



The Hospital + Healthsystem  
Association of Pennsylvania

*Leading for Better Health*

May 20, 2022

**TO:** Chairwoman Brooks, Chairman Haywood, and Members of the Senate Health and Human Services Committee

**FROM:** Heather Tyler, Vice President, State Legislative Advocacy

**SUBJECT:** Senate Bill 1202, Owens Law

On behalf of more than 235 members statewide, the Hospital and Healthsystem Association of Pennsylvania (HAP) expresses its support for Senate Bill 1202 known as “Owens Law,” sponsored by Senator Michele Brooks. Representing hospitals and health systems across the commonwealth, our charge is to support equitable access to care for all Pennsylvanians. SB 1202 effectuates policy that would achieve this mission by creating access in all communities to life-changing and lifesaving care for some of our most vulnerable patients—medically compromised infants.

SB 1202 requires private health insurers to provide coverage and reimbursement separate from any diagnosis-related group (DRG) payment the hospital receives for an episode of care, in this case delivering a baby, and medical assistance for medically prescribed pasteurized donor human milk (PDHM). This will allow hospitals with limited resources—like safety net hospitals and hospitals in rural areas—to begin including or expanding their criteria for the use of PDHM in treatment plans for more babies. In short, SB 1202 expands access to PDHM and decreases hospital stays and health care costs by avoiding the need for other more costly and invasive medical interventions.

The bill also outlines specific criteria for the use of PDHM in inpatient and outpatient settings for a small subset of infants who are medically fragile and under the age of 12 months who meet certain health criteria. In addition, to qualify for coverage, the child’s mother must be medically or physically unable to produce maternal breast milk in an amount needed to meet an infant’s needs. The donor milk must also be obtained from a milk bank licensed in Pennsylvania pursuant to the Keystone Mother’s Milk Bank Act (Act 7 of 2020).

In very low birth-weight babies and other medically compromised infants, PDHM provides protection against serious health complications that can lead to longer hospital stays, multiple medical and surgical procedures, readmissions, life-long disability, or even death, while also increasing rates of exclusive maternal breastfeeding. When a mother’s own milk is unavailable, donor milk is often medically prescribed for children with heart problems and other serious health issues including neonatal abstinence syndrome (NAS), which occurs when infants are exposed to opioids or other substances of abuse in utero.

Again, the hospital community supports your work on this important issue and asks for an affirmative vote when SB 1202 comes before you.