

1 **AN ACT** *to create* 50.36 (2m) of the statutes; **relating to:** hospital best practices for
2 postpartum patients and newborns and requiring the exercise of rule-making
3 authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council’s Special Committee on Infant Mortality.

This draft directs the Department of Health Services to write rules that require hospitals to model and support best practices for postpartum patients and newborns that include all of the following:

1. Requiring that a hospital develop an appropriate discharge plan for all postpartum patients. The plan must do all of the following:
 - Ensure that, to the extent practicable, an appointment with a health care provider has been scheduled for the newborn within an appropriate time after discharge, considering the nutritional and health needs of the newborn, in accordance with the recommendations established by the American Academy of Pediatrics.
 - Ensure that the mother is consulted and provided with assistance regarding health care resources available to her or her newborn.
 - Ensure that the mother is consulted and provided with assistance regarding the safe transportation of her newborn.
2. Educating postpartum patients, orally in person, and including reliable information on the Internet, before discharge on newborn care, including safe sleeping arrangements, how to access breastfeeding information and support, and car seat safety.
3. Requiring that health care providers, including physicians, orally in person, recommend and actively support breastfeeding for all newborns for whom breastfeeding is not medically contraindicated, provide parents with complete, up-to-date information to ensure that their feeding decision is fully informed, and provide a referral to a lactation specialist or public health nurse for a home visit, at the parents’ request.

1 **SECTION 1.** 50.36 (2m) of the statutes is created to read:

2 50.36 (2m) The department shall promulgate rules that require hospitals to ensure that
3 best practices for postpartum patients and newborns are modeled and supported in the
4 hospital. The rules shall do all of the following:

5 (a) Require that a hospital develop an appropriate discharge plan for all postpartum
6 patients. The plan shall do all of the following:

7 1. Ensure that, to the extent practicable, an appointment with a health care provider has
8 been scheduled for the newborn within an appropriate time after discharge, considering the
9 nutritional and health needs of the newborn, in accordance with the recommendations
10 established by the American Academy of Pediatrics.

11 2. Ensure that the mother is consulted and provided with assistance regarding health
12 care resources available to her or her newborn.

13 3. Ensure that the mother is consulted and provided with assistance regarding the safe
14 transportation of her newborn.

15 (b) Require education of postpartum patients, orally in person, before discharge on
16 newborn care, including safe sleeping arrangements, how to access breastfeeding information
17 and support, including reliable information on the Internet, and car seat safety, prior to
18 discharge.

19 (c) Require that health care providers, including physicians, orally in person,
20 recommend and actively support breastfeeding for all newborns for whom breastfeeding is not
21 medically contraindicated, provide parents with complete, up-to-date information to ensure
22 that their feeding decision is fully informed, and provide a referral to a lactation specialist or
23 a public health nurse for a home visit at the parent’s request.

24 **(END)**