

The Right Call: Breastfeeding Accommodations under the Affordable Care Act

The 2010 Affordable Care Act (ACA) breastfeeding protections establish the rights of new mothers who are nonexempt¹ employees to reasonable break times and private space to express breast milk at work until a child is one year of age. Some firms with fewer than 50 employees can be exempted from ACA requirements if compliance would present “undue hardship” on the employer.² The IWPR report *Better Health for Mothers and Children: Breastfeeding Accommodations under the Affordable Care Act* presents findings on current rates of breastfeeding among new mothers and first-ever estimates of ACA coverage for employed new mothers, summarized here.

The ACA breastfeeding provisions provide increased equality in opportunities for breastfeeding, particularly among those who have historically faced the greatest challenges in balancing employment with breastfeeding. Currently, rates of breastfeeding are lowest among new mothers who are poor and who are Black (Table 1). After full implementation of the ACA provisions, these mothers will have the highest rates of coverage by the new breastfeeding protections (Figures 1 and 2).

IWPR estimates that one million additional mothers along with their children will benefit from health gains due to breastfeeding over the next six years, lifting the rate of breastfeeding at six months by four full percentage points, from 43.5 to 47.5 percent.

Table 1. Current Rates of Breastfeeding, New Mothers

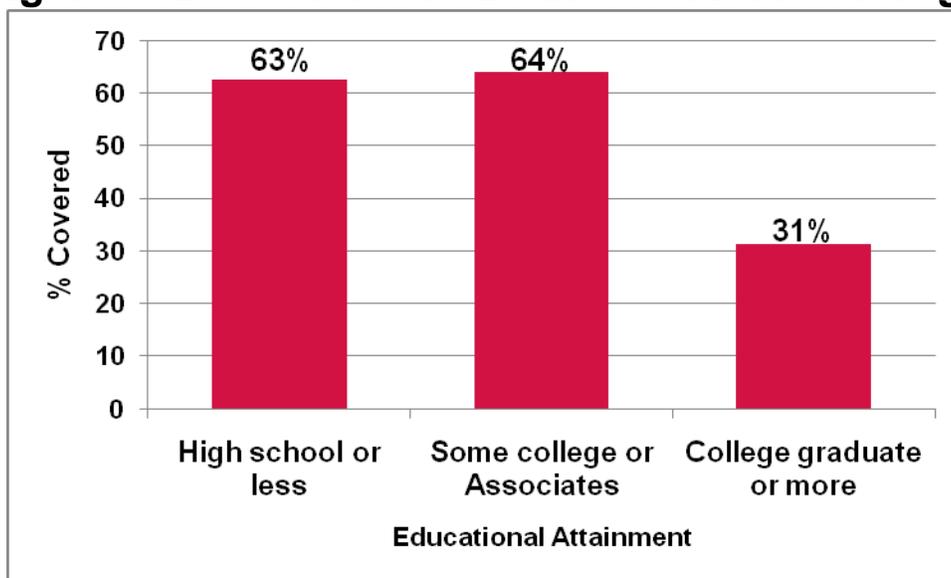
Race/Ethnicity	Breastfeeding Rate
White, not Hispanic	45%
Black, not Hispanic	29%
Hispanic	48%
Income as % of Poverty Rate	
< 100%	35%
100 - 349%	43%
350% +	51%

Source: From Figures 2 and 5 in Robert Drago, Jeffrey Hayes, and Youngmin Yi, *Better Health for Mothers and Children: Breastfeeding Accommodations under the Affordable Care Act*, Report #B292, Washington, DC: Institute for Women’s Policy Research, 2010; IWPR calculations based on Centers for Disease Control and Prevention (CDC) analyses of the 2006 National Immunization Survey.

¹ Covered by overtime provisions of the Fair Labor Standards Act.

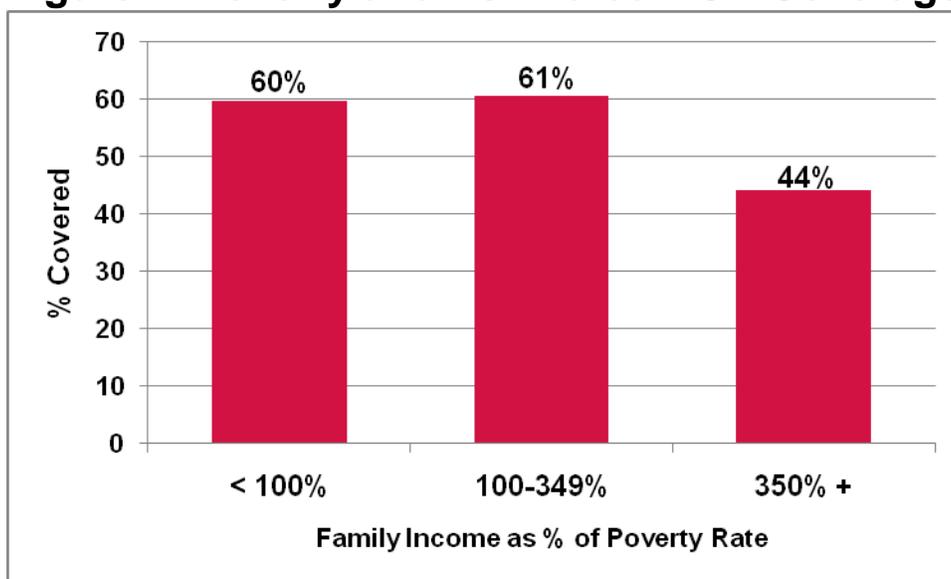
² Patient Protection and Affordable Care Act, 2010. H.R. 3590, 111th Congress.

Figure 1. Education and Estimated ACA Coverage



Source: Figure 10 in Robert Drago, Jeffrey Hayes, and Youngmin Yi, *Better Health for Mothers and Children: Breastfeeding Accommodations under the Affordable Care Act*, Report #B292, Washington, DC: Institute for Women's Policy Research, 2010; IWPR estimates from 2009 ASEC.

Figure 2. Poverty and Estimated ACA Coverage



Source: Figure 7 in Robert Drago, Jeffrey Hayes, and Youngmin Yi, *Better Health for Mothers and Children: Breastfeeding Accommodations under the Affordable Care Act*, Report #B292, Washington, DC: Institute for Women's Policy Research, 2010; IWPR estimates from 2009 ASEC.

To download the full report, go to <http://www.iwpr.org/publications/pubs/better-health-for-mothers-and-children-breastfeeding-accommodations-under-the-affordable-care-act>. For more information, contact Robert Drago, Director of Research, at drago@iwpr.org. For press inquiries, contact Caroline Dobuzinskis, Communications Manager, at dobuzinskis@iwpr.org.

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