

SENATE No. 242

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. Fernandes

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to expand access to lactation care and services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Dylan A. Fernandes</i>	<i>Plymouth and Barnstable</i>	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>4/8/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>10/3/2025</i>
<i>Pavel M. Payano</i>	<i>First Essex</i>	<i>11/17/2025</i>

SENATE No. 242

By Mr. Fernandes, a petition (accompanied by bill, Senate, No. 242) of Dylan A. Fernandes for legislation to expand access to lactation care and services. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to expand access to lactation care and services.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 11A of chapter 13 of the General Laws, as amended by Section 3 of
2 chapter 186 of the acts of 2024, is hereby amended by inserting after the words “lactation
3 consultants” the words “:- lactation counselors or advanced lactation consultants.

4 SECTION 2. Section 23A of chapter 112 of the General Laws is hereby amended by
5 inserting before the definition of “Athletic Trainer” the following definitions:-

6 “Academy of Lactation Policy and Practice” or “ALPP”, the division of the Healthy
7 Children Project, Inc. that confers the Certified Lactation Counselor credential, which
8 certification program is independently accredited by the ANSI National Accreditation Board, and
9 the Advanced Lactation Consultant and Advanced Nurse Lactation Consultant credentials.

10 “Advanced Lactation Consultant” or “ALC” and “Advanced Nurse Lactation Consultant”
11 or “ANLC”, a person who holds current certification from the Academy of Lactation Policy and

12 Practice as an advanced lactation consultant after demonstrating appropriate education,
13 knowledge and experiences necessary to provide advanced lactation care and services.

14 “Advanced lactation consultant”, a person who provides lactation consulting and who is
15 in good standing with the ALPP as an ALC or ANLC. Advanced lactation consultant shall not
16 refer to an individual possessing the credential of an International Board Certified Lactation
17 Consultant licensed as a licensed lactation consultant in accordance with Sections 23B and
18 Sections 23J1/2(a).

19 SECTION 3A. Said section 23A of said chapter 112, is hereby further amended by
20 inserting after the definition of “Board” the following definitions:-

21 “Certified Lactation Counselor “or “CLC”, a person who holds current certification from
22 the Academy of Lactation Policy and Practice as a lactation counselor after demonstrating the
23 appropriate education, knowledge, and experience necessary to provide lactation care and
24 services.

25 “Lactation counselor”, a person who provides lactation counseling and who is in good
26 standing with the ALPP as a CLC.

27 “Licensed lactation counselor”, a person who is duly licensed to practice lactation
28 counseling in accordance with sections 23B and 23J1/2(b).

29 “Licensed advanced lactation consultant”, an ALC or ANLC who is duly licensed to
30 practice lactation consulting in accordance with sections 23B and 23J1/2(b). Licensed advanced
31 lactation consultant shall not refer to a licensed lactation consultant licensed under section
32 23J1/2(a).

33 SECTION 3B. The definition of “Licensed lactation consultant” in said Section 23A of
34 said chapter 112, inserted by section 24 of chapter 186 of the acts of 2024, is hereby amended by
35 inserting after the words “section 23B”:- and Section 23J1/2(a). The term licensed lactation
36 consultant shall not refer to licensed advanced lactation consultants licensed under Section
37 23J/12(b).

38 SECTION 4. The definition of “Lactation consulting” in said section 23A of said chapter
39 112, inserted by section 24 of chapter 186 of the acts of 2024, is hereby amended by inserting
40 after the words “Lactation consulting” the following words:- or lactation counseling.

41 SECTION 5. Section 23B of said chapter 112 is hereby amended by striking out the
42 words “and lactation consultants”, inserted by section 25 of chapter 186 of the acts of 2024, and
43 inserting in place thereof the following words:- , lactation consultants, lactation counselors and
44 advanced lactation consultants.

45 SECTION 6. Section 23C of said chapter 112 is hereby amended by inserting after the
46 words “lactation consultant”, inserted by section 27 of said chapter 186 the following words:- or
47 lactation counselor or advanced lactation consultant.

48 SECTION 7. Said section 23C of said chapter 112 is hereby further amended by inserting
49 after the words “lactation consultant”, inserted by section 28 of said chapter 186 , the following
50 words:- or as a licensed lactation counselor or as a licensed advanced lactation consultant.

51 SECTION 8. Section 23D of said chapter 112 is hereby amended by inserting after the
52 words “lactation consultant”, inserted by section 29 of said chapter 186, the following words:- or
53 lactation counselor or advanced lactation consultant.

