

By the Committees on Criminal Justice; and Health Regulation;
and Senator Bullard

591-02049-12

2012332c2

1 A bill to be entitled
2 An act relating to infant death; providing a short
3 title; amending s. 383.3362, F.S.; revising
4 legislative findings and intent with respect to the
5 sudden unexpected death of an infant under a specified
6 age; defining the term "Sudden Unexpected Infant
7 Death"; revising provisions relating to training
8 requirements for first responders; revising
9 requirements relating to autopsies performed by
10 medical examiners; requiring the Medical Examiners
11 Commission to provide for the development and
12 implementation of a protocol for the medical and legal
13 investigation of sudden unexpected infant deaths;
14 deleting references to the SIDS hotline and local SIDS
15 alliances; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. This act may be cited as the "Edward Jr., and
20 Rachel Bullard Act."

21 Section 2. Section 383.3362, Florida Statutes, is amended
22 to read:

23 383.3362 ~~Sudden Infant death Syndrome.~~

24 (1) FINDINGS AND INTENT.—The Legislature recognizes that
25 the sudden unexpected death of an infant who is in apparent good
26 health ~~Sudden Infant Death Syndrome, or SIDS,~~ is a leading cause
27 of death among infants ~~children~~ under the age of 1 year, both
28 nationally and in this state. The Legislature further recognizes
29 that first responders to emergency calls relating to such a

591-02049-12

2012332c2

30 death need access to special training to better enable them to
31 recognize that such deaths may result from natural or accidental
32 causes or may be ~~distinguish SIDS from death~~ caused by criminal
33 acts and to appropriately interact with the deceased infant's
34 parents or caretakers. At the same time, the Legislature,
35 recognizing that the primary focus of first responders is to
36 carry out their assigned duties, intends to increase the
37 awareness of possible causes of a sudden unexpected infant death
38 ~~SIDS~~ by first responders, but in no way expand or take away from
39 their duties. Further, the Legislature recognizes the importance
40 of a multidisciplinary investigation and standardized
41 investigative protocols in cases of sudden unexpected infant
42 death ~~standard protocol for review of SIDS deaths by medical~~
43 ~~examiners and the importance of appropriate followup in cases of~~
44 ~~certified or suspected SIDS deaths~~. Finally, the Legislature
45 finds that it is desirable to analyze existing data, and to
46 conduct further research on, the possible causes of infant death
47 ~~SIDS~~ and how to reduce ~~lower~~ the number of sudden unexpected
48 infant deaths.

49 (2) DEFINITION.—As used in this section, the term:

50 (a) "Sudden Infant Death Syndrome," or "SIDS," refers to
51 ~~means~~ the sudden unexpected death of an infant under 1 year of
52 age whose death appears to be a result of natural causes but
53 which remains unexplained after a complete autopsy, death-scene
54 investigation, and review of the case history. ~~The term includes~~
55 ~~only those deaths for which, currently, there is no known cause~~
56 ~~or cure.~~

57 (b) "Sudden Unexpected Infant Death" or "SUID" refers to
58 the sudden unexpected death of an infant under 1 year of age in

591-02049-12

2012332c2

59 apparent good health and whose death may have been a result of
60 natural or unnatural causes.

61 (3) TRAINING.—

62 (a) The Legislature finds that an emergency medical
63 technician, a paramedic, a firefighter, or a law enforcement
64 officer is likely to be the first responder to a request for
65 assistance which is made immediately after the sudden unexpected
66 death of an infant. The Legislature further finds that these
67 first responders should be trained in appropriate responses to
68 sudden infant death.

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

75 (c) The Department of Health, in consultation with the
76 Emergency Medical Services Advisory Council, the Firefighters
77 Employment, Standards, and Training Council, and the Criminal
78 Justice Standards and Training Commission, shall develop and
79 adopt, by rule, curriculum that, at a minimum, includes training
80 in SUID ~~the nature of SIDS~~, standard procedures to be followed
81 by law enforcement agencies in investigating cases involving
82 sudden deaths of infants, and training in responding
83 appropriately to the parents or caretakers who have requested
84 assistance.

85 (4) AUTOPSIES.—

86 (a) The sudden unexpected death of any infant under 1 year
87 of age who was in apparent good health falls under the

591-02049-12

2012332c2

88 jurisdiction of the medical examiner pursuant to s. 406.11 ~~must~~
89 ~~perform an autopsy upon any infant under the age of 1 year who~~
90 ~~is suspected to have died of Sudden Infant Death Syndrome. The~~
91 ~~autopsy must be performed within 24 hours after the death, or as~~
92 ~~soon thereafter as is feasible. When the medical examiner's~~
93 ~~findings are consistent with the definition of sudden infant~~
94 ~~death syndrome in subsection (2), the medical examiner must~~
95 ~~state on the death certificate that sudden infant death syndrome~~
96 ~~was the cause of death.~~

97 (b) The Medical Examiners Commission shall provide for the
98 development and implementation of ~~develop and implement~~ a
99 protocol for medical and legal investigation of sudden
100 unexpected infant death ~~dealing with suspected sudden infant~~
101 ~~death syndrome. The protocol must be followed by all medical~~
102 ~~examiners when conducting the autopsies required under this~~
103 ~~subsection. The protocol may include requirements and standards~~
104 ~~for scene investigations, requirements for specific data,~~
105 ~~criteria for ascertaining cause of death based on the autopsy,~~
106 ~~criteria for any specific tissue sampling, and any other~~
107 ~~requirements that the commission considers necessary.~~

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

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

113 (5) DEPARTMENT DUTIES RELATING TO SUDDEN UNEXPECTED INFANT
114 DEATH (SUID) ~~DEATH SYNDROME (SIDS).~~—The Department of Health
115 shall:

116 (a) Collaborate with other agencies in the development and

591-02049-12

2012332c2

117 presentation of ~~the~~ Sudden Unexpected Infant Death (SUID) ~~Death~~
118 ~~Syndrome (SIDS)~~ training programs for first responders,
119 including those for emergency medical technicians and
120 paramedics, firefighters, and law enforcement officers.

121 (b) Maintain a database of statistics on reported sudden
122 unexpected infant deaths ~~SIDS deaths~~, and analyze the data as
123 funds allow.

124 (c) Serve as liaison and closely coordinate activities with
125 the Florida SIDS Alliance, ~~including the services related to the~~
126 ~~SIDS hotline~~.

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

129 (e) Provide professional support to field staff.

130 (f) Coordinate the activities of and promote a link between
131 the fetal and infant mortality review committees of the local
132 healthy start coalitions, ~~the local SIDS alliance~~, and other
133 related support groups.

134 Section 3. This act shall take effect July 1, 2012.