

Republic of the Philippines
Congress of the Philippines
Metro Manila

[REPUBLIC ACT NO. 7600]

AN ACT PROVIDING INCENTIVES TO ALL GOVERNMENT AND PRIVATE HEALTH INSTITUTIONS WITH ROOMING-IN AND BREASTFEEDING PRACTICES AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Title.* — This Act shall be known as “The Rooming-In and Breastfeeding Act of 1992”.

SEC. 2. *Declaration of Policy.* — The State adopts rooming-in as a national policy to encourage, protect and support the practice of breastfeeding. It shall create an environment where basic physical, emotional, and psychological needs of mothers and infants are fulfilled through the practice of rooming-in and breastfeeding.

Breastfeeding has distinct advantages which benefit the infant and the mother including the hospital and the country that adopt its practice. It is the first preventive health measure that can be given to the child at birth. It also enhances mother-infant relationship. Furthermore, the practice of breastfeeding could save the country valuable foreign exchange that may otherwise be used for milk importation.

Breastmilk is the best food since it contains essential nutrients completely suitable for the infant’s needs. It is also nature’s first immunization, enabling the infant to fight potential serious infection. It contains growth factors that enhance the maturation of an infant’s organ systems.

SEC. 3. *Definition of Terms.* — For purposes of this Act, the following definitions are adopted:

- a) Age of gestation — the length of time the fetus is inside the mother’s womb.
- b) Bottlefeeding — the method of feeding an infant using a bottle with artificial nipples, the contents of which can be any type of fluid.
- c) Breastfeeding — the method of feeding an infant directly from the human breast.

- d) Breastmilk — the human milk from a mother.
- e) Expressed breastmilk — the human milk which has been extracted from the breast by hand or by breast pump. It can be fed to an infant using a dropper, a nasogastric tube, a cup and spoon, or a bottle.
- f) Formula feeding — the feeding of a newborn with infant formula usually by bottlefeeding. It is also called artificial feeding.
- g) Health institutions — are hospitals, health infirmaries, health centers, lying-in centers, or puericulture centers with obstetrical and pediatric services.
- h) Health personnel — are professionals and workers who manage and/or administer the entire operation of health institutions and/or who are involved in providing maternal and child health services.
- i) Infant — a child within zero (0) to twelve (12) months of age.
- j) Infant formula — the breastmilk substitute formulated industrially in accordance with applicable Codex Alimentarius standards, to satisfy the normal nutritional requirements of infants up to six (6) months of age, and adopted to their physiological characteristics.
- k) Lactation management — the general care of a mother-infant nursing couple during the mother's prenatal, immediate postpartum and postnatal periods. It deals with educating and providing knowledge and information to pregnant and lactating mothers on the advantages of breastfeeding, the physiology of lactation, the establishment and maintenance of lactation, the proper care of the breasts and nipples, and such other matters that would contribute to successful breastfeeding.
- l) Low birth weight infant — a newborn weighing less than two thousand five hundred (2,500) grams at birth.
- m) Mother's milk — the breastmilk from the newborn's own mother.
- n) Rooming-in — the practice of placing the newborn in the same room as the mother right after delivery up to discharge to facilitate mother-infant bonding and to initiate breastfeeding. The infant may either share the mother's bed or be placed in a crib beside the mother.
- o) Seriously ill mothers — are those who are: with severe infections; in shock; in severe cardiac or respiratory distress; or dying; or those with other conditions that may be determined by the attending physician as serious.

- p) Wet-nursing — the feeding of a newborn from another mother’s breast when his/her own mother cannot breastfeed.

CHAPTER I

ROOMING-IN AND BREASTFEEDING OF INFANTS

SEC. 4. *Applicability.* — The provisions in this Chapter shall apply to all private and government health institutions adopting rooming-in and breastfeeding as defined in this Act.

SEC. 5. *Normal Spontaneous Deliveries.* — The following newborn infants shall be put to the breast of the mother immediately after birth and forthwith roomed-in within thirty (30) minutes:

- a) well infants regardless of age of gestation; and
- b) infants with low birth weights but who can suck.

