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# A BILL FOR AN ACT

RELATING TO HUMAN SERVICES.

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

1           SECTION 1. The legislature finds that sudden unexpected  
2 infant death is a broad term that refers to the sudden death of  
3 an infant less than one year of age where the specific cause of  
4 death is not immediately obvious prior to investigation.  
5 According to the Centers for Disease Control and Prevention,  
6 more than four thousand five hundred sudden unexpected infant  
7 deaths occur in the United States every year. The specific  
8 cause of death may include but not be limited to sudden infant  
9 death syndrome, infection, accidental suffocation, poisoning or  
10 overdose, or metabolic disorders. Sudden infant death syndrome,  
11 the sudden death of an infant less than one year of age where  
12 the death cannot be explained even after a thorough  
13 investigation is conducted, accounts for half of the sudden  
14 unexpected infant deaths that occur in the United States every  
15 year and is the leading cause of death among infants