54 SECTION 9. Section 23E of said chapter 112 as most recently amended by chapter 186
55 of the Acts of 2024, is hereby further amended by striking out subsections (b) through (e),
56 inclusive, and inserting in place thereof the following subsections:-

57 (b) any person employed as an athletic trainer, occupational therapist, occupational
58 therapy assistant, physical therapist, physical therapist assistant, lactation consultant or lactation
59 counselor by the Government of the United States or any agency of it, if such person provides
60 occupational therapy, physical therapy, lactation consulting, or lactation counseling solely under
61 the direction or control of the organization by which such person is employed, or

62 (c) any person pursuing a supervised course of study leading to a degree or certificate in
63 athletic training, occupational therapy, physical therapy, lactation consulting, or lactation
64 counseling at an accredited or approved educational program, if the person is designated by a
65 title which clearly indicates such person's status as a student or trainee, or

66 (d) any person fulfilling the supervised field work experience requirements of this
67 section, if the experience constitutes a part of the experience necessary to meet the requirement
68 of that section, or

69 (e) any person performing athletic training services, occupational therapy services,
70 physical therapy services, lactation consulting services, or lactation counseling services in the
71 commonwealth if these services are performed for no more than 2 days in a calendar year in
72 association with an athletic trainer, occupational therapist, physical therapist, lactation counselor,
73 or advanced lactation consultant licensed under this section, if the person is licensed under the
74 law of another state which has licensure requirements at least as stringent as the requirements of
75 this section.

76 SECTION 10. Section 23J½ of said chapter 112, inserted by section 34 of chapter 186 of
77 the acts of 2024, is hereby amended by striking out the words “An applicant” and inserting in
78 place thereof the following words:- (a) An applicant.

79 SECTION 11. Said section 23J½ of said chapter 112 is hereby further amended by
80 adding the following subsection:-

81 (b) An applicant for licensure as a lactation counselor or advanced lactation consultant
82 shall:

83 (i) be not less than eighteen years of age;

84 (ii) have submitted a completed application upon a form and in such manner as the board
85 prescribes, accompanied by applicable fees;

86 (iii) have met the education and clinical standards established by certified lactation
87 counselors, advanced lactation consultant, or advanced nurse lactation consultant established by
88 the Academy of Lactation Policy and Practice or successor organization;

89 (iv) have passed an examination adopted or administered by the board; provided,
90 however, that the board may adopt a standardized national exam, including the examination
91 required for certification by the Academy of Lactation Policy and Practice or a successor or
92 equivalent entity; and

93 (v) have completed such other requirements as may be prescribed by the board.

94 SECTION 12. Clause (c) of section 23K of said chapter 112 is hereby amended by
95 inserting after the words “lactation consulting”, inserted by section 35 of said chapter 186, the
96 following words:- or lactation counseling.

97 SECTION 13. Clause (f) of section 23K of said chapter 112 is hereby amended by
98 striking out the words “or physical therapy” and inserting in place thereof the following words:-
99 physical therapy, lactation consulting or lactation counseling.

100 SECTION 14. Section 23L of said chapter 112 is hereby amended by striking out the
101 words “or licensed lactation consultant”, inserted by section 36 of said chapter 186, and inserting
102 in place thereof the following words:- licensed lactation consultant or lactation counselor.

103 SECTION 15. Subsection (a) of section 23P^{3/4} of said chapter 112, inserted by section 37
104 of said chapter 186, is hereby amended by adding the following words after the words “ licensed
105 lactation consultant” :- , licensed lactation counselor or licensed advanced lactation consultant.

106 SECTION 16. Subsection (b) of said section 23P^{3/4} of said chapter 112, as so inserted, is
107 hereby amended by inserting after the words “lactation consulting” the following words:- or
108 lactation counseling.

109 SECTION 17. Said subsection (b) of section 23P^{3/4} of said chapter 112, as so inserted, is
110 hereby further amended by inserting after the words “licensed lactation consultant” the following
111 words:- , "licensed lactation counselor" or "licensed advanced lactation consultant".

112 SECTION 18. Subsection (c) of section 23P^{3/4} of said chapter 112, as so inserted, is
113 hereby amended by inserting after the words “licensed lactation consultant” the following
114 words:- , “licensed lactation counselor” or “licensed advanced lactation consultant”.