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COMMITTEE REPORT

April 25, 2018

**S. 891**

Introduced by Senators Shealy and Hutto

S. Printed 4/25/18--H.

Read the first time March 20, 2018.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (S. 891) to amend Section 44-37-50 of the 1976 Code, relating to information that must be made available to parents of newborns, to include safe sleep practices, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 11, 2018**

**State Expenditure**

This bill requires that the video presentation made available to new parents, childcare providers and facilities, and any interested individual include safe sleep practices and the causes of Sudden Unexpected Infant Death Syndrome (SUIDS). Current requirements for these videos are that they include the dangers associated with shaking infants and young children. DHEC currently approves and provides these videos at department cost. DHEC must also update the protocol for health care providers to include educating parents or primary caregivers about safe sleep practices and SUIDS. Currently, the protocol only includes dangers associated with shaking infants and young children.

DHEC is currently developing an updated version of their video concerning the dangers of shaking infants and young children. DHEC is using this opportunity to include educational information about safe sleep recommendations and SUIDS. Related expenses for this video will be funded by the Federal Maternal and Child Health Title V Block Grant. Because expenses associated with the requirements of this bill have already been accounted for, this bill will have no expenditure impact on the general fund, federal funds, and other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 44-37-50 OF THE 1976 CODE, RELATING TO INFORMATION THAT MUST BE MADE AVAILABLE TO PARENTS OF NEWBORNS, TO INCLUDE SAFE SLEEP PRACTICES AND THE CAUSES OF SUDDEN UNEXPECTED INFANT DEATH SYNDROME IN THE INFORMATION THAT MUST BE PROVIDED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44-37-50 of the 1976 Code is amended to read:

“Section 44-37-50. (A) Every hospital in this State must make available to the parents of each newborn baby delivered in the hospital a video presentation on safe sleep practices, the causes of Sudden Unexpected Infant Death Syndrome, and the dangers associated with shaking infants and young children. Every hospital also must make available information on the importance of parents and caregivers learning infant CPR. The hospital must request that the maternity patient, the father, or the primary caregiver view the video. Those persons whom the hospital requested to view the video shall sign a document prescribed by the Department of Health and Environmental Control stating that they have been offered an opportunity to view the video.

(B) The director, or his designee, of the Department of Health and Environmental Control must approve the video to be utilized by a hospital, pursuant to subsection (A). Upon the request of a hospital, the Director of the Department of Health and Environmental Control, or his designee, shall review a hospital’s proposed video for possible approval. The Department of Health and Environmental Control may not require a hospital to use a video that would require the hospital to pay royalties for use of the video, restrict viewing in order to comply with public viewing or other restrictions, or be subject to other costs or restrictions associated with copyrights. The department must provide a copy of any approved video, at cost, to a hospital or any interested individual.

(C) The Department of Health and Environmental Control shall make available to all childcare facilities and childcare providers, regulated pursuant to Chapter 13, Title 63, a video presentation on safe sleep practices, the causes of Sudden Unexpected Infant Death Syndrome, and the dangers associated with shaking infants and young children. Childcare facilities, as defined in Section 63‑13‑20, shall include this video presentation in the initial and ongoing training of caregivers in the childcare facility. Caregivers in a registered family childcare home or church or religious childcare facility may participate in presentations offered pursuant to this subsection. The Department of Health and Environmental Control must provide a copy of any approved video, at cost, to a childcare facility or childcare provider or any interested individual.

(D) The Department of Health and Environmental Control shall establish a protocol for health care providers to educate parents or primary caregivers about safe sleep practices, the causes of Sudden Unexpected Infant Death Syndrome, and the dangers associated with shaking infants and young children. The Department of Health and Environmental Control shall request family medicine physicians, pediatricians, and other pediatric health care providers to review these dangers with the parent or primary caregiver, who are present, of infants and young children up to the age of one at each well‑baby visit.

(E) The Department of Social Services, Adoption Services must make available to all adopting parents a video presentation, approved by the Department of Health and Environmental Control, on safe sleep practices, the causes of Sudden Unexpected Infant Death Syndrome, the dangers associated with shaking infants and young children, and the importance of parents and caregivers learning infant CPR. The department must request that the adopting parents view the video. The adopting parents must sign a document prescribed by the department stating that they have been offered an opportunity to view the video. This subsection only applies to adoptive placements administered by the Department of Social Services, Adoption Services.

(F) Nothing contained in this section may be construed to create any civil, criminal, or administrative cause of action or other liability against a health care facility or health care provider for any acts or omissions relating to compliance with this section.”

SECTION 2. This act takes effect six months after approval by the Governor.

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