
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that shaken baby syndrome
2 is the medical term used to describe the vigorous violent
3 shaking of an infant or young child and the resulting injuries.
4 At least one in four victims of shaken baby syndrome die as a
5 result of their injuries. More than fifty per cent of the
6 infants and young children who survive shaken baby syndrome
7 suffer from residual disabilities, including brain damage,
8 seizures, mental retardation, spinal injury, paralysis,
9 blindness, and hearing loss.

10 The legislature further finds that shaken baby syndrome is
11 preventable when parents of newborns are educated regarding the
12 effects of a moment's violent loss of control and the resulting
13 signs and symptoms of shaken baby syndrome. Prevent Child Abuse
14 Hawaii is a nonprofit organization willing to provide hospitals
15 and public health facilities with written educational materials
16 about the dangerous effects of shaken baby syndrome and the
17 different methods of preventing shaken baby syndrome.



1 The purpose of this Act is to enable a hospital, including
2 a public health facility, to provide information regarding
3 shaken baby syndrome to the parents of all newborns under its
4 care.

5 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§321- Shaken baby syndrome. (a) Any hospital that
9 provides medical care to a newborn may provide each parent of
10 the newborn with written educational information approved by the
11 department of health and provided by nonprofit organizations
12 about the dangerous effects of shaken baby syndrome and the
13 different methods of preventing shaken baby syndrome.

14 (b) For the purpose of this section:

15 "Hospital" includes:

16 (1) An institution with an organized medical staff,
17 regulated under section 321-11(10), that admits
18 patients for inpatient care, diagnosis, observation,
19 and treatment; and

20 (2) A health facility under chapter 323F.



1 "Medical care" means every type of care, treatment,
2 surgery, hospitalization, attendance, service, and supplies as
3 the nature of the injury or condition requires.

4 "Parent" includes a biological mother or father, foster
5 mother or foster father, adoptive mother or adoptive father, and
6 step-mother or step-father.

7 "Shaken baby syndrome" means an injury caused by the
8 vigorous shaking of an infant or young child that may result in
9 injuries such as subdural hemotoma, head injury, irreversible
10 brain damage, blindness, retinal hemorrhage, eye damage,
11 cerebral palsy, hearing loss, spinal cord injury, paralysis,
12 seizures, learning disability, central nervous system injury,
13 rib fracture, or death."

14 SECTION 3. The department of health shall submit a report
15 to the legislature no later than twenty days prior to the
16 convening of the regular session of 2009. The report shall
17 include:

- 18 (1) Statistics on the number of hospitals, since this Act
19 took effect, that have provided all parents of
20 newborns with written educational information about
21 the dangerous effects of shaken baby syndrome and the
22 different methods of preventing shaken baby syndrome;



1 (2) Statistics on the number of cases of shaken baby
2 syndrome to see the results of providing this
3 educational material to parents of newborns; and

4 (3) Recommendations, including suggested legislation, on
5 improving methods and policies necessary to provide
6 for the safety of newborn children.

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.



S.B. NO. 1750
S.D. 1
H.D. 1
C.D. 1

Report Title:

Health; Shaken Baby Syndrome

Description:

Allows a hospital, including a public health facility, to provide information regarding shaken baby syndrome to the parents of all newborns under its care. (CD1)