SEC. 6. *Deliveries by Caesarian.* — Infants delivered by caesarian section shall be roomed-in and breastfed within three (3) to four (4) hours after birth.

SEC. 7. *Deliveries Outside Health Institutions.* — Newborns delivered outside health institutions whose mothers have been admitted to the obstetrics department/unit and who both meet the general conditions stated in Section 5 of this Act, shall be roomed-in and breastfed immediately.

SEC. 8. *Exemptions.* — Infants whose conditions do not permit rooming-in and breastfeeding as determined by the attending physician, and infants whose mothers are either: a) seriously ill; b) taking medications and contraindicated to breastfeeding; c) violent psychotics; or d) whose conditions do not permit breastfeeding and rooming-in as determined by the physician shall be exempted from the provisions of Section 5, 6, and 7: *Provided,* That these infants shall be fed expressed breastmilk or wet-nursed as may be determined by the attending physician.

SEC. 9. *Right of the Mother to Breastfeed.* — It shall be the mother’s right to breastfeed her child who equally has the right to her breastmilk. Bottlefeeding shall be allowed only after the mother has been informed by the attending health personnel of the advantages of breastfeeding and the proper techniques of infant formula feeding and the mother has opted in writing to adopt infant formula feeding for her infant.

CHAPTER II

HUMAN MILK BANK

SEC. 10. *Provision of Facilities for Breastmilk Collection and Storage.* — The health institution adopting rooming-in and breastfeeding shall provide equipment, facilities, and supplies for breastmilk collection, storage and utilization, the standards of which shall be defined by the Department of Health.

CHAPTER III

INFORMATION, EDUCATION AND RE-EDUCATION DRIVE

SEC. 11. *Continuing Education, Re-education and Training of Health Personnel.* — The Department of Health with the assistance of other government agencies, professional and non-governmental organizations shall conduct continuing information education, re-education, and training programs for physicians, nurses, midwives, nutritionist-dietitians, community health workers and traditional birth attendants (TBAs) and other health personnel on current and updated lactation management.

Information materials shall be given to all health personnel involved in maternal and infant care in health institutions.

SEC. 12. *Information Dissemination to Pregnant Women.* — During the prenatal, perinatal and postnatal consultations and/or confinements of the mothers or pregnant women in a health institution, it shall be the obligation of the health institution and the health personnel to immediately and continuously teach, train, and support the women on current and updated lactation management and infant care, through participatory strategies such as organization of mothers' clubs and breastfeeding support groups and to distribute written information materials on such matters free of charge.

CHAPTER IV

MISCELLANEOUS PROVISIONS

SEC. 13. *Incentives.* — The expenses incurred by a private health institution in complying with the provisions of this Act, shall be deductible expenses for income tax purposes up to twice the actual amount incurred: *Provided*, That the deduction shall apply for the taxable period when the expenses were incurred: *Provided, further*, That the hospital shall comply with the provisions of this Act within six (6) months after its approval.

Government health institutions shall receive an additional appropriation equivalent to the savings they may derive as a result of adopting rooming-in and breastfeeding. The additional appropriation shall be included in their budget for the next fiscal year.

SEC. 14. *Sanctions.* — The Secretary of Health is hereby empowered to impose sanctions for the violation of this Act and the rules issued thereunder. Such sanctions may be in the form of reprimand or censure and in case of repeated willful violations, suspension of the permit to operate of the erring health institution.

SEC. 15. *Rules and Regulations.* — The Secretary of Health, in consultation with other government agencies, professional and non-governmental organizations concerned shall promulgate the rules and regulations necessary to carry out the provisions of this Act.

SEC. 16. *Repealing Clause.* — All acts, laws, decrees, executive orders, rules and regulations or parts thereof, which are contrary to or inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 17. *Separability Clause.* — If any clause, sentence, paragraph or part of this Act shall be declared to be invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 18. *Effectivity.* — This Act shall take effect one hundred twenty (120) days after publication in at least two (2) newspapers of general circulation.

Approved: June 2, 1992