

SENATE BILL NO. 300

BY SENATORS DUPLESSIS, BARROW, BOUDREAUX, BOUIE, CARTER, FIELDS,
HENRY, JACKSON-ANDREWS, JENKINS, LUNEAU, MCMATH,
MIZELL AND PRICE AND REPRESENTATIVES CHASSION,
FREIBERG, HILFERTY, KNOX, MARCELLE, MILLER, TAYLOR
AND WILLARD

1 AN ACT

2 To enact R.S. 22:1059.4 and 1059.5, relative to health insurance coverage for pregnancy-
3 related and postpartum healthcare services; to provide for coverage of nutrition
4 counseling services; to provide for coverage of qualified lactation care provider
5 services; to prohibit discriminatory language; to provide for definitions; to provide
6 for applicability; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1059.4 and 1059.5 are hereby enacted to read as follows:

9 **§1059.4. Required coverage for pregnancy-related nutrition counseling**
10 **services; reimbursement discrimination prohibited; definitions**

11 **A. The legislature hereby finds and affirms all of the following:**

12 **(1) Louisiana has one of the highest maternal and infant mortality rates**
13 **in the United States and has a compelling interest and obligation to promote**
14 **practices that improve maternal and infant health outcomes.**

15 **(2) A healthy diet and weight before, during, and after pregnancy can**
16 **promote positive health outcomes for mothers and babies. Access to nutrition**
17 **services in the beginning of a pregnancy can lead to increased positive outcomes**
18 **for both mothers and babies.**

19 **B.(1) Any health coverage plan delivered or issued for delivery in this**
20 **state that provides benefits for maternity services shall include coverage for**
21 **pregnancy-related nutrition counseling services provided by a licensed dietitian**
22 **or licensed nutritionist in the first trimester of the pregnancy when**
23 **recommended by the treating healthcare provider. Coverage provided pursuant**
24 **to this Section shall not require a diagnosis of gestational diabetes or any other**
25 **chronic health condition.**

1 (2) The coverage provided for in this Section may be subject to annual
 2 deductibles, coinsurance, and copayments consistent with those established
 3 under the health coverage plan.

4 C. Terminology in any health coverage plan policy or contract deemed
 5 discriminatory against licensed dietitians or licensed nutritionists or their
 6 services is void and unenforceable.

7 D. For purposes of this Section, the following definitions apply:

8 (1) "Health coverage plan" means any hospital, health, or medical
 9 expense insurance policy, hospital or medical service contract, employee welfare
 10 benefit plan, contract, or other agreement with a health maintenance
 11 organization or a preferred provider organization, health and accident
 12 insurance policy, or any other insurance contract of this type in this state,
 13 including a group insurance plan, a self-insurance plan, and the Office of Group
 14 Benefits programs. "Health coverage plan" does not include a plan providing
 15 coverage for excepted benefits as defined in R.S. 22:1061, limited benefit health
 16 insurance plans, and short-term policies that have a term of less than twelve
 17 months.

18 (2) "Licensed dietitian" or "licensed nutritionist" means a person
 19 licensed to provide nutrition-related services pursuant to the Louisiana
 20 Dietetics/Nutrition Practice Act of 1987, R.S. 37:3081 et seq.

21 §1059.5. Required coverage for lactation support services; reimbursement
 22 discrimination prohibited; definitions

23 A. The legislature hereby finds and affirms all of the following:

24 (1) Louisiana has one of the highest maternal and infant mortality rates
 25 in the United States and has a compelling interest and obligation to promote
 26 practices that improve maternal and infant health outcomes.

27 (2) Breastfeeding for all infants starting at birth and continuing until at
 28 least six months of age has been recommended by the World Health
 29 Organization and the American Academy of Pediatrics, and the health benefits
 30 to infants and mothers have been demonstrated in many studies. Dedicated

1 lactation consultants may play a role in providing education and support to
2 pregnant women and new mothers to improve breastfeeding outcomes.

