

**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH
CONCISE STATEMENT OF PROPOSED NON-TEHCNICAL AMENDMENTS
(AMENDMENTS TO EXISTING REGULATIONS)**

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.7(b)(8), the following is a concise statement of proposed non-technical amendments *Licensing of Lactation Consultants and Counselors (216-RICR-40-05-27)*

Section	Rationale/Summary of Change
Title	Added "and Counselors" to the regulation title
Universal	Changed "his/her" to "their"
Universal	Changed "these regulations" to "this Part"
27.1	Added "and Counselors" and citation to R.I. Gen. Laws section 23-13.8-12.
27.2(A)	Updated incorporated reference "Scope of Practice for International Board Certified Lactation Consultant (IBCLC) Certificants" from 2018 to 2022 version.
27.2(B)	Updated incorporated reference "International Board of Lactation Consultant Examiners' "Code of Professional Conduct for IBCLCs" from 2011 to 2023 version.
27.2(C)	Added incorporated references for Academy of Lactation Policy and Practice "Scope of Practice for the Certified Lactation Counselor (CLC)" (2024) and "Scope of Practice for the Advanced Lactation Consultant (ALC), Advanced Nurse Lactation Consultant (ANLC)" (2024)
27.2(D)	Added incorporated references for Academy of Lactation Policy and Practice "Code of Ethics for Certified Lactation Counselors (CLC)" and "Code of Ethics for Advanced Lactation Consultants (ALC) and Advanced Nurse Lactation Consultants (ANLC)" (2017).
27.3(A)(2)	Added definition of "Care extender"
27.3(A)(4)	Added definition of "Growth Faltering (Failure to thrive)"
27.3(A)(7)	Revised definition of "Lactation Consultant" to read "as defined in R.I. Gen. Laws § 23-13.6-2(1). In addition to the language in R.I. Gen. Laws § 23-13.6-2(1), a lactation consultant specializes in the full range of breastfeeding care, particularly high acuity breastfeeding situations. This includes medically complex cases encompassing breastfeeding in preterm birth, birth defects, and parental health complications."
27.3(A)(8)	Added definition of "Lactation counselor"
27.3(A)(9)	Added definition of "Medically complex"
27.3(A)(10)	Revised definition of "Practice" to signpost to the statutory definition.
27.3(A)(10)	Deleted definition of "These Regulations"
27.4.1	Added "and Counselors" to section header
27.4.1(C)(1)	<ul style="list-style-type: none"> Added "Licensed lactation counselors" to the list of individuals that a licensed lactation consultant may supervise Added ", but not required"
27.4.2	Added "for Lactation Counselors" to section header
27.4.3	Added section for General Licensure Requirements for Lactation Counselors
27.4.3(C)	Added requirement outside of statutory requirements indicating that applicants must designate whether they are applying under the ALC or CLC category
27.4.4	Added section for Qualification for Licensure for Lactation Counselors
27.5	Added "for Lactation Consultant and Lactation Counselor" to section title

27.5.1(A)(2)	Added " for a Lactation Consultant."
27.5.1(A)(3)	Added "If applying for a Lactation Consultant license,"
27.5.1(B)	Added section for required documentation when applying as a lactation counselor
27.5.2(A)(3)	Relocated 27.5.2(A)(4) and added "or lactation counselor. Verification must be sent directly to the Department by the certifying and/or licensing authority; and"
27.5.2(A)(4)	Added "If applying for a Lactation Consultant license,"
27.5.2(A)(5)	Added section for required documentation when applying as a lactation counselor
27.6	Added "of a License for Lactation Consultants and Lactation Counselors" to section title
27.6(B)	Added section signposting to the appropriate statute
27.7(A)	Wording revised to include both lactation counselors and consultants
27.7(C)	Added "or lactation counselor" to the section to indicate that the requirements applied to both license types
27.7(E)(1)	Added "For a Lactation Consultant,"
27.7(E)(2)	Added section for required documentation when applying as a lactation counselor
27.8	Added "of Practice for a Lactation Consultant" to section title
27.8(B)	Added "Unless licensed as a doctor or nurse practitioner, a lactation consultant shall not:"
27.8(B)(1) through (4)	Added list of actions not permitted by lactation consultants.
27.9	Added section for the Scope of Practice for a lactation counselor.
27.10	Added "for Lactation Consultants and Lactation Counselors" to the section title
27.10	Added ALC or CLC as applicable throughout section
27.10(B)(3)	Added "A licensee's license will be inactive during any period in which the above certifications are not maintained."
27.11	Added "for Lactation Consultants and Lactation Counselors" to the section title
27.11(A) and (B)	Added appropriate RIGL citation where applicable.
27.12	Revised citations to the appropriate RIGL chapters