**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5543**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Gilliard, Henegan and Rivers

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Introduced in the House on May 7, 2024

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Lactation care and services coverage under State Health Plan

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/7/2024 House Introduced and read first time ([House Journal‑page 169](h:\hj\20240507.docx))

5/7/2024 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 169](h:\hj\20240507.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5543&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[05/07/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5543_20240507.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-11-775 SO AS TO PROVIDE THE STATE HEALTH PLAN MUST PROVIDE COVERAGE FOR LACTATION CARE AND SERVICES BEGINnING WITH THE 2025 PLAN YEAR, TO PROVIDE FOR THE SCOPE OF COVERAGE, TO PROHIBIT THE APPLICATION OF COST-SHARING PROVISIONS TO COVERED LACTATION CARE AND SERVICES, AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 5, Chapter 11, Title 1 of the S.C. Code is amended by adding:

Section 1-11-775. (A) Starting with the plan year beginning January 1, 2025, the State Health Plan must provide coverage for lactation care and services from a lactation consultant to pregnant and lactating women and to children who are breastfeeding or receiving their mother’s milk for a period of six months after childbirth. This coverage must be provided to all active and retired employees of this State and its public school districts, and their spouses and other dependents.

(B) The State Health Plan shall not apply patient cost-sharing provisions to covered lactation care and services.

(C) For purposes of this section:

(1) “Lactation care and services” means the clinical application of scientific principles and a multidisciplinary body of evidence for evaluation, problem identification, treatment, education, and consultation to childbearing families regarding lactation care and services. Lactation care and services include, but are not limited to:

(a) lactation assessment through the systematic collection of subjective and objective data;

(b) analysis of data and creation of a lactation care plan;

(c) implementation of a lactation care plan with demonstration and instruction to parents and communication to the primary health care provider;

(d) evaluation of outcomes;

(e) provision of lactation education to parents and health care providers; and

(f) the recommendation and use of assistive devices.

(2) “Lactation consultant” means a health care professional duly licensed pursuant to the licensing requirements of his profession to perform lactation care and services who also is also board certified by the International Board of Lactation Consultant Examiners (IBLCE) as an International Board Certified Lactation Consultant (IBCLC) in good standing with the IBLCE or its successor organization.

(D) The Public Health Benefit Authority shall promulgate regulations to effectuate the provisions of this section.

SECTION 2. This act takes effect upon approval by the Governor.

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