

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 47 Session of 2009

INTRODUCED BY CURRY, BELFANTI, BEYER, BISHOP, BOYD, BRENNAN, CALTAGIRONE, CHRISTIANA, COHEN, CONKLIN, DeLUCA, DONATUCCI, FLECK, FRANKEL, GEORGE, GOODMAN, HENNESSEY, HESS, KOTIK, KULA, MANDERINO, McILVAINE SMITH, MELIO, M. O'BRIEN, O'NEILL, PRESTON, RAPP, READSHAW, REICHLEY, ROCK, SCAVELLO, SIPTROTH, SOLOBAY, SONNEY, STERN, TRUE, VULAKOVICH, WATSON AND WHEATLEY, JANUARY 26, 2009

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, JANUARY 26, 2009

AN ACT

1 Providing for education for parents relating to sudden infant  
 2 death syndrome and sudden unexpected death of infants;  
 3 establishing the Sudden Infant Death Syndrome Education and  
 4 Prevention Program; and providing for duties of the  
 5 Department of Health.

6 The General Assembly of the Commonwealth of Pennsylvania  
 7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Sudden Infant  
 10 Death Syndrome Education and Prevention Program Act.

11 Section 2. Legislative findings.

12 The General Assembly hereby finds and declares as follows:

13 (1) The sudden, unexpected death of a newborn is the  
 14 third most common cause of death among newborns and is only  
 15 exceeded in the first year of life by congenital  
 16 malformations and prematurity.

1           (2) Most sudden infant deaths occur when a baby is  
2 between two and four months old, and 90% of all sudden infant  
3 deaths occur before six months of age.

4           (3) Most babies that die of sudden infant death syndrome  
5 (SIDS) or sudden unexpected death in infants (SUDI) appear to  
6 be healthy prior to death.

7           (4) Sixty percent of SIDS victims are male and 40% are  
8 female.

9           (5) While SIDS occurs in all socioeconomic, racial and  
10 ethnic groups, African-American and Native-American babies  
11 are two to three times more likely to die of SIDS than  
12 Caucasian babies.

13          (6) In 1994, the American Academy of Pediatrics, in  
14 conjunction with other major health organizations in the  
15 United States, launched the national "Back to Sleep"  
16 campaign, which endorsed and promoted the placement of  
17 infants on their backs both for sleeping and napping.

18          (7) The incidence of sudden infant death in the United  
19 States decreased by more than 50% since the inception of this  
20 campaign.

21          (8) In 2005, the American Academy of Pediatrics issued a  
22 new recommendation to further reduce the risk of SIDS that  
23 defined and promoted the use of a safe sleeping environment  
24 for infants.

25          (9) At this time there is no known way to prevent SIDS  
26 or SUDI, but the risk can be minimized. Parents should learn  
27 risk factors associated with SIDS and SUDI and share with  
28 others information on how to create a safe sleeping  
29 environment for an infant to reduce the risk of sudden and  
30 unexpected death.

1 Section 3. Definitions.

2 The following words and phrases when used in this act shall  
3 have the meanings given to them in this section unless the  
4 context clearly indicates otherwise:

5 "Birth center." A facility not part of a hospital which  
6 provides maternity care to childbearing families not requiring  
7 hospitalization. As used in this definition, the term "maternity  
8 care" includes prenatal, labor, delivery and postpartum care  
9 related to medically uncomplicated pregnancies.

10 "Commitment statement." A form which may be voluntarily  
11 signed by a parent, acknowledging that the parent has received,  
12 read and has an understanding of the educational and  
13 instructional materials provided on sudden infant death syndrome  
14 and sudden unexpected death in infants.

15 "Department." The Department of Health of the Commonwealth.

16 "Hospital." A for-profit or nonprofit hospital providing  
17 clinically related health services for obstetrical and newborn  
18 care, including those operated by the State, local government or  
19 an agency. The term shall not include an office used primarily  
20 for private or group practice by health care practitioners where  
21 no reviewable clinically related health services are offered.

