

# You Have the Right to Breastfeed



Choosing how to feed your new baby is one of the most important decisions you will make. Health care providers agree that for most people, exclusive breastfeeding is the safest and healthiest choice. It is your right to be informed about the benefits of breastfeeding and have your provider encourage and support breastfeeding. These rights are yours – regardless of your race, religion, national origin or sexual orientation, or who is paying for your health care.

Bring this card to your provider before, during and after your pregnancy so you can talk with them about your rights to breastfeed.

## Before you deliver, you have the right to:\*

- Receive complete information about breastfeeding — its benefits, how to get started, and how to get help if you need it



## When you are in the hospital, you have the right to:\*

- Have your baby in your room 24 hours per day so you can breastfeed at any time
- Tell the hospital staff not to give your baby any bottle feedings or pacifiers unless you and your provider approve
- Have skin-to-skin contact with your baby right after birth, even if you deliver by cesarean birth (C-section)
- Breastfeed within one hour after birth
- Have help from a lactation consultant, especially if your baby has functional needs
- Have family members or friends also receive breastfeeding information from a specially trained staff member
- Post a sign on your baby's crib that reads, "My baby is only being breastfed — no bottles or pacifiers"
- Provide breast milk to your baby, even if your baby is in the neonatal intensive care unit (NICU) — the staff should show you how to do this
- Know about and refuse any medications that may dry up your milk
- Have support for breastfeeding if you or your baby are hospitalized again
- Seek help if your hospital does not honor these rights — contact the New York State Department of Health or the hospital complaint hotline at 800-804-5447

\*Adapted from the Breastfeeding Mothers' Bill of Rights, Public Health Law, Section 2505-a.

## When you leave the hospital, you have the right to:\*

- Receive breastfeeding information that does not contain ads for formula
- Be discharged without receiving coupons for formula or free samples
- Receive information about breastfeeding resources in your community, such as support groups, lactation consultants and breast milk pumps
- Receive information about where to take your baby for a follow-up appointment — ask for a list of recommended health care providers
- Receive information about how to pump and store your breast milk

\*Adapted from the Breastfeeding Mothers' Bill of Rights, Public Health Law, Section 2505-a.

## You have the right to breastfeed anywhere.

- Your right to breastfeed in public is protected by law.
- NY Civil Rights Law, Section 79-e, says that people can breastfeed in any public place.
- Penal Law 245.01 says it is not indecent exposure.

## You have the right to pump breast milk at work.

- Employers must make a reasonable effort to give you private space and time to pump breast milk at work (Nursing Mothers in the Workplace Act, NYS Labor Law, Section 206-c).
- You may be able to use paid time — it is worth it to ask.

The space where you pump must be a sanitary location, other than a restroom, which is close to your work area and a refrigerator for storing breast milk. At minimum, the space must include an electrical outlet, a chair, a surface to place a pump and nearby access to running water (NYC Local Law No. 185 of 2018, Council Int. No. 879-A of 2018). Most employers must also have a written lactation policy and respond to a request for an accommodation as quickly as possible, but no later than five business days (NYC Local Law No. 186 of 2018, Council Int. No. 905-A of 2018).

If your rights to pump at work have been violated, call the NYC Commission on Human Rights at 212-416-0197 to file a complaint.

For more breastfeeding information, call **311** or the Office on Women's Health help line at 800-994-9662.