

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 7, 2023

TO: The Honorable John M. Mizuno, Chair
House Committee on Human Services

FROM: Cathy Betts, Director

SUBJECT: **HCR 7/HR 6 – REQUESTING THE DEPARTMENT OF HUMAN SERVICES MED-QUEST DIVISION TO EXPAND THE TYPES OF QUALIFIED PROVIDERS ALLOWED TO PROVIDE LACTATION CONSULTANT SERVICES FOR THE MEDICAID POPULATION IN THE STATE.**

Hearing: March 9, 2023, 10:0 a.m.
Conference Room 329 & Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this resolution and offers comments. DHS defers to the Department of Commerce & Consumer Affairs.

PURPOSE: These resolutions request that DHS Med-QUEST Division (MQD) expand the types of qualified providers allowed to provide lactation consultant services for the Medicaid population in the State; and that MQD QUEST take any steps necessary to obtain necessary approvals, create internal processes, and credential appropriate providers who have obtained International Board of Lactation Consultant Examiners certification; and report to the Legislature on the steps taken and progress made in expanding the types of providers who can provide lactation consultant services no later than twenty days prior to the convening of the Regular Session of 2024.

DHS appreciates the commitment of the Legislature to improve access to maternal and child health services of lactation consultation services and fully supports their expansion as

feasible. However, MQD would respectfully clarify that qualified providers can provide the service currently, although billing for the services may be included as part of a bundled payment code. MQD also recognizes that there may be a lack of clarity regarding who can provide the services, how to bill for them, and in what setting that may also help improve access to and the provision of the services.

Finally, MQD is unable to take one of the requested actions - credentialing appropriate providers who have obtained International Board of Lactation Consultant Examiners certification, as described on page 2, lines 23-38:

“BE IT FURTHER RESOLVED that to expand the types of qualified providers, the Department of Human Services Med-QUEST Division is requested to take any steps necessary to obtain necessary approvals, create internal processes, and credential appropriate providers who have obtained International Board of Lactation Consultant Examiners certification; and...”

MQD cannot credential or enroll a “lactation consultant” since it is not possible to create a provider type of just a “lactation consultant” based solely on a certification and not a provider type by their license. It is also not possible to change the requirements regarding providers who can bill for their services. For example, most nursing services are not directly billable by the nurses except for some Advanced Practical Registered Nurses (APRNs) or some services such as private duty nursing. We are unaware of a circumstance that these Medicaid rules can be changed regarding provider enrollment or provider billing. However, MQD can review lactation consultation services, provide clarification and education for the services, and make changes that would expand access to the services when feasible.

Thank you for the opportunity to provide comments on this measure.



3/7/2023

STRONG SUPPORT OF HCR7/HR6

To: House Committee on Human Services
Representative John Mizuno, Chair
Representative Terez Amato, Vice Chair
Hawaii State Capitol
415 South Berentania Street
Honolulu, HI 96813

From: **Midwives Alliance of Hawai'i**
Le'a Minton, MSN, APRN, CNM, IBCLC, President
Richard Chong, Treasurer
Melissa W. Chong, LM, CPM, Maui Representative
Nina Millar, LM, RN, CPM, Hawai'i Island Representative
www.midwiveshawaii.org

Time: Thirty-Second Legislature Regular Session of 2023
Thursday, March 9, 2023 at 10:00AM

Dear Representative John Mizuno, Representative Terez Amato and committee members:

Midwives Alliance of Hawai'i (MAH) strongly supports HCR7/HR6 Requesting the Department of Human Services MedQUEST Division to Expand the Types of Qualified Providers Allowed to Provide Lactation Consultant Services for the Medicaid Population in the State.

Breastfeeding is the optimal nutrition for our babies, and being at the parent's breast is the optimal environment for babies to lay down a foundation for lifelong health and wellness. Babies are born to breastfeed, yet nursing parents are not born knowing how to breastfeed - it is a learned skill set. Historically breastfeeding was taught through community, as everyone nursed their infants and it was visible throughout one's lifetime. Nursing can come with many challenges that go beyond just knowing different positions to latch a baby in, or how to express one's milk.

International Board Certified Lactation Consultants (IBCLCs) are experts in lactation, who have trained in this field specifically, to help families address challenges that they face with nursing. The IBCLC certification is solely dedicated to lactation, and is additional training beyond the routine education a registered nurse, midwife, physician or any other health professional may obtain in their education. It also is acceptable as a stand alone certification, and does not require someone to be a licensed health professional to specialize as an IBCLC.

Currently IBCLCs are not recognized as billable providers by CMS and Medicaid. This means that nursing mothers who rely on Medicaid for their health insurance can only utilize physicians, advanced practice registered nurses, midwives and other billable providers for lactation assistance. These providers generally receive between zero and minimal training on how to assist nursing mothers with breastfeeding, and they often do not have specific lactation appointments available, which take longer than a routine 10-15 minute healthcare visit.

