

**DISTRICT OF COLUMBIA  
LACTATION COMMISSION**

**NOTICE OF PUBLIC MEETING**

The District of Columbia Lactation Commission held a meeting on Monday, November 22nd, 2021, at 6:30 pm, via WebEx. Below are the minutes from the meeting:

Notetaker: Commissioner Jennifer Tender

**Call to Order**

The meeting was called to order at 6:34 pm.

**Roll Call**

**Attendance via WebEx**

Commissioner Jenny Tender —Pediatrician/Neonatologist Member and Commission Chair  
Commissioner Sahira Long—Pediatrician/Neonatologist Member  
Commissioner Lauren Propst-Riddick—Consumer Member  
Commissioner Aubrey Villalobos—Public Health Expert Member  
Commissioner Kanika Harris—Public Health Expert Member  
Commissioner Gwendolyn West—Lactation Expert Member  
Noni Robinson—DC Health Representative  
Colleen Sonosky—DC Department of Healthcare Finance Representative  
Judy Campbell— Public Member  
Jennie Wenzel—George Washington University MPH student  
Sara Beckwith—DC Health, Bureau Chief in division of nutrition and physical fitness  
Stephanie Franklin—DC Office of Human Rights, Director of communications and community engagement  
Eartha Isaac—DC Health, Public Health Advisor

**Absent:**

Suzanne Henley—OSSE Representative  
Commissioner Angela McClain—Community Outreach Expert Member  
Commissioner Vanessa McDonald—Obstetrician Member  
Commissioner Christina Stowers—Consumer Member  
Jill Johnson—DC Department of Human Resources Representative  
Quamiece Harris—DC Department of Human Services

**Adoption of the Agenda**

This was approved at the end of the meeting when a quorum was reached. Commissioner Villalobos motioned to approve and seconded by Dr. Long. No objections and passed unanimously.

**Adoption of September, 2021 minutes**

The minutes were approved at the end of the meeting when a quorum was reached.  
Edits/additions: Commissioner Long mentioned that on p. 1 the U.S. Center for Disease Control should be U.S. Centers for Disease Control and Prevention (CDC). P. 3 “hanged” should be “changed.” On p. 4 add National to Children’s Hospital (should be Children’s National

Hospital). On page 5 change “not” to “now.” Motion to approve with edits by Commissioner Villalobos and seconded by Commissioner Long. No objections and passed unanimously.

## **Old Business:**

### **1. Annual Report**

Commissioner Tender communicated with Stephen Walker, Director of MOTA. (Donovan Boyd no longer works at MOTA). Mr. Walker said the decision about when and what we report will be made by the DC Health Representative (Sara Beckwith).

### **2. PRAMS survey**

Commissioner Tender is waiting to hear back from Pam Oandasan about the deadline for submitting our question suggestions for the PRAMS survey. She received feedback from Commissioner Villalobos and members of the DC Breastfeeding Coalition Development Committee. Commissioner Tender will submit suggestions to Pam to include the breastfeeding questions except the questions about the pumps (to limit the number of questions). Sara Beckwith wants to be copied on the email.

## **New Business:**

1. Stephanie Franklin: DC Office of Human Rights (OHR), Director of Engagement  
Commissioner Tender stated that the DC Commission would like to know how often people complain about employers’ support of breastfeeding employees and how the DCHR is advertising about the DC Right to Nurse law.

### **A. Protections Under District Law**

- DC Human Rights Act: There are 21 traits that the act protects. In 2007, the DC Human Rights act under sex discrimination was amended to protect breastfeeding. This amendment gave women the right to breastfeed a child in public and private spaces and required employers to make sure employees had sanitary locations to breastfeed or pump. This is a full-coverage law to protect women in public accommodations such as private businesses, housing, education, government services and workplaces. It requires employers to create a breastfeeding policy and provide for breaks.
- Protecting Pregnant Worker’s Fairness Act: Provides additional protections for employees including more frequent and longer breaks, temporarily transferring employees to less strenuous or hazardous work environments and the purchasing or modifying of work equipment. This law is specific to the workplace only and not other areas and relates to pregnancy, breastfeeding or any other medical conditions associated with pregnancy.