22 "Infant." A child 30 days of age or older and younger than  
23 24 months of age.

24 "Midwife." An individual who is licensed as a midwife by the  
25 State Board of Medicine.

26 "Newborn." A child 29 days of age or younger.

27 "Parent." A natural parent, stepparent, adoptive parent,  
28 legal guardian or legal custodian of a child.

29 "Program." The Sudden Infant Death Syndrome Education and  
30 Prevention Program.

1 "Sudden infant death syndrome" or "SIDS." The sudden,  
2 unexpected death of an apparently healthy infant that remains  
3 unexplained after the performance of a complete postmortem  
4 investigation, including an autopsy, an examination of the scene  
5 of death and a review of the medical history.

6 "Sudden unexpected death in infants" or "SUDI." The sudden,  
7 unexpected death of an apparently healthy infant.

8 Section 4. Establishment of program.

9 (a) Establishment.--The department shall establish a Sudden  
10 Infant Death Syndrome Education and Prevention Program to  
11 promote awareness and education relating to SIDS and SUDI with  
12 the focus on the risk factors of SIDS and SUDI and safe sleeping  
13 practices for newborns and infants.

14 (b) Public awareness.--The department shall design and  
15 implement strategies for raising public awareness concerning  
16 SIDS and SUDI, including, but not limited to, the following:

17 (1) Risk factors for sudden infant death, including  
18 infant sleep position, exposure to smoke, overheating,  
19 inappropriate infant bedding and bed sharing.

20 (2) Suggestions for reducing the risk of SIDS and SUDI.

21 Section 5. Materials.

22 (a) Educational and instructional materials.--The program  
23 shall include the distribution of readily understandable  
24 information and educational and instructional materials  
25 regarding SIDS and SUDI. The materials shall explain the risk  
26 factors associated with SIDS and SUDI and emphasize safe  
27 sleeping practices. The materials shall be provided to parents  
28 prior to discharge from a hospital or birth center or by a  
29 midwife for births that take place in settings other than a  
30 hospital or birth center.

1 (b) Commitment statement.--The commitment statement may be  
2 signed by a parent prior to discharge from a hospital or birth  
3 center or after births performed by a midwife in settings other  
4 than a hospital or birth center. One copy of the commitment  
5 statement shall be given to a parent, and one copy shall remain  
6 on file in the hospital or birth center. Copies of commitment  
7 statements signed by parents in settings other than a hospital  
8 or birth center shall be kept on file by the health care  
9 practitioner or midwife performing the birth. The commitment  
10 statement shall be set forth in a form to be prescribed by the  
11 department.

12 (c) Distribution of materials.--The information and  
13 educational and instructional materials described in subsection  
14 (a) shall be provided without cost by each hospital, birth  
15 center or midwife to a parent of each newborn upon discharge  
16 from a hospital or birth center.

17 Section 6. Scope of act.

18 The department shall do the following:

19 (1) Work to improve the capacity of community-based  
20 services available to parents regarding the risk factors  
21 involved with SIDS and SUDI and safe sleeping practices for  
22 newborns and infants.

23 (2) Work with other State and local governmental  
24 agencies, community and business leaders, community  
25 organizations, health care and human service providers and  
26 national organizations to coordinate efforts and maximize  
27 State and private resources in the areas of education about  
28 SIDS and SUDI, including the risk factors and safe sleeping  
29 practices.

30 (3) Identify and, when appropriate, replicate or use

1       successful SIDS and SUDI programs and procure related  
2       materials and services from organizations with appropriate  
3       experience and knowledge of SIDS and SUDI.

4 Section 7. Regulations.

5       The department may promulgate regulations necessary to  
6       implement the provisions of this act.

7 Section 8. Effective date.

8       This act shall take effect July 1, 2009.