

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 70

Session of  
1989

INTRODUCED BY WILLIAMS, KOSINSKI, JAMES, ROBINSON, CARN, KAISER,  
TRELLO, DALEY, THOMAS, HERMAN, E. Z. TAYLOR, EVANS, MELIO,  
DeLUCA, HARPER, BELFANTI, REBER AND CIVERA, JANUARY 23, 1989

AS REPORTED FROM COMMITTEE ON YOUTH AND AGING, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 25, 1989

## AN ACT

1 ~~Providing for the identification of newborn children by~~ <—  
2 ~~footprints and blood tests; and providing for duties of~~  
3 ~~hospitals, county departments and boards of health and the~~  
4 ~~Department of Health.~~  
5 PROVIDING FOR THE PREVENTION OF HOSPITAL ABDUCTIONS OF INFANTS; <—  
6 PROVIDING FOR PENALTIES; AND CONFERRING POWERS AND DUTIES ON  
7 THE DEPARTMENT OF HEALTH.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 ~~Section 1. Identification of infants at birth.~~ <—

11 ~~(a) Requirement. All hospitals in this Commonwealth in~~  
12 ~~which newborn children are delivered shall establish procedures~~  
13 ~~whereby, promptly after the delivery of a newborn child, the~~  
14 ~~footprints and a blood test for determining type of blood shall~~  
15 ~~be taken for the purpose of positive identification of the~~  
16 ~~child.~~

17 ~~(b) Records. The footprints and the results of the blood~~  
18 ~~test shall be in duplicate sets, one of which shall be retained~~  
19 ~~in the records of the hospital and one of which shall be~~

1 ~~transmitted to and retained in the records of the county~~  
2 ~~department or board of health.~~

3 ~~(c) Supervision. The procedure so established shall be~~  
4 ~~subject to the supervision and guidance of the Department of~~  
5 ~~Health.~~

6 ~~Section 2. Duties of Department of Health.~~

7 ~~The Department of Health shall have the power, and its duty~~  
8 ~~shall be, to establish procedures to be followed by county~~  
9 ~~departments or boards of health, under which the county~~  
10 ~~departments or boards of health shall be responsible for the~~  
11 ~~taking of footprints and blood tests of newborn children who are~~  
12 ~~not delivered in hospitals, and for the retention of records so~~  
13 ~~obtained.~~

14 ~~Section 3. Effective date.~~

15 ~~This act shall take effect in 60 days.~~

16 SECTION 1. SHORT TITLE.

<—

17 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE INFANT  
18 HOSPITAL ABDUCTION PREVENTION ACT.

19 SECTION 2. DECLARATION OF POLICY.

20 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

21 (1) THE NUMBER OF ABDUCTIONS AND ATTEMPTED ABDUCTIONS OF  
22 INFANTS FROM HOSPITALS, WHILE EXTREMELY LOW, HAS SHOWN A  
23 MARKED INCREASE IN THE LAST TEN YEARS.

24 (2) THE PURPOSE OF THIS ACT IS TO REDUCE THE LIKELIHOOD  
25 OF ABDUCTIONS IN HOSPITALS BY REQUIRING THAT HOSPITALS ADOPT  
26 CERTAIN SECURITY PROCEDURES AND INFORM PATIENTS OF THOSE  
27 PROCEDURES AND OF OTHER OPTIONAL TESTS FOR POSITIVE  
28 IDENTIFICATION OF CHILDREN.

29 SECTION 3. DEFINITIONS.

30 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL

1 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
2 CONTEXT CLEARLY INDICATES OTHERWISE:

3 "DEPARTMENT." THE DEPARTMENT OF HEALTH OF THE COMMONWEALTH.  
4 SECTION 4. PROCEDURES TO PREVENT INFANT HOSPITAL ABDUCTIONS.

5 (A) ESTABLISHMENT.--A HOSPITAL IN WHICH NEWBORN CHILDREN ARE  
6 DELIVERED SHALL ESTABLISH PROCEDURES DESIGNED TO REDUCE THE  
7 LIKELIHOOD OF ABDUCTIONS OF INFANT PATIENTS. PROCEDURES MAY  
8 INCLUDE, BUT ARE NOT LIMITED TO, ARCHITECTURAL PLANS TO CONTROL  
9 ACCESS TO AREAS OF INFANT CARE, VIDEO OBSERVATION OF AREAS OF  
10 INFANT CARE AND PROCEDURES TO IDENTIFY STAFF AND VISITORS.

11 (B) NOTICE.--A HOSPITAL SHALL POST IN A CONSPICUOUS LOCATION  
12 ON ITS PREMISES INFORMATION REGARDING PROCEDURES ESTABLISHED  
13 UNDER SUBSECTION (A).

14 SECTION 5. INFORMATION ON OPTIONAL IDENTIFICATION TESTS.

15 A HOSPITAL IN WHICH NEWBORN CHILDREN ARE DELIVERED SHALL MAKE  
16 INFORMATION AVAILABLE TO THE PARENTS OF A NEWBORN CHILD  
17 REGARDING GENETIC TESTING FOR POSITIVE IDENTIFICATION OF A  
18 CHILD, INCLUDING COST, LOCATION AND TEST PERFORMER.

19 SECTION 6. PENALTIES.

20 A HOSPITAL THAT FAILS TO COMPLY WITH THIS ACT IS SUBJECT TO  
21 AN ADMINISTRATIVE PENALTY OF NOT MORE THAN \$200 AND MAY BE  
22 ASSESSED THE COSTS OF THE ACTION.

23 SECTION 7. DEPARTMENT.

24 (A) ADMINISTRATION.--THE DEPARTMENT SHALL ADMINISTER THIS  
25 ACT.

26 (B) REGULATIONS.--THE DEPARTMENT SHALL PROMULGATE  
27 REGULATIONS TO IMPLEMENT SUBSECTION (A).

28 SECTION 8. EFFECTIVE DATE.

29 THIS ACT SHALL TAKE EFFECT IN 180 DAYS.