### **B. How to file a complaint:**

- For the DC Human Rights Act
  - File a complaint online and OHR reviews it to make sure they have jurisdiction (incident occurred within 365 days, occurred in DC (do not need to live in DC) and is covered under one of the laws OHR enforces).
  - Come to OHR office in person, do not need to live in DC.
  - These services are free
  - Can also go to court (legal fees, representation needed).
- Protecting Pregnant works: OHR is the sole enforcer of that act and cannot go to court

### **C. Number of complaints:**

- DCHR Act. 2018—78; 2019—99; 2020—95 (includes sex discrimination).

Usual number of docketed cases per year in OHR is 450, so sex discrimination is 18 to 20% of cases.

- Pregnant Workers Act. 2018--3, 2019--12. 2020--17

#### D. Advertising:

- Prior to 2020 more in-person interaction with businesses
- Limited by a small staff (2 employees)
- Current advertising: website, monthly newsletters, enforcement guidances (identifying violations and breastfeeding workplace enforcement), fact sheets and posters,
- The OHR would like to work with Lactation Commission to help reach the key audiences.

#### Questions for Stephanie Frank:

- Commissioner Long: Does the DC HR apply to students? Any age parent who is lactating.

Answer: If the person is less than 18 years, the HR acts requires a parent/guardian to sign a complaint. Student in middle or high school would be entitled to accommodations.

Commissioner Tender questioned if HR also covers students. Pam said it does b/c it covers educational areas.

Commissioner Villalobos commented that usually students are directed to Title 9 for complaints

- Protections for retaliations is covered under the DC HR acts. Can file 2 complaints at once. One for the discrimination and one for retaliation.
- Commissioner Tender recommended that we have a small group break out to discuss ways to support OHR. She recommended conversations with WIC would be a resource to provide information to moms prenatally and the DC AAP Newborn and Fetus committee. Aubrey Villalobos mentioned DCRA (Department of Consumer and Regulatory Affairs) as a way to get information to employers. Sara Beckwith discussed the DCBFC workplace toolkit and wondered if the section on discrimination complaints could be expanded. Commissioner Long said that we can't make any content change now because it has already been submitted. Commissioner Tender mentioned that Commissioner Villalobos and Jennie Wenzel has created a worksheet about how to employers can support breastfeeding mothers.

#### 2. Eartha Isaac: Newborn screening update

- In March, 2018—The Babies Bill (Better Access For Babies To Integrated Equitable Services Act Of 2018) <https://legiscan.com/DC/bill/B22-0758/2017> Was introduced by Council Chair Mendolson and included comprehensive newborn screening, creation of a perinatal and infant health advisory committee, discharge standards for hospitals and birthing facilities and surveying of DC government buildings for their “breastfeeding friendliness.” It was believed that the bill would be able to go through council in its entirety. The bill was changed to include newborn screening into the Community Omnibus amendment Act and the rest of the components were dropped. DC Health is still trying to create a Perinatal and Infant Health advisory committee and Eartha Isaac would like the Lactation Commission to refer potential applicants as well as provide recommendations for newborn screening. Commissioner Long asked if all members, including physicians, need to live in DC. Eartha Isaac responded yes

and will provide a link to application. Commissioner Tender asked how breastfeeding can be incorporated into the newborn screening recommendations. Eartha Isaac mentioned that it would be helpful to be involved with the buildings' survey. Commissioner Long mentioned that DC Health is the only government agency that has received the Breastfeeding Friendly Workplace Award. Commissioner Long said DC government agencies should be encouraged to nominate themselves for this award and then DCBFC members could evaluate their support. The nominations will close on November 30, 2021 and this year include workplaces, health care facilities and childcare centers. Eartha asked if the survey of government buildings was one of the Lactation Commission recommendations? We responded no. Commissioner Villalobos recommended that Eartha draw from members of other commissions like Thrive by 5 or the Lactation Commission. Eartha encourages people to submit their applications. A few commissioners mentioned specific people who may be interested.

<https://motaboard.applytojob.com/apply/ZWsfqmygI/Perinatal-And-Infant-Health-Advisory-Committee>

### 3. **Colleen Sonosky: Department of Health Care Finance (DHCF)**

The Budget Support Act passed by the DC Council and ARPA (American Rescue Plan Act of 2021) funding from Congress allowed for 3 projects through DHCF.

