

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 577 Session of 2009

INTRODUCED BY PIPPY, ERICKSON, BAKER, BROWNE, LEACH, WONDERLING,  
TOMLINSON, WASHINGTON, BOSCOLA, COSTA, FERLO, LOGAN,  
BRUBAKER, FONTANA, O'PAKE AND RAFFERTY, MARCH 5, 2009

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 5, 2009

AN ACT

1 Providing for education for parents relating to sudden infant  
2 death syndrome and sudden unexpected death of infants;  
3 establishing the Sudden Infant Death Syndrome Education and  
4 Prevention Program; and providing for duties of the  
5 Department of Health.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Sudden Infant  
10 Death Syndrome Education and Prevention Program Act.

11 Section 2. Legislative findings.

12 The General Assembly hereby finds and declares as follows:

13 (1) The sudden, unexpected death of a newborn is the  
14 third most common cause of death among newborns and is only  
15 exceeded in the first year of life by congenital  
16 malformations and prematurity.

17 (2) Most sudden infant deaths occur when a baby is  
18 between two and four months old, and 90% of all sudden infant  
19 deaths occur before six months of age.

1           (3) Most babies that die of sudden infant death syndrome  
2           (SIDS) or sudden unexpected death in infants (SUDI) appear to  
3           be healthy prior to death.

4           (4) Sixty percent of SIDS victims are male and 40% are  
5           female.

6           (5) While SIDS occurs in all socioeconomic, racial and  
7           ethnic groups, African-American and Native-American babies  
8           are two to three times more likely to die of SIDS than  
9           Caucasian babies.

10          (6) In 1994, the American Academy of Pediatrics, in  
11          conjunction with other major health organizations in the  
12          United States, launched the national "Back to Sleep"  
13          campaign, which endorsed and promoted the placement of  
14          infants on their backs both for sleeping and napping.

15          (7) The incidence of sudden infant death in the United  
16          States decreased by more than 50% since the inception of this  
17          campaign.

18          (8) In 2005, the American Academy of Pediatrics  
19          recognized that some infant deaths previously labeled as SIDS  
20          were actually due to suffocation and issued new  
21          recommendations that defined and promoted the use of a safe  
22          sleeping environment for infants.

23          (9) Parents should learn risk factors associated with  
24          SIDS and SUDI and share with others information on how to  
25          create a safe sleeping environment for an infant to reduce  
26          the risk of sudden and unexpected death.

### 27 Section 3. Definitions.

28          The following words and phrases when used in this act shall  
29          have the meanings given to them in this section unless the  
30          context clearly indicates otherwise:

1 "Acknowledgment statement." A form which may be voluntarily  
2 signed by a parent, acknowledging that the parent has received,  
3 read and has an understanding of the educational and  
4 instructional materials provided on sudden infant death syndrome  
5 and sudden unexpected death in infants.

6 "Birth center." A facility not part of a hospital which  
7 provides maternity care to childbearing families not requiring  
8 hospitalization. As used in this definition, the term "maternity  
9 care" includes prenatal, labor, delivery and postpartum care  
10 related to medically uncomplicated pregnancies.

11 "Department." The Department of Health of the Commonwealth.

12 "Hospital." A for-profit or nonprofit hospital providing  
13 clinically related health services for obstetrical and newborn  
14 care, including those operated by the State, local government or  
15 an agency. The term shall not include an office used primarily  
16 for private or group practice by health care practitioners where  
17 no reviewable clinically related health services are offered.

18 "Infant." A child 30 days of age or older and younger than  
19 24 months of age.

20 "Midwife." An individual who is licensed as a midwife by the  
21 State Board of Medicine.

22 "Newborn." A child 29 days of age or younger.

23 "Parent." A natural parent, stepparent, adoptive parent,  
24 legal guardian or legal custodian of a child.

25 "Program." The Sudden Infant Death Syndrome Education and  
26 Prevention Program.

27 "Sudden infant death syndrome" or "SIDS." The sudden,  
28 unexpected death of an apparently healthy infant that remains  
29 unexplained after the performance of a complete postmortem  
30 investigation, including an autopsy, an examination of the scene

1 of death and a review of the medical history.

2 "Sudden unexpected death in infants" or "SUDI." The sudden,  
3 unexpected death of an apparently healthy infant.

4 Section 4. Establishment of program.

5 (a) Establishment.--The department shall establish a Sudden  
6 Infant Death Syndrome Education and Prevention Program to  
7 promote awareness and education relating to SIDS and SUDI with  
8 the focus on the risk factors of SIDS and SUDI and safe sleeping  
9 practices for newborns and infants.

10 (b) Public awareness.--The department shall design and  
11 implement strategies for raising public awareness concerning  
12 SIDS and SUDI, including, but not limited to, the following:

13 (1) Risk factors for sudden infant death, including  
14 infant sleep position, exposure to smoke, overheating,  
15 inappropriate infant bedding and bed sharing.

16 (2) Suggestions for reducing the risk of SIDS and SUDI.

17 Section 5. Materials.

18 (a) Educational and instructional materials.--The program  
19 shall include the distribution of readily understandable  
20 information and educational and instructional materials  
21 regarding SIDS and SUDI. The materials shall explain the risk  
22 factors associated with SIDS and SUDI and emphasize safe  
23 sleeping practices. The materials shall be provided to parents  
24 prior to discharge from a hospital or birth center or by a  
25 midwife for births that take place in settings other than a  
26 hospital or birth center.

27 (b) Acknowledgment statement.--The acknowledgment statement  
28 shall be signed by a parent prior to discharge from a hospital  
29 or birth center or after births performed by a midwife in  
30 settings other than a hospital or birth center. One copy of the

1 acknowledgment statement shall be given to a parent, and one  
2 copy shall remain on file in the hospital or birth center.  
3 Copies of acknowledgment statements signed by parents in  
4 settings other than a hospital or birth center shall be kept on  
5 file by the health care practitioner or midwife performing the  
6 birth. The acknowledgment statement shall be set forth in a form  
7 to be prescribed by the department.

8 (c) Distribution of materials.--The information and  
9 educational and instructional materials described in subsection  
10 (a) shall be provided without cost by each hospital, birth  
11 center or midwife to a parent of each newborn upon discharge  
12 from a hospital or birth center.

#### 13 Section 6. Scope of act.

14 The department shall do the following:

15 (1) Work to improve the capacity of community-based  
16 services available to parents regarding the risk factors  
17 involved with SIDS and SUDI and safe sleeping practices for  
18 newborns and infants.

19 (2) Work with other State and local governmental  
20 agencies, community and business leaders, community  
21 organizations, health care and human service providers and  
22 national organizations to coordinate efforts and maximize  
23 State and private resources in the areas of education about  
24 SIDS and SUDI, including the risk factors and safe sleeping  
25 practices.

26 (3) Identify and, when appropriate, replicate or use  
27 successful SIDS and SUDI programs and procure related  
28 materials and services from organizations with appropriate  
29 experience and knowledge of SIDS and SUDI.

#### 30 Section 7. Regulations.

1       The department may promulgate regulations necessary to  
2   implement the provisions of this act.  
3   Section 8.   Effective date.  
4       This act shall take effect July 1, 2009.