

State of Arkansas *As Engrossed: H2/3/25 H3/12/25*

95th General Assembly

## A Bill

Regular Session, 2025

HOUSE BILL 1333

By: Representatives Hudson, D. Garner, Bentley, A. Brown, K. Brown, Cavanaugh, Ennett, Gonzales

Worthen, J. Mayberry, McCullough, T. Shephard, Springer, *Clowney*

By: Senator J. Scott

### For An Act To Be Entitled

AN ACT TO MANDATE COVERAGE FOR BREASTFEEDING AND  
LACTATION CONSULTANT SERVICES; AND FOR OTHER  
PURPOSES.

### Subtitle

TO MANDATE COVERAGE FOR BREASTFEEDING  
AND LACTATION CONSULTANT SERVICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an  
additional subchapter to read as follows:

#### Subchapter 29 – Coverage for Breastfeeding and Lactation Consultants

##### 23-79-2901. Definitions.

##### As used in this subchapter:

(1)(A) "Breastfeeding and lactation consultant" means:

(i) An International Board Certified Lactation  
Consultant; and

(ii) A certified lactation counselor.

(B) The individuals listed under subdivision (1)(A) of  
this section are required to be supervised by a contracted  
and in-network healthcare provider to receive reimbursement;

(2) "Breastfeeding and lactation consultant services" means  
medically appropriate outpatient services or hospital services, or both,



1 provided by a breastfeeding and lactation consultant during pregnancy and  
2 through the extended postpartum period to aid in milk expression or infant  
3 nutrition;

4 (3)(A) "Enrollee" means an individual entitled to coverage of  
5 healthcare services from a healthcare insurer.

6 (B) "Enrollee" includes a minor child;

7 (4)(A) "Health benefit plan" means:

8 (i) An individual, blanket, or group plan or a  
9 policy or contract for healthcare services offered, issued, renewed,  
10 delivered, or extended in this state by a healthcare insurer; and

11 (ii) A health benefit program receiving state or  
12 federal appropriations from the State of Arkansas, including the Arkansas  
13 Medicaid Program, ARKids First-A or First-B, and the Arkansas Health and  
14 Opportunity for Me Program established by the Arkansas Health and Opportunity  
15 for Me Act of 2021, § 23-61-1001 et seq.

16 (B) "Health benefit plan" includes:

17 (i) Indemnity and managed care plans; and

18 (ii) Plans providing health benefits to state and  
19 public school employees under § 21-5-401 et seq.

20 (C) "Health benefit plan" does not include:

21 (i) A plan that provides only dental benefits or eye  
22 and vision care benefits;

23 (ii) A disability income plan;

24 (iii) A credit insurance plan;

25 (iv) Insurance coverage issued as a supplement to  
26 liability insurance;

27 (v) A medical payment under an automobile or  
28 homeowners insurance plan;

29 (vi) A health benefit plan provided under Arkansas  
30 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et  
31 seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

32 (vii) A plan that provides only indemnity for  
33 hospital confinement;

34 (viii) An accident-only plan;

35 (ix) A specified disease plan; or

36 (x) A long-term-care-only plan; and

1           (5)(A) "Healthcare insurer" means an entity subject to the  
2 insurance laws of this state or the jurisdiction of the Insurance  
3 Commissioner that contracts or offers to contract to provide health insurance  
4 coverage, including without limitation an insurance company, a hospital and  
5 medical service corporation, a health maintenance organization, a self-  
6 insured governmental or church plan in this state, the Arkansas Medicaid  
7 Program, or a nonprofit agricultural membership organization as defined in §  
8 23-60-104.

9           (B) "Healthcare insurer" does not include an entity that  
10 provides only dental benefits or eye and vision care benefits.

11  
12           23-79-2902. Coverage for breastfeeding and lactation consultant  
13 services.

14           (a) On and after January 1, 2026, a health benefit plan that is  
15 offered, issued, renewed, delivered, or extended in this state shall provide  
16 coverage for breastfeeding and lactation consultant services in an outpatient  
17 setting to an enrollee.

18           (b) The coverage for breastfeeding and lactation consultant services  
19 under subsection (a) of this section:

20           (1) Is not subject to an annual deductible, copayment, or  
21 coinsurance limit as established for other covered benefits under a health  
22 benefit plan; and

23           (2) Does not diminish or limit benefits otherwise allowable  
24 under a health benefit plan.

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26           23-79-2903. Rules.

27           (a) The Insurance Commissioner may develop and promulgate rules for  
28 the implementation and administration of this subchapter.

29           (b) The Secretary of the Department of Human Services may develop and  
30 promulgate rules for the implementation and administration of this subchapter  
31 that may apply to the Arkansas Medicaid Program or the Arkansas Health and  
32 Opportunity for Me Program established by the Arkansas Health and Opportunity  
33 for Me Act of 2021, § 23-61-1001 et seq.

34           (c) The State Board of Finance may develop and promulgate rules for  
35 the administration of this subchapter for the plans providing health benefits  
36 to state and public school employees under § 21-5-401 et seq.

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