- Designing a doula benefit and paying doulas for services through the state Medicaid plan
- Extending post-partum for the full year
- Non-emergency transportation for maternal services including pregnant women
- These projects will require creating an advisory group with stakeholders. A meeting will be held on December 14<sup>th</sup> and future meetings throughout 2022. Colleen Sonosky wants to make sure doulas are aware of this meeting and that someone from the Lactation Commission attends the meeting. They are looking at NJ's legislation as a model for doula certification requirements.

- 
- ### 4. **Sara Beckwith DC Health, Bureau Chief in division of nutrition and physical fitness.**
- Given the time limitations, Sara would like to table her presentation until the next meeting. She provided the highlights that the discussion will center around how the Lactation Commission can be part of WICs outreach and marketing plans and how it can inform our next annual report. She would like to look at using social media to market breastfeeding support at WIC. Commissioner Villalobos is wondering if there is background research to inform the marketing. Sara Beckwith responded that WIC received \$75,000 in the FY21 Budget Support Act to develop a WIC outreach plan. WIC put out bids and hired Market Me Consulting, a black-owned, certified business enterprise to conduct the research. They did some key informant interviews and other research that will be outlined at the next meeting. Commissioner Tender asked if the annual report is posted. Sarah said she will get us a date for posting. We will wait for that to be posted before starting a new report.

## **Community News and Events:**

- Breastfeeding USA launched a free Warmline to provide support to parents on infant feeding and related subjects. <https://breastfeedingusa.org/content/article/breastfeeding->

[usa-launches-free-warmline \[breastfeedingusa.org\]](https://www.breastfeedingusa.org) These are peer counselors who will return your call within 24 hours.

- On October 22, 2021, the House passed the Pump (Providing Urgent Maternal Protections) for Nursing Mothers Act. This bill covers over 9 million women of childbearing age who don't currently have protections that would give them time and a private space to pump breast milk at work. See US Breastfeeding Committee statement: [usbreastfeeding.org/p/bl/et/blogid=61&blogaid=2355](https://usbreastfeeding.org/p/bl/et/blogid=61&blogaid=2355)
- On November 4, the Mayor's Office in partnership with CareFirst and DC Appleseed announced a \$95 million fund targeting health equity for underserved DC Residents. A seven-member Health Equity Committee will be appointed to establish healthcare improvement metrics, review and approve proposals, and monitor grant recipients to ensure compliance with grant agreements. The committee will consider applicants that address: 1) health and health equity; 2) social and environmental issues that have an impact on healthcare; 3) social determinants (education, employment, income, housing, transportation, food, environment, medical care, outdoor environment and community safety. For more information, visit <https://mayor.dc.gov/release/mayor-bowser-carefirst-and-dc-appleseed-announce-new-95-million-fund-targeting-health-equity> [[mayor.dc.gov](https://mayor.dc.gov)] Colleen Sonosky informed the Commission that Appleseed is a public interest lawfirm.
- DC and Maryland Breastfeeding Coalitions are still accepting nominations for their Annual Breastfeeding-Friendly Workplace, Healthcare Professionals and Childcare Provider Recognition Awards. The deadline to submit nominations is November 30, 2021. Gwen West would like to discuss the possibility of allowing Malls to be awarded. Commissioner Long directed Gwen West to the website.

## **Events**

- December 9, 2021. 10am – 4pm Health Equity Summit hosted by DC Mayor's Office, DC Health and Office of Racial Equity. This year's theme is "Building the Roadmap to a Just Post-Pandemic Future." To register, visit [DCHealthEquity.com](https://DCHealthEquity.com).

## **Announcements:**

- Commissioner Villalobos announced that the DCBFC is planning a tele-lactation webinar which has been postponed and will be rescheduled and will share when announcement
- Commissioner Villalobos will no longer serve on the Commission as she does not have the bandwidth. Commissioner Tender said that she will be sorely missed and that she has appreciated all her creative ideas and hard work.

## **Opportunity for Public Comment**

- There were no comments from the public.

## **Future Meeting Schedule**

Our next meeting will be on Monday, January 24, 2022 at 6:30 pm via Webex.

Notetakers for 2022

January: Commissioner Robinson

March Commissioner Long

May: Commissioner West

July: Commissioner Harris

September: Propst Riddick

**Adjournment**

The meeting was adjourned at 8:04 pm.