

1 A bill to be entitled
 2 An act relating to infant death; amending ss. 383.311
 3 and 383.318, F.S.; revising the education,
 4 orientation, and postpartum care requirements for
 5 birth center clients to include certain instruction on
 6 safe sleep practices and causes of Sudden Unexpected
 7 Infant Death; amending s. 383.3362, F.S.; revising
 8 legislative findings and intent with respect to the
 9 sudden unexpected death of an infant under a specified
 10 age; defining the term "Sudden Unexpected Infant
 11 Death"; revising provisions relating to training
 12 requirements for first responders; revising
 13 requirements relating to autopsies performed by
 14 medical examiners; requiring the Medical Examiners
 15 Commission to provide for the development and
 16 implementation of a protocol for the medicolegal
 17 investigation of Sudden Unexpected Infant Death;
 18 creating s. 395.1053, F.S.; requiring a hospital that
 19 provides birthing services to incorporate certain
 20 information into the hospital's postpartum instruction
 21 on the care of newborns; providing an effective date.

22
 23 Be It Enacted by the Legislature of the State of Florida:

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 25 Section 1. Paragraph (f) of subsection (2) of section
 26 383.311, Florida Statutes, is amended to read:

27 383.311 Education and orientation for birth center clients
 28 and their families.—

29 (2) The clients shall be prepared for childbirth and
 30 childbearing by education in:

31 (f) The care of the newborn, including safe sleep
 32 practices and the possible causes of Sudden Unexpected Infant
 33 Death.

34 Section 2. Paragraph (e) of subsection (3) of section
 35 383.318, Florida Statutes, is amended to read:

36 383.318 Postpartum care for birth center clients and
 37 infants.—

38 (3) Postpartum evaluation and followup care shall be
 39 provided, which shall include:

40 (e) Instruction in child care, including immunization, ~~and~~
 41 breastfeeding, safe sleep practices, and the possible causes of
 42 Sudden Unexpected Infant Death.

43 Section 3. Section 383.3362, Florida Statutes, is amended
 44 to read:

45 383.3362 Sudden Unexpected Infant Death ~~Syndrome.~~—

46 (1) FINDINGS AND INTENT.—The Legislature recognizes that
 47 more than 4,500 infants in the United States die suddenly and
 48 unexpectedly of no immediate or obvious cause. According to
 49 statistics from the Department of Health, more than 200 infants
 50 in this state experienced Sudden Unexpected Infant Death in 2010
 51 ~~Sudden Infant Death Syndrome, or SIDS, is a leading cause of~~
 52 ~~death among children under the age of 1 year, both nationally~~
 53 ~~and in this state.~~ The Legislature further recognizes that first
 54 responders to emergency calls relating to such a death need
 55 access to special training to better enable them to recognize
 56 that such deaths may result from natural and accidental causes

57 | or may be caused ~~distinguish SIDS from death~~ caused by criminal
58 | acts and to appropriately interact with the deceased infant's
59 | parents or caretakers. At the same time, the Legislature,
60 | recognizing that the primary focus of first responders is to
61 | carry out their assigned duties, intends to increase the
62 | awareness of the possible causes of Sudden Unexpected Infant
63 | Death ~~SIDS by first responders~~, but in no way expand or take
64 | away from their duties. Further, the Legislature recognizes the
65 | importance of a multidisciplinary investigation and standardized
66 | investigative protocols in cases of Sudden Unexpected Infant
67 | Death ~~standard protocol for review of SIDS deaths by medical~~
68 | ~~examiners and the importance of appropriate followup in cases of~~
69 | ~~certified or suspected SIDS deaths~~. Finally, the Legislature
70 | finds that it is desirable to analyze existing data, and to
71 | conduct further research on, the possible causes of Sudden
72 | Unexpected Infant Death ~~SIDS~~ and on how to reduce its incidence
73 | ~~lower the number of sudden infant deaths~~.

74 | (2) DEFINITION.—As used in this section, the term "Sudden
75 | Unexpected Infant Death Syndrome," or "SUID," "~~SIDS~~," means the
76 | sudden unexpected death of an infant under 1 year of age while
77 | in apparent good health whose death may have been a result of
78 | natural or unnatural causes ~~which remains unexplained after a~~
79 | ~~complete autopsy, death-scene investigation, and review of the~~
80 | ~~case history. The term includes only those deaths for which,~~
81 | ~~currently, there is no known cause or cure.~~

82 | (3) TRAINING.—

83 | (a) The Legislature finds that an emergency medical
84 | technician, a paramedic, a firefighter, or a law enforcement

85 officer is likely to be the first responder to a request for
86 assistance which is made immediately after the sudden unexpected
87 death of an infant. The Legislature further finds that these
88 first responders should be trained in appropriate responses to
89 sudden infant death.

