

Breastfeeding and the Affordable Care Act

Increasing breastfeeding rates is a national priority due to the well-documented health and economic benefits for families and society. Unfortunately, while 84% of mothers start out breastfeeding in the US, only 24% meet clinical guidelines for breastfeeding. While breastfeeding rates have been growing steadily, there are significant gaps across racial, ethnic, and socioeconomic lines. The Surgeon General's Call to Action to Support Breastfeeding outlines several key barriers women face when breastfeeding. The report indicates that successful initiation of breastfeeding not only depends on experiences in the hospital but also depends on access to instruction on lactation from breastfeeding experts, particularly in the postpartum period¹.

The Affordable Care Act (ACA) of 2012 was the first nation-wide legislation aimed at increasing access to breastfeeding supplies, counseling, and support among insured parents². The ACA only applies to private healthcare insurance and non-grandfathered plans. Unfortunately, the details of the law are vague, and that has created loopholes for insurance companies to cover lactation support services, which has led to incomplete lactation coverage for many families.

Private insurance companies have interpreted and approached the law differently, leading to a lack of consistency across carriers and states. Despite the ACA's requirement to provide "comprehensive lactation support," many insurance companies have not established networks of lactation providers³. In these instances, the plan typically refers parents to their obstetrician or to the child's pediatrician—neither of whom usually offers lactation counseling. International Board-Certified Lactation Consultants (IBCLCs) are the highest accredited healthcare professional specializing in lactation. IBCLCs are the only clinical experts who possess the breadth of training and knowledge to address the most complex of lactation issues. And in the case of hospital-based lactation consultants, hospital policy often restricts these providers to in-patient clients, which means women cannot access these health professionals once they are discharged from the hospital.

The lack of a provider network for lactation counseling means that women must turn to out-of-network providers to get help with breastfeeding. To work with out-of-network providers, families need to pay out of pocket for a consultation and then submit an out-of-network claim for reimbursement. These practices effectively shift more costs to women. Some women—especially women with limited income or who may be taking unpaid family leave—will not be able to pay the full cost of lactation counseling at the point of service, and will not get the care they need. For these women, they effectively have

¹ The Surgeon General's Call to Action to Support Breastfeeding. Office of the Surgeon General (US); Centers for Disease Control and Prevention (US); Office on Women's Health (US). Rockville (MD): Office of the Surgeon General (US); 2011.

² Women's Preventive Services Guidelines. (2022, January 11). Retrieved February 01, 2022, from <https://www.hrsa.gov/womens-guidelines/index.html>

³ Hotline callers report coverage problems with CareFirst, UnitedHealthcare, and several BlueCross Blue Shield companies.

no benefit at all. Federal guidance clearly allows parents to obtain required preventive services, including breastfeeding benefits, through out-of-network providers, at no cost-sharing, when the plan does not maintain a network of appropriate providers⁴. However, each insurance company has set its own policies defining what billing codes will or will not be paid. So, even families who do find care out of network are left with denied claims or partial reimbursement, discouraging follow-up care.

The ACA's breastfeeding benefits are a huge step forward that can remove the cost barriers associated with breastfeeding support and equipment and give families the tools they need to successfully breastfeed for as long as they want. However, because insurance companies are not following the law, women are not getting breastfeeding benefits as required by the ACA.

The Lactation Network

At The Lactation Network (TLN), believe lactation care is a human right, where all parents have access to the vital resources they need to care for themselves and their babies. With the largest network of International Board-Certified Lactation Consultants (IBCLCs), TLN works directly with employers to connect employees and their dependents to crucial preventative care during the prenatal and post-partum phases. We have helped over 100,000 families since our first visit in 2016 and can provide face-to-face care for parents anywhere in the US. Our comprehensive lactation benefit solution helps employers attract and retain talent, improve employee satisfaction, promote an inclusive environment, and lower healthcare costs. We provide employees and their dependents access to expert lactation care whenever and wherever they need it. We offer a wide variety of breast pumps and help parents choose the one that best fits their lifestyle and insurance plan. And we educate and advocate on behalf of parents and IBCLCs—because every caregiver deserves to thrive.

To learn more about how our Newborn Families Lactation Benefit Program can expand your company's commitment to working families, visit [Employer - The Lactation Network](#).

⁴ United States Department of Labor, "FAQs About Affordable Care Act Implementation (Part XII)," (February 20, 2013) accessed at <http://www.dol.gov/ebsa/faqs/faq-aca12.html>.