

By the Committee on Children, Families, and Elder Affairs; and  
Senator Hays

586-02279-13

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

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Paragraph (f) of subsection (2) of section  
31 383.311, Florida Statutes, is amended to read:

32 383.311 Education and orientation for birth center clients  
33 and their families.—

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

36 (f) The care of the newborn to include safe sleep practices  
37 and the possible causes of Sudden Unexpected Infant Death.

38 Section 2. Paragraph (e) of subsection (3) of section  
39 383.318, Florida Statutes, is amended to read:

40 383.318 Postpartum care for birth center clients and  
41 infants.—

42 (3) Postpartum evaluation and followup care shall be  
43 provided, which shall include:

44 (e) Instruction in child care, including immunization, ~~and~~  
45 breastfeeding, safe sleep practices, and possible causes of  
46 Sudden Unexpected Infant Death.

47 Section 3. Section 383.3362, Florida Statutes, is amended  
48 to read:

49 383.3362 Sudden Unexpected Infant Death ~~Syndrome~~.—

50 (1) FINDINGS AND INTENT.—The Legislature recognizes that  
51 more than 4,500 infants in the United States die suddenly and  
52 unexpectedly of no immediate or obvious cause. According to  
53 statistics from the Department of Health, more than 200 infants  
54 in this state experienced Sudden Unexpected Infant Death in 2010  
55 ~~sudden Infant death Syndrome, or SIDS, is a leading cause of~~  
56 ~~death among children under the age of 1 year, both nationally~~  
57 ~~and in this state.~~ The Legislature further recognizes that first  
58 responders to emergency calls relating to such a death need

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59 access to special training to better enable them to recognize  
60 that such deaths may result from natural and accidental causes  
61 or may be caused ~~distinguish SIDS from death caused~~ by criminal  
62 acts and to appropriately interact with the deceased infant's  
63 parents or caretakers. At the same time, the Legislature,  
64 recognizing that the primary focus of first responders is to  
65 carry out their assigned duties, intends to increase ~~the~~  
66 awareness of the possible causes of Sudden Unexpected Infant  
67 Death ~~SIDS by first responders~~, but in no way expand or take  
68 away from their duties. Further, the Legislature recognizes the  
69 importance of a multidisciplinary investigation and standardized  
70 investigative protocols in cases of Sudden Unexpected Infant  
71 Death ~~standard protocol for review of SIDS deaths by medical~~  
72 ~~examiners and the importance of appropriate followup in cases of~~  
73 ~~certified or suspected SIDS deaths~~. Finally, the Legislature  
74 finds that it is desirable to analyze existing data~~7~~ and ~~to~~  
75 conduct further research on~~7~~ the possible causes of Sudden  
76 Unexpected Infant Death ~~SIDS~~ and on how to reduce its incidence  
77 ~~lower the number of sudden infant deaths~~.

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

86 (3) TRAINING.—

87 (a) The Legislature finds that an emergency medical

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88 technician, a paramedic, a firefighter, or a law enforcement  
89 officer is likely to be the first responder to a request for  
90 assistance which is made immediately after the sudden unexpected  
91 death of an infant. The Legislature further finds that these  
92 first responders should be trained in appropriate responses to  
93 sudden infant death.

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

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

112 (4) AUTOPSIES.—

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

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117 ~~any infant under the age of 1 year who is suspected to have died~~  
118 ~~of Sudden Infant Death Syndrome.~~ The autopsy must be performed  
119 within 72 ~~24~~ hours after the death, or as soon thereafter as is  
120 feasible. ~~When the medical examiner's findings are consistent~~  
121 ~~with the definition of sudden infant death syndrome in~~  
122 ~~subsection (2), the medical examiner must state on the death~~  
123 ~~certificate that sudden infant death syndrome was the cause of~~  
124 ~~death.~~

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

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

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

142 (5) DEPARTMENT DUTIES RELATING TO SUDDEN UNEXPECTED INFANT  
143 DEATH (SUID) ~~SYNDROME (SIDS).~~—The Department of Health, in  
144 consultation with the child protection teams established in the  
145 Division of Children's Medical Services, shall:

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

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

153 (c) Serve as liaison and closely coordinate activities with  
154 the Florida SIDS Alliance, ~~including the services related to the~~  
155 ~~SIDS hotline.~~

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

158 (e) Provide professional support to field staff.

159 (f) Coordinate the activities of and promote a link between  
160 the fetal and infant mortality review committees of the local  
161 healthy start coalitions, the Florida ~~local~~ SIDS Alliance, and  
162 other related support groups.

163 Section 4. Section 395.1053, Florida Statutes, is created  
164 to read:

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

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