There are currently 99 IBCLCs in the State of Hawaii, yet there are only approximately five IBCLCs who are also APRNs or MDs. This means there is extremely limited access to IBCLC services for mothers utilizing Medicaid and in need of lactation services.

It is imperative that the State provides MedQUEST with the authority to recognize the IBCLC certification so MedQUEST can create a pathway for IBCLCs to be credentialed providers. This will allow the five MedQUEST HMO plans to then provide more lactation support to their members. Access to IBCLCs contributes to the health and wellness of our communities for generations, and helps to increase the community knowledge of breastfeeding.

Thank you for this opportunity to testify in strong support of HCR7/HR6. We request you vote YES on HCR7/HR6.

Respectfully,
Midwives Alliance of Hawai'i Board



March 9, 2023

The Honorable John M. Mizuno, Chair
The Honorable Terez Amato, Vice Chair
House Committee on Human Services

Re: HCR7 / HR6 – requesting the Department of Human Services Med-QUEST division to expand the types of qualified providers allowed to provide lactation consultant services for the Medicaid population in the state.

Dear Chair Mizuno, Vice Chair Amato, and Members of the Committee:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to provide testimony in support of HCR7/HR6, which is requesting the Department of Human Services Med-QUEST division to expand the types of qualified providers allowed to provide lactation consultant services for the Medicaid population in the state.

We thank the Women’s Caucus for introducing this resolution and DHS Med-QUEST for continuing to care for Hawaii residents and for their shared commitment to strengthening health and well-being in Hawaii. Prioritization of access to maternal health care is critically important for ensuring health and well-being for mothers and future generations. The U.S. Department of Health and Human Service Office of Disease Prevention and Health Promotion notes, “Improving the well-being of mothers, infants, and children is an important public health goal for the United States. Their well-being determines the health of the next generation and can impact future public health challenges for families, communities, and the health care system.”

We urge the legislature to encourage access to lactation consultant services for Hawaii’s Medicaid beneficiaries. The evidence for the benefits of breastfeeding are widely researched and published and it’s important to ensure that all mothers have access to these services, including QUEST members. HMSA’s Pregnancy Support Program currently supports QUEST members in need of lactation consultant services by referring them to various community resources. However, these community resources have limited access. The Affordable Care Act mandates that health insurance plans must provide breastfeeding support, counseling, and equipment for the duration of breastfeeding¹ and states including New York², Georgia³, and Washington, D.C.⁴ are already successfully providing reimbursement to certified health care professionals who are International Board Certified Lactation Consultants (IBCLCs) through Medicaid. Hawaii has an incredible opportunity to increase access and outcomes by expanding the types of qualified providers allowed to provide lactation consultant services for the Medicaid population in the State.

Thank you for the opportunity to testify in support of HCR7 / HR6.

Sincerely,

Dawn Kurisu
Assistant Vice President
Community and Government Relations

¹ <https://www.healthcare.gov/coverage/breast-feeding-benefits/>

² https://health.ny.gov/community/pregnancy/breastfeeding/medicaid_coverage/lactation_counseling_services.htm

³ <https://dch.georgia.gov/announcement/2022-08-05/dch-enrolling-lactation-consultants-new-provider-type>

⁴ http://www.dcbfc.org/pdfs/Medicaid_Enrollment_and_Reimbursement_for_the_IBCLC_122020.pdf

HCR-7

Submitted on: 3/7/2023 1:10:21 PM

Testimony for HUS on 3/9/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Rapoza	Individual	Support	Written Testimony Only

Comments:

Dear Chair Mizuno, Vice Chair Amato and Members of the Committee,

My name is Jennifer Rapoza and I am writing to you today as a resident of Hawaii and as a Certified Lactation Counselor (CLC). I am certified through the Academy of Lactation Policy and Practice. I am writing to you today regarding *HR 6 and HCR 7– REQUESTING THE DEPARTMENT OF HUMAN SERVICES MED-QUEST DIVISION TO EXPAND THE TYPES OF QUALIFIED PROVIDERS ALLOWED TO PROVIDE LACTATION CONSULTANT SERVICES FOR THE MEDICAID POPULATION IN THE STATE.*

As a CLC, I provide qualified lactation support and care to breastfeeding families. This work is challenging, but so rewarding and beneficial for families and their babies. In my work as a CLC, I provide complex and comprehensive care for, including conducting assessments, providing counseling and education, appropriately identifying commonly experienced issues and providing referrals out to other healthcare providers as necessary.

