



General Assembly

February Session, 2024

Raised Bill No. 5318

LCO No. 1969



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT REQUIRING THE LICENSURE OF LACTATION CONSULTANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2024*) As used in this section and
2 sections 2 to 4, inclusive, of this act:

3 (1) "Lactation consultant" means a person who holds and maintains
4 certification in good standing as an international board certified
5 lactation consultant with the International Board of Lactation
6 Consultant Examiners; and

7 (2) "Lactation consulting" means clinical application of scientific
8 principles and a multidisciplinary body of evidence for evaluation,
9 problem identification, treatment, education and consultation to
10 families regarding the course of lactation and feeding, including, but not
11 limited to, the following services:

12 (A) Taking maternal, child and feeding histories;

13 (B) Performing clinical assessments related to breastfeeding and

14 human lactation through the systematic collection of subjective and
15 objective information;

16 (C) Analyzing relevant information and data;

17 (D) Developing an unbiased lactation management and child feeding
18 plan with demonstration and instruction to parents;

19 (E) Providing lactation and feeding education, including, but not
20 limited to, recommendations for and training in the use of assistive
21 devices for lactation and breastfeeding;

22 (F) Communicating to a primary health care practitioner and
23 referring to other health care practitioners, as necessary;

24 (G) Conducting appropriate follow-up appointments and evaluating
25 outcomes; and

26 (H) Documenting patient encounters in a patient record.

27 Sec. 2. (NEW) (*Effective October 1, 2024*) (a) No person may practice
28 lactation consulting unless licensed or permitted pursuant to section 3
29 of this act.

30 (b) No person may use the title "lactation consultant" or the
31 designation "L.C.", or make use of any title, words, letters, abbreviations
32 or insignia that may reasonably be confused with licensure as a lactation
33 consultant unless such person is licensed pursuant to section 3 of this
34 act.

35 (c) The provisions of this section shall not apply to a person who (1)
36 provides lactation consulting while acting within the scope of practice
37 of the person's (A) license, permit or certification, and (B) training,
38 provided the person does not hold himself or herself out to the public
39 as a lactation consultant, or (2) is a student enrolled in a lactation
40 consulting educational program or a graduate nursing or medical
41 education program in lactation consulting and lactation consulting is an
42 integral part of the student's course of study and such student is

43 performing such consulting under the direct supervision of a licensed
44 lactation consultant, physician or other health care provider who
45 provides lactation consulting within such provider's scope of practice.

46 Sec. 3. (NEW) (*Effective October 1, 2024*) (a) On and after October 1,
47 2027, the Commissioner of Public Health shall grant a license as a
48 lactation consultant to any applicant who, except as provided in
49 subsection (b) of this section, furnishes evidence satisfactory to the
50 commissioner that such applicant has earned a certification or credential
51 from the International Board of Lactation Consultant Examiners, or any
52 successor of said board. The commissioner shall develop and provide
53 application forms. The application fee shall be three hundred fifteen
54 dollars.

55 (b) An applicant for licensure by endorsement shall present evidence
56 satisfactory to the commissioner that the applicant is licensed or
57 certified as a lactation consultant, or as a person entitled to perform
58 similar services under a different designation, in another state or
59 jurisdiction that has requirements for practicing in such capacity that are
60 substantially similar to, or higher than, those of this state and that there
61 are no disciplinary actions or unresolved complaints pending in this
62 state or any other state.

63 (c) Licenses issued under this section shall be renewed annually
64 pursuant to section 19a-88 of the general statutes. The fee for such
65 renewal shall be one hundred ninety dollars. Each licensed lactation
66 consultant applying for license renewal shall furnish evidence
67 satisfactory to the commissioner of having a current certification or
68 credential with the International Board of Lactation Consultant
69 Examiners, or any successor of said board, and having obtained
70 continuing education units for such certification or credential as
71 required by said board.

72 Sec. 4. (NEW) (*Effective October 1, 2024*) The Commissioner of Public
73 Health may deny an application of an individual or take any
74 disciplinary action set forth in section 19a-17 of the general statutes

75 against a lactation consultant for any of the following reasons: (1)
76 Failure to conform to the accepted standards of the profession; (2)
77 conviction of a felony, provided any action taken is based upon (A) the
78 nature of the conviction and its relationship to the license holder's ability
79 to safely or competently practice as a lactation consultant, (B)
80 information pertaining to the degree of rehabilitation of the license
81 holder, and (C) the time elapsed since the conviction or release; (3) fraud
82 or deceit in obtaining or seeking reinstatement of a license to practice
83 lactation consulting; (4) fraud or deceit in the practice of lactation
84 consulting; (5) negligent, incompetent or wrongful conduct in
85 professional activities; (6) physical, mental or emotional illness or
86 disorder resulting in an inability to conform to the accepted standards
87 of the profession; (7) alcohol or substance abuse; or (8) wilful
88 falsification of entries in any hospital, patient or other record pertaining
89 to lactation consulting. The commissioner may order a license holder to
90 submit to a reasonable physical or mental examination if his or her
91 physical or mental capacity to practice safely is the subject of an
92 investigation. The commissioner may petition the superior court for the
93 judicial district of Hartford to enforce such order or any action taken
94 pursuant to section 19a-17 of the general statutes. The commissioner
95 shall give notice and an opportunity to be heard on any contemplated
96 action under section 19a-17 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	New section
Sec. 2	<i>October 1, 2024</i>	New section
Sec. 3	<i>October 1, 2024</i>	New section
Sec. 4	<i>October 1, 2024</i>	New section

Statement of Purpose:

To require licensure of lactation consultants.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]