

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 845

Introduced by Assembly Member Cooley

February 21, 2013

An act to ~~amend~~ *add and repeal* Section ~~24522~~ of 24523 of the Health and Safety Code, relating to infant safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 845, as amended, Cooley. Shaken baby syndrome.

Existing law requires that information and instructional materials regarding shaken baby syndrome be provided free of charge by each health facility to parents or guardians of each newborn, upon discharge from the health facility *and by the State Department of Social Services to child care providers upon licensure.*

This bill would ~~make technical, nonsubstantive changes to these provisions~~ *require the department, in consultation with the State Department of Public Health, the Department of Justice, the Office of Emergency Services, and First Five California, to develop a process for the selection of counties and to select eligible counties in the state to voluntarily participate in the program, which is designed to provide new parents and other adult caregivers of newborns and young infants with information and education relating to the prevention of shaken baby syndrome.*

The bill would require the department, by January 1, 2020, to evaluate and submit to the Legislature a report on the effectiveness of the program in reducing the number of injuries and infant deaths in the state resulting from shaken baby syndrome, including a review of benchmarks, feedback about the program, and improvement

opportunities, as applicable. The bill would provide that the activities required by its provisions shall be funded with available moneys from the Children’s Trust Fund. The bill would also authorize the department to accept and expend other private funds received by the department from donations for the purposes of the program.

The bill would make its provisions inoperative on July 1, 2020, and repeal them by January 1, 2021.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 24523 is added to the Health and Safety
 2 Code, to read:
 3 24523. (a) The department, in consultation with the State
 4 Department of Public Health, the Department of Justice, the Office
 5 of Emergency Services, First Five California, and other interested
 6 stakeholders shall, by July 1, 2015, develop and implement the
 7 Shaken Baby Syndrome Education Program. The program is
 8 intended to use delivery approaches and public education materials
 9 for the presentation of information on shaken baby syndrome,
 10 based on current scientific evidence and best practices. The
 11 program shall be in effect for no more than five years.
 12 (b) The department, in consultation with the State Department
 13 of Public Health, the Department of Justice, the Office of
 14 Emergency Services, and First Five California, shall develop a
 15 process for the selection of eligible counties in the state to
 16 voluntarily participate in the program and select the counties that
 17 will participate. A county shall participate at its option.
 18 (c) In designing the Shaken Baby Syndrome Education Program,
 19 using its own experts and drawing on the expertise of stakeholders,
 20 the department shall select the most appropriate evidence-based
 21 approaches to provide new parents and caregivers of newborns
 22 and young infants with information and education relating to
 23 shaken baby syndrome, including, but not limited to, the following:
 24 (1) Selecting and developing instructional materials designed
 25 to teach parents and other caregivers of infants about shaken baby
 26 syndrome and its prevention.

1 (2) *Providing information and materials to parents and*
2 *caregivers of infants, based on the current best practices for the*
3 *delivery of educational and prevention-related information.*

4 (3) *Developing an implementation plan that addresses the*
5 *phasing in, including the launch, expansion, and bringing to scale*
6 *of the core components of the evidence-based program across the*
7 *state and that incorporates additional components as appropriate*
8 *to raise awareness of shaken baby syndrome.*

9 (d) *The department shall, by January 1, 2020, prepare and*
10 *submit to the Legislature a report evaluating the effectiveness of*
11 *the program in reducing the number of injuries and infant deaths*
12 *in the state from shaken baby syndrome, including a review of the*
13 *benchmarks, feedback about the program, and improvement*
14 *opportunities, as applicable.*

15 (e) *The activities required by this section shall be funded with*
16 *available moneys from the Children’s Trust Fund, established*
17 *pursuant to Section 18969 of the Welfare and Institutions Code,*
18 *but shall not be funded from General Fund moneys. The State*
19 *Department of Social Services may also accept and expend other*
20 *private funds from donations that are received by the department*
21 *for the purposes of this section.*

22 (f) *This section shall become inoperative on July 1, 2020, and,*
23 *as of January 1, 2021, is repealed, unless a later enacted statute,*
24 *that becomes operative on or before January 1, 2021, deletes or*
25 *extends the dates on which it becomes inoperative and is repealed.*

26 ~~SECTION 1. Section 24522 of the Health and Safety Code is~~
27 ~~amended to read:~~

28 ~~24522. (a) Information and instructional materials as described~~
29 ~~in Section 24521 shall be provided free of charge by each health~~
30 ~~facility to parents or guardians of each newborn, upon discharge~~
31 ~~from the health facility. In the event of a home birth attended by~~
32 ~~a licensed midwife, the midwife shall provide the information and~~
33 ~~instructional materials to the parents or guardians of the newborn.~~

34 ~~(b) The State Department of Social Services shall provide the~~
35 ~~information and instructional materials free of charge to child care~~
36 ~~providers upon licensure and at the time of a site visit.~~

37 ~~(c) The information and instructional materials provided~~
38 ~~pursuant to this section shall focus upon the serious nature of the~~
39 ~~risk to infants and young children presented by shaken baby~~
40 ~~syndrome.~~

1 ~~(d) The requirement that informational and instructional~~
2 ~~materials be provided pursuant to this section applies only if those~~
3 ~~materials have been supplied to those persons or entities that are~~
4 ~~required to provide the materials. The persons or entities required~~
5 ~~to provide these materials shall not be subject to any legal cause~~
6 ~~of action whatsoever based on the requirements of this section.~~

7 ~~(e) For persons or agencies providing these materials pursuant~~
8 ~~to this section, this section does not require the provision of~~
9 ~~duplicative or redundant informational and instructional materials.~~