

CHAPTER 2013-62

Committee Substitute for Senate Bill No. 56

An act relating to infant death; amending s. 383.311, F.S.; revising the education and orientation requirements for birth centers and their families to incorporate safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.318, F.S.; revising the postpartum care for birth center clients and infants to incorporate instruction on safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term “Sudden Unexpected Infant Death”; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and implementation of a protocol for the forensic investigation of Sudden Unexpected Infant Death; creating s. 395.1053, F.S.; requiring a hospital that provides birthing services to incorporate information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death into the hospital’s postpartum instruction on the care of newborns; providing an effective date.

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

Section 1. Paragraph (f) of subsection (2) of section 383.311, Florida Statutes, is amended to read:

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

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

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

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

383.318 Postpartum care for birth center clients and infants.—

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

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

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

383.3362 Sudden Unexpected Infant Death Syndrome.—

(1) FINDINGS AND INTENT.—The Legislature recognizes that more than 4,500 infants in the United States die suddenly and unexpectedly of no immediate or obvious cause. According to statistics from the Department of Health, more than 200 infants in this state experienced Sudden Unexpected Infant Death in 2010 ~~sudden Infant death Syndrome, or SIDS, is a leading cause of death among children under the age of 1 year, both nationally and in this state.~~ The Legislature further recognizes that first responders to emergency calls relating to such a death need access to special training to better enable them to recognize that such deaths may result from natural and accidental causes or may be caused ~~distinguish SIDS from death caused~~ by criminal acts and to appropriately interact with the deceased infant's parents or caretakers. At the same time, the Legislature, recognizing that the primary focus of first responders is to carry out their assigned duties, intends to increase the awareness of the possible causes of Sudden Unexpected Infant Death ~~SIDS~~ by first responders, but in no way expand or take away from their duties. Further, the Legislature recognizes the importance of a multidisciplinary investigation and standardized investigative protocols in cases of Sudden Unexpected Infant Death ~~standard protocol for review of SIDS deaths by medical examiners and the importance of appropriate followup in cases of certified or suspected SIDS deaths.~~ Finally, the Legislature finds that it is desirable to analyze existing data, and to conduct further research on; the possible causes of Sudden Unexpected Infant Death ~~SIDS~~ and on how to reduce its incidence ~~lower the number of sudden infant deaths.~~

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

(3) TRAINING.—

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

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

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

(4) AUTOPSIES.—

(a) ~~The death of any infant younger than 1 year of age who dies suddenly and unexpectedly while in apparent good health falls under the jurisdiction of the medical examiner as provided in s. 406.11 The medical examiner must perform an autopsy upon any infant under the age of 1 year who is suspected to have died of Sudden Infant Death Syndrome. The autopsy must be performed within 24 hours after the death, or as soon thereafter as is feasible. When the medical examiner's findings are consistent with the definition of sudden infant death syndrome in subsection (2), the medical examiner must state on the death certificate that sudden infant death syndrome was the cause of death.~~

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

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

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

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

(a) Collaborate with other agencies in the development and presentation of the SUID Sudden Infant Death Syndrome (SIDS) training programs for

first responders, including those for emergency medical technicians and paramedics, firefighters, and law enforcement officers.

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

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

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

(e) Provide professional support to field staff.

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

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

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

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

Approved by the Governor May 30, 2013.

Filed in Office Secretary of State May 30, 2013.