

By Representative Waters

1 A bill to be entitled
2 An act relating to "Shaken-Baby Syndrome";
3 requiring hospitals to give to new parents
4 informational brochures concerning the dangers
5 of shaking babies and young children; requiring
6 the Department of Health to prepare the
7 brochures; prescribing the contents of the
8 brochures; providing that a cause of action
9 against specified persons and entities does not
10 accrue as a result of failure to give this
11 information; providing for a fine for
12 violations; providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Dangers of shaking infants and young
17 children; hospitals required to distribute brochures.--

18 (1) Every hospital that has maternity and newborn
19 services shall provide to the parents of a newborn, before
20 they take their newborn home from the hospital, information
21 concerning the dangers of shaking infants and young children.

22 (2) The Department of Health shall prepare a brochure
23 that describes the dangers of shaking infants and young
24 children. The description must include information concerning
25 the grave effects of shaking infants and young children,
26 information concerning appropriate ways to manage the causes
27 that can lead a person to shake infants and young children,
28 and a discussion of ways to reduce the risks that can lead a
29 person to shake infants and young children.

30 (3) This section does not preclude a hospital's
31 providing the notice required under this section as an

1 addendum to, or in connection with, any other required
2 information.
3 (4) A cause of action does not accrue against the
4 state or any subdivision or agency thereof or any hospital for
5 failure to give or receive the information required under this
6 section.
7 (5) Any hospital that continues to violate this
8 section after having received from the Department of Health
9 written notice that a violation of this section has occurred
10 and after having been given an opportunity to be heard is
11 subject to a civil penalty in an amount not to exceed \$500.
12 Section 2. This act shall take effect upon becoming a
13 law.

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16 SENATE SUMMARY

17 Requires hospitals that offer maternity and newborn
18 services to give to new parents informational brochures
19 concerning the dangers of shaking babies and young
20 children. Requires the Department of Health to prepare
21 the brochures and prescribes the contents of the
22 brochures. Provides that a cause of action does not
23 accrue as a result of failure to provide this
24 information. Provides for a hospital to be fined for
25 failing to provide this information if the hospital
26 continues such a violation after it has been warned and
27 given an opportunity to respond to the warning.
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