3 B.(1) Any health coverage plan delivered or issued for delivery in this
4 state that provides benefits for maternity services shall include coverage for
5 postpartum services provided by a qualified lactation care provider.

6 (2) The coverage provided for in this Section are considered as a
7 preventive benefit under the Affordable Care Act. A covered person who
8 utilizes this benefit shall not be subject to annual deductibles, coinsurance, and
9 copayments consistent with those established under the health coverage plan.

10 (3) A qualified lactation care provider shall be recognized as an
11 individual who has achieved and maintained his certification requirements for
12 a breastfeeding counselor, lactation consultant, certified breastfeeding
13 specialist, certified lactation counselor, certified lactation educator, or another
14 recognized certification from a program that is accredited by a nationally
15 recognized accreditation agency.

16 C. Terminology in any health coverage plan policy or contract deemed
17 discriminatory against a qualified lactation care provider or his services is void
18 and unenforceable.

19 D. For purposes of this Section, the following definitions apply:

20 (1) "Breastfeeding counselor" means an individual who is qualified to
21 provide breastfeeding counseling, address normal breastfeeding in a healthy
22 term infant, and conduct maternal and infant assessments of anatomy, latch,
23 and positioning, while providing support to the mother.

24 (2) "Certified breastfeeding specialist" means an individual who has
25 been certified by a nationally recognized accreditation agency that signifies an
26 individual's specialized expertise in breastfeeding support. This certification
27 includes specialized knowledge and skills that are essential for supporting a
28 breastfeeding mother and her infant.

29 (3) "Certified lactation counselor" means an individual who has a
30 certification that indicates a foundational level of knowledge and competence

1 in lactation support and management. A certified lactation counselor is certified
2 by the Academy of Lactation Policy and Practice.

3 (4) "Certified lactation consultant" means an individual who is qualified
4 to provide breastfeeding counseling, address normal breastfeeding in a healthy
5 term infant, and conduct maternal and infant assessments of anatomy, latch,
6 and positioning, while providing support to the mother and infant. A certified
7 lactation consultant is certified by the International Board of Lactation
8 Consultant Examiners to address the full range of breastfeeding care,
9 particularly high acuity breastfeeding situations.

10 (5) "Certified lactation educator" means an individual who is certified
11 by the Childbirth and Postpartum Professional Association. A certified lactation
12 educator provides education and support on breastfeeding basics, addresses
13 common challenges, and employs strategies to assist a breastfeeding mother and
14 infant.

15 (6) "Health coverage plan" means any hospital, health, or medical
16 expense insurance policy, hospital or medical service contract, employee welfare
17 benefit plan, contract, or other agreement with a health maintenance
18 organization or a preferred provider organization, health and accident
19 insurance policy, or any other insurance contract of this type in this state,
20 including a group insurance plan, a self-insurance plan, and the Office of Group
21 Benefits programs. "Health coverage plan" does not include a plan providing
22 coverage for excepted benefits as defined in R.S. 22:1061, limited benefit health
23 insurance plans, and short-term policies that have a term of less than twelve
24 months.

25 (7) "Nationally recognized accreditation agency" means the National
26 Commission for Certifying Agencies and the American National Standards
27 Institute.

28 (8) "Qualified lactation care provider" means an individual who meets
29 the certification requirements for a breastfeeding counselor, certified lactation
30 consultant, certified breastfeeding specialist, certified lactation counselor,

1 **certified lactation educator, or another recognized certification from a program**
2 **that is accredited by a nationally recognized accreditation agency.**

3 Section 2. This Act shall apply to any new policy, contract, program, or health
4 coverage plan issued on and after January 1, 2026. Any policy, contract, or health coverage
5 plan in effect prior to January 1, 2026, shall convert to conform to the provisions of Section
6 1 of this Act on or before the renewal date, but no later than January 1, 2027.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____