As I understand it, HR 6 and HCR 7 would request that Hawaii’s Quest Integration program, which provides coverage for low-income families in Hawaii, expand coverage to International Board-Certified Lactation Consultants (IBCLCs). While IBCLCs provide valuable care, they are not the only lactation care providers who do. CLCs also provide valuable lactation care and services. As a CLC, I would like to be able to support these families as well and be reimbursed by Medicaid for doing so. We know that there are not enough lactation support providers to assist with expectant and nursing families with breastfeeding – that is why we are consistently failing to meet our goals for breastfeeding initiation and duration.

In order to increase access to lactation support providers and create more equitable outcomes, I urge you to amend the bill language of HR 6 and HCR 7 to include CLCs and IBCLCs as covered providers eligible for providing lactation care and services to the Medicaid population in the state. Doing so will increase access to care and provide Hawaii families with options to choose the lactation care and services most appropriate to their circumstances. I would welcome the opportunity to work with the Committee to amend these Resolutions and expand access to care for Hawaii’s mothers and babies. Please do not hesitate to contact me should you have any questions.

Sincerely,

Jennifer Rapoza

j_rapoza@yahoo.com

3583-B Kalihi St., Honolulu, HI 96819

HCR-7

Submitted on: 3/7/2023 9:01:23 PM

Testimony for HUS on 3/9/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lea Minton	Individual	Support	Remotely Via Zoom

Comments:

Thank you for the opportunity to testify in strong support of HCR7/HR6. I urge you to vote YES so that MedQUEST can provide a pathway for IBCLCs to be credentialed providers with Medicaid in Hawaii. This will expand breastfeeding support access to all nursing families using Medicaid as their insurance plan.

Mahalo,

Le'a Minton, MSN, APRN, CNM, IBCLC

HCR-7

Submitted on: 3/7/2023 9:20:20 PM

Testimony for HUS on 3/9/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kristine Miguel	Individual	Support	Written Testimony Only

Comments:

To: Chair Mizuno, Amato, and members of the HUS committee,

In support of HCR7: Requesting the Department of Human Services Med-Quest division to expand the types of qualified providers allowed to provide lactation consultant services for the Medicaid population in the state.

Hawai'i's QUEST Integration Program, which provides adults and children, who meet the low-income threshold access to healthcare and medical coverage through managed care plans, does not allow all qualified providers who have obtained International Board of Lactation Consultant Examiners certification to provide lactation consultant services.

Everyone should have access to lactation consultant services. Studies show that breastfeeding offers many health benefits for both infant and mother and potential economic and environmental benefits for communities. Breastfeeding also provides essential nutrition for babies. Other known health benefits provide some protection against common childhood infections. Research also shows that skin-to-skin contact and suckling may benefit babies and mothers physically and emotionally.

Providing increased access to lactation consultants would greatly benefit breastfeeding mothers and babies.

As a mother, I have had firsthand experience of having difficulties with breastfeeding and other issues that come with it, such as pain and mastitis. I have seen a lactation consultant; it was one of my best decisions and very beneficial. The lactation consultant provided encouragement and knowledge about breastfeeding and techniques that encouraged milk production, provided great emotional support, and included my husband in the process so that when we were sent home with the baby, we could support each other.

Thank you for the opportunity to testify.

Kristine Miguel

HCR-7

Submitted on: 3/8/2023 12:37:39 PM

Testimony for HUS on 3/9/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Bilyk	Individual	Support	Written Testimony Only

Comments:

TO: Representative John Mizuno, Chair, Representstive Terry Amato, Voice Chair and Members of the Committee on Human Services

FROM: Patricia L. Bilyk , RN, MPH, MSN, IBCLC (Retired)

RE: HCR 7/HR 6 Requesting the Department of Human Services Med Quest Division to Expand the Types of Qualified Providers Allowed to Provide Lactation Consultant Services forThe Medicaid zpopulation

DATE: Thursday March 9, 2023

Good Morning Representative Mizuno and Committee Members, I am Patricia Bilyk and I stand in STRONG SUPPORT of this Resolution.

I've been a Registered Nurse in the State of Hawaii for 51 years and was a International Board Certified Lactation Consultant (IBCLC) from 1989-2019, now Retired. During my years as an IBCLC I mainly worked in the hospitals-Kaiser and Kapiolani. I did have a private practice from 1990-1995 where I was just paying my rent and expenses, no salary for me. People would ask me frequently "does my insurance cover your services?" Of course I would say no and they would pay me out of pocket or not.

The MedQuest patients I would see as an employee at Kapiolani and Kaiser could never be able to pay for my outpatient post partum services. This population is the most at risk for serious and chronic conditions.

Also the lack of Insurance Reimbursement for IBCLCs in our State to provide these critical services postpartum , has jeopardized the long term health of both Mothers and their infants!

i encourage you to pass this Resolution and improve the long term health of our people.

I thank you for the opportunity to share my testimony.