

# Breastfeeding Rights

## *A Mom's Guide*



The Metro Nashville Public Health Department and community partners are committed to giving babies a healthy start that includes **promoting, protecting and supporting breastfeeding**.

It is our vision that every mother has the opportunity and support necessary to breastfeed where they live, work, worship and give birth. Breast milk provides the best nutrients for a newborn to grow, develop, and build a strong immune system. Research continues to identify the importance of breastfeeding for infants and mothers. Many groups, including the American Academy of Pediatrics, American Association of Family Physicians, American College of Obstetricians and Gynecologists, and Academy of Breastfeeding Medicine, recommend that infants receive breast milk for at least the first year of life.

**Breastfeeding is more successful when mothers have a supportive environment, including the support of their family, friends, community, health care providers, insurers, workplaces, and policy makers.**

This document contains five recommended strategies to help you reach your breastfeeding goals and your legal rights as a breastfeeding mother.

### Benefits for Babies:

- Stronger Immune System
- Less likely to have allergies
- Less likely to be obese
- Less likely to develop diabetes
- Less likely to suffer from lower respiratory illness like pneumonia
- Less likely to have gastrointestinal infections
- Less likely to have ear infections
- Less likely to develop asthma
- Less likely to die from SIDS (Sudden Infant Death Syndrome)

### Benefits for Moms:

- Less likely to develop breast cancer
- Less likely to develop ovarian cancer
- Less likely to develop diabetes
- Less likely to develop osteoporosis

*Source: U.S. Department of Health and Human Services*

### Tennessee Breastfeeding Legislation

In accordance with Section 68-58-101:

You have the **legal right** to breastfeed your child in any location, public or private, where you are authorized to be.

## 1 Before your Baby Arrives

**Request information free of commercial interest that includes:**

- How breastfeeding benefits you and your baby nutritionally, medically, and emotionally.
- What to expect and how to prepare yourself for breastfeeding.
- How to understand some of the challenges you may face and where to seek help within the community.
- What your worksite or school lactation policy is prior to returning to work or school.
- How to continue to breastfeed when you return to work or school.

## 2 In the Medical Care Facility

Request the following:

- A written copy of the hospitals' breastfeeding policy.
- That the staff has the skills needed to implement the policy.
- To be informed on the benefits and management of breastfeeding.
- To initiate breastfeeding within 1-2 hours of birth.
- To be shown how to breastfeed even if you are separated from your child.
- That your baby receive no food or drink other than breast milk unless medically indicated.
- To have your healthy infant remain in your room 24 hours a day.
- That the staff working with you is supportive of breastfeeding.

**Before you leave the Medical Care Facility request the following:**

*Printed breastfeeding information based on evidence and research that is free of commercial advertising.*

- **Not** to receive the discharge pack containing infant formula.
- To receive information about contraception that is compatible with breastfeeding.
- To be informed of breastfeeding support groups in your community.

## 3 In the Child Care Facility

**If you choose to place your child in a child care facility request the following:**

- A feeding plan that includes using expressed breast milk.
- That childcare staff be trained in the handling of stored breast milk, properties of feeding expressed breast milk and the unique feeding needs of breastfed infants.

## 4 When you return to work

**In accordance with the Patient Protection and Affordable Care Act (2009 Affordable Care Act) and amended section 7 of the Fair Labor Standards Act (FLSA) and TCA 50.1.305 request the following:**

- You have the **legal right** to be provided reasonable break time to express milk at work.
- You have the **legal right** to be provided a place, other than a bathroom, with adequate privacy to express breast milk while at work.
- You have the **legal right** to receive reimbursements for supplies that assist lactation through your flexible spending accounts or health-savings accounts. (*For more information refer to IRS Publication 502.*)

## 5 For Adoptive Parents

Request the following:

**Before the Baby Arrives:**

- Information and Instruction about how best to initiate and prepare for breastfeeding your adopted child.

**In the Medical Care Facility:**

If you are a mother planning to place your child for adoption and wish to breastfeed request the following:

- That hospital staff, social workers and the adoptive family work to support your goal to breastfeed or donate pumped breast milk for your child.

If you are a mother receiving a child placed for adoption request the following:

- Medical support to achieve your breastfeeding goals.

Visit us at [www.NashVitality.org](http://www.NashVitality.org)



*Funded in full by the U.S. Department of Health and Human Services as part of the American Recovery and Reinvestment Act of 2009*