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1
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 forensic
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, ~~and to~~
75 conduct further research on, ~~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 and modify when
106 necessary, by rule, curriculum that is as part of the Centers
107 for Disease Control SUID Initiative which must ~~that, at a~~
108 ~~minimum, includes training in the nature of SIDS, standard~~
109 ~~procedures to~~ be followed by law enforcement agencies in
110 investigating cases involving sudden deaths of infants, and
111 training in responding appropriately to the parents or
112 caretakers who have requested assistance.

113 (4) AUTOPSIES.—

114 (a) The death of any infant younger than 1 year of age who
115 dies suddenly and unexpectedly while in apparent good health
116 falls under the jurisdiction of the medical examiner as provided

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117 ~~in s. 406.11 The medical examiner must perform an autopsy upon~~
118 ~~any infant under the age of 1 year who is suspected to have died~~
119 ~~of Sudden Infant Death Syndrome. The autopsy must be performed~~
120 ~~within 24 hours after the death, or as soon thereafter as is~~
121 ~~feasible. When the medical examiner's findings are consistent~~
122 ~~with the definition of sudden infant death syndrome in~~
123 ~~subsection (2), the medical examiner must state on the death~~
124 ~~certificate that sudden infant death syndrome was the cause of~~
125 ~~death.~~

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

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

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

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

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146 Division of Children's Medical Services, shall:

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

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

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

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

159 (e) Provide professional support to field staff.

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

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

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

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