90 (b) ~~After January 1, 1995,~~ The basic training programs
91 required for certification as an emergency medical technician, a
92 paramedic, a firefighter, or a law enforcement officer as
93 defined in s. 943.10, other than a correctional officer or a
94 correctional probation officer, must include curriculum that
95 contains instruction on SUID ~~Sudden Infant Death Syndrome~~.

96 (c) The Department of Health, in consultation with the
97 Emergency Medical Services Advisory Council, the Firefighters
98 Employment, Standards, and Training Council, the child
99 protection teams established in the Division of Children's
100 Medical Services, and the Criminal Justice Standards and
101 Training Commission, shall develop and adopt, by rule,
102 curriculum that is part of the Centers for Disease Control SUID
103 Initiative, which must ~~at a minimum, includes training in the~~
104 ~~nature of SIDS, standard procedures to be followed by law~~
105 enforcement agencies in investigating cases involving sudden
106 deaths of infants, and training in responding appropriately to
107 the parents or caretakers who have requested assistance.

108 (4) AUTOPSIES.—

109 (a) The death of any infant younger than 1 year of age who
110 dies suddenly and unexpectedly while in apparent good health
111 falls under the jurisdiction of the medical examiner as provided
112 in s. 406.11 ~~The medical examiner must perform an autopsy upon~~

113 ~~any infant under the age of 1 year who is suspected to have died~~
114 ~~of Sudden Infant Death Syndrome. If an autopsy is performed, it~~
115 ~~The autopsy must be performed within 48 24 hours after the~~
116 ~~death, or as soon thereafter as is feasible. When the medical~~
117 ~~examiner's findings are consistent with the definition of sudden~~
118 ~~infant death syndrome in subsection (2), the medical examiner~~
119 ~~must state on the death certificate that sudden infant death~~
120 ~~syndrome was the cause of death.~~

121 (b) The Medical Examiners Commission shall provide for the
122 development and implementation of ~~develop and implement~~ a
123 protocol for the medicolegal investigation of SUID ~~dealing with~~
124 ~~suspected sudden infant death syndrome. The protocol must be~~
125 ~~followed by all medical examiners when conducting the autopsies~~
126 ~~required under this subsection. The protocol may include~~
127 ~~requirements and standards for scene investigations,~~
128 ~~requirements for specific data, criteria for any specific tissue~~
129 sampling, and any other requirements that are deemed
130 ~~ascertaining cause of death based on the autopsy, criteria for~~
131 ~~any specific tissue sampling, and any other requirements that~~
132 ~~the commission considers necessary.~~

133 (c) A medical examiner is not liable for damages in a
134 civil action for any act or omission done in compliance with
135 this subsection.

136 ~~(d) An autopsy must be performed under the authority of a~~
137 ~~medical examiner under s. 406.11.~~

138 (5) DEPARTMENT DUTIES RELATING TO SUDDEN UNEXPECTED INFANT
139 DEATH (SUID) ~~SYNDROME (SIDS).~~—The Department of Health, in
140 consultation with the child protection teams established in the

141 Division of Children's Medical Services, shall:

142 (a) Collaborate with other agencies in the development and
 143 presentation of the SUID ~~Sudden Infant Death Syndrome (SIDS)~~
 144 training programs for first responders, including those for
 145 emergency medical technicians and paramedics, firefighters, and
 146 law enforcement officers.

147 (b) Maintain a database of statistics on reported SUID
 148 ~~SIDS~~ deaths, and analyze the data as funds allow.

149 (c) Serve as liaison and closely coordinate activities
 150 with the Florida SIDS Alliance, ~~including the services related~~
 151 ~~to the SIDS hotline.~~

152 (d) Maintain a library reference list and materials about
 153 SUID ~~SIDS~~ for public dissemination.

154 (e) Provide professional support to field staff.

155 (f) Coordinate the activities of and promote a link
 156 between the fetal and infant mortality review committees of the
 157 local healthy start coalitions, the Florida ~~local~~ SIDS Alliance,
 158 and other related support groups.

159 Section 4. Section 395.1053, Florida Statutes, is created
 160 to read:

161 395.1053 Postpartum education.—A hospital that provides
 162 birthing services shall incorporate information on safe sleep
 163 practices and the possible causes of Sudden Unexpected Infant
 164 Death into the hospital's postpartum instruction on the care of
 165 newborns.

166 Section 5. This act shall take effect July 1, 2013.