~as specified, and specified. No later than January 1, 2018, and every 5 years thereafter, the bill would require the State Department of Public Health to coordinate with the State Department of Health Care Services, through a stakeholder engagement process, as specified, to develop and update~~ minimum ~~required~~ breast pump and accessory equipment standards for the provision of *appropriate and effective* breast pumps and ~~accessories in all health plans. accessories.~~

~~This bill would declare the intent of the Legislature to enact legislation relating to durable medical equipment rates for breast pumps and accessory kits, including a rate review and adjustment process, in order to ensure the continued provision of, and access to, quality breast pumps, particularly for health plans serving low-income mothers and their infants.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.~~ It is the ~~intent of the Legislature to enact~~
2 ~~legislation relating to durable medical equipment rates for breast~~
3 ~~pumps and accessory kits, including a rate review and adjustment~~
4 ~~process, in order to ensure the continued provision of, and access~~
5 ~~to, quality breast pumps, particularly for health plans serving~~
6 ~~low-income mothers and their infants.~~

7 ~~SEC. 2.~~

8 ~~SECTION 1.~~ Section 123362 is added to the Health and Safety
9 Code, to read:

10 123362. The State Department of Public Health shall coordinate
11 with the State Department of Health Care Services to develop
12 processes, procedures, and an electronic interface for
13 eligibility-related information sharing to streamline enrollment
14 into the California Special Supplemental Nutrition Program for
15 Women, Infants, and Children, known as the WIC Program, as
16 part of the application process for Medi-Cal and health plans
17 offered through the California Health Benefit Exchange established

1 under Title 22 (commencing with Section 100500) of the
2 Government Code.

3 ~~SEC. 3. Section 123363 is added to the Health and Safety Code,~~
4 ~~to read:~~

5 ~~123363. The State Department of Public Health shall coordinate~~
6 ~~with the State Department of Health Care Services, through a~~
7 ~~stakeholder engagement process, to do both of the following:~~

8 ~~(a) Develop measures and outcomes for breastfeeding, including,~~
9 ~~at a minimum, both of the following:~~

10 ~~(1) Initiation, duration and exclusivity, and ethnic disparities.~~

11 ~~(2) Nutrition, relating to chronic disease impacting women,~~
12 ~~infants, and children, including, but not limited to, obesity, forms~~
13 ~~of diabetes, cardiovascular disease, and hypertension.~~

14 ~~(b) Develop minimum required breast pump and accessory~~
15 ~~equipment standards for the provision of breast pumps and~~
16 ~~accessories in all health plans.~~

17 *SEC. 2. Section 123363 is added to the Health and Safety Code,*
18 *to read:*

19 *123363. (a) The State Department of Public Health shall*
20 *coordinate with the State Department of Health Care Services,*
21 *through a stakeholder engagement process that shall include, but*
22 *not be limited to, representatives from health care providers,*
23 *primary care clinics, and health plans, state and local staff from*
24 *the California Special Supplemental Nutrition Program for Women,*
25 *Infants, and Children (WIC Program) and the Maternal, Child*
26 *and Adolescent Health program, and representatives from*
27 *organizations representing women, infants, and children, to do*
28 *both of the following:*

29 *(1) With respect to prenatal care, develop measures and*
30 *outcomes for breastfeeding that shall include, at a minimum,*
31 *women's intention to breastfeed, including ethnic diversity.*

32 *(2) After birth and following discharge from the hospital or*
33 *other birthing location, develop measures and outcomes for*
34 *breastfeeding that shall include, at a minimum, initiation, duration,*
35 *exclusivity, and ethnic disparities.*

36 *(b) No later than January 1, 2018, and every five years*
37 *thereafter, the State Department of Public Health shall coordinate*
38 *with the State Department of Health Care Services, through a*
39 *stakeholder engagement process that shall include, but not be*
40 *limited to, representatives from health care providers, health plans,*

1 *and primary care clinics, lactation consultants and specialists,*
2 *state and local staff from the WIC Program, and representatives*
3 *of manufacturers and distributors of breast pumps and accessories,*
4 *to develop and update minimum breast pump and accessory*
5 *equipment standards for the provision of appropriate and effective*
6 *breast pumps and accessories, taking into account the current*
7 *reimbursement rates for durable medical equipment related to*
8 *breastfeeding, including any potential need to modify the*
9 *reimbursement rates.*

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