

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.

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 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 and modify when  
102 necessary, by rule, curriculum that is part of the Centers for  
103 Disease Control SUID Initiative, which must ~~at a minimum,~~  
104 ~~includes training in the nature of SIDS, standard procedures to~~  
105 be followed by law enforcement agencies in investigating cases  
106 involving sudden deaths of infants, and training in responding  
107 appropriately to the parents or caretakers who have requested  
108 assistance.

109 (4) AUTOPSIES.—

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

113 | ~~in s. 406.11 The medical examiner must perform an autopsy upon~~  
114 | ~~any infant under the age of 1 year who is suspected to have died~~  
115 | ~~of Sudden Infant Death Syndrome. If an autopsy is performed, it~~  
116 | ~~The autopsy must be performed within 72 24 hours after the~~  
117 | ~~death, or as soon thereafter as is feasible. When the medical~~  
118 | ~~examiner's findings are consistent with the definition of sudden~~  
119 | ~~infant death syndrome in subsection (2), the medical examiner~~  
120 | ~~must state on the death certificate that sudden infant death~~  
121 | ~~syndrome was the cause of death.~~

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

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

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

139 |       (5) DEPARTMENT DUTIES RELATING TO SUDDEN UNEXPECTED INFANT  
140 | DEATH (SUID) ~~SYNDROME (SIDS).~~—The Department of Health, in

141 consultation with the child protection teams established in the  
142 Division of Children's Medical Services, shall:

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

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

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

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

155 (e) Provide professional support to field staff.

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

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

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

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