



# Consumers for Affordable Health Care

*Advocating the right to quality, affordable  
health care for all Mainers.*

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**Statement of Ceilidh Shea  
Consumers for Affordable Health Care  
To the Joint Standing Committee On Health Coverage, Insurance, and Financial Services**

**Speaking in Support of:**

**LD 267, An Act to Require Private Insurance Coverage for Donor Breast Milk**

**March 23, 2023**

Senator Bailey, Representative Perry, and Members of the Joint Standing Committee On Health Coverage, Insurance, and Financial Services, thank you for the opportunity to submit these comments in support of LD 267, "An Act to Require Private Insurance Coverage for Donor Breast Milk."

My name is Ceilidh Shea, and I am a policy advocate at Consumers for Affordable Health Care, a nonpartisan, nonprofit organization that advocates the right to quality, affordable health care for every person in Maine. CAHC is a nonpartisan, nonprofit organization founded in 1988 and based in Augusta whose mission is to advocate the right to quality, affordable health care for every person in Maine. As designated by Maine's Attorney General, CAHC serves as Maine's Health Insurance Consumer Assistance Program (CAP), which operates a toll-free HelpLine. Our HelpLine, fields approximately 6,000 calls and emails every year from people across Maine who need help obtaining, keeping, using, or fixing problems with private health insurance or with accessing or affording health care services. CAHC also serves as the Ombudsman program for Maine's Medicaid program, MaineCare, and helps people apply for and navigate the enrollment process for MaineCare. It is with that background that we provide these comments.

If a parent's milk is not available, breastfeeding is contraindicated, or an infant's parent is unable to provide sufficient quantities of their own breast milk after being provided with lactation support, pasteurized donor milk is often indicated as a first alternative for any infant.<sup>i</sup> It provides the nutritional and immunologic benefits of breast milk, reduces infectious complications compared to formula milk, and is recommended by the American Association of Pediatrics for high risk infants.<sup>ii</sup> These benefits are especially potent for very premature and very low birth weight infants. A clear protective measure against necrotizing enterocolitis, a devastating disease that affects the intestines of premature and other high-risk infants, is the use of donor human milk when milk from a parent is not available.<sup>iii</sup>

As of January 1, 2023, Maine's Medicaid program, MaineCare, covers donor breast milk for infants up to a year old that meet the same criteria listed in Section 1 of this bill. This bill would ensure that infants covered by private insurance receive donor breast milk when medically necessary. Currently, 14 states and the District of Columbia have enacted donor milk legislation or regulations addressing Medicaid or commercial insurance coverage. New York, New Jersey, and Illinois require coverage by both Medicaid and commercial plans. Consumers for Affordable Health Care supports this bill because it will help ensure premature and high-risk infants have access to donor breast milk when they need it. Policies are needed to provide high-risk infants access to donor milk based on medical necessity, not socioeconomic

status.<sup>iv</sup> It is for these reasons I urge you to support LD 267. Thank you and I'd be happy to answer any questions.

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<sup>i</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7673198/>

<sup>ii</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7673198/>

<sup>iii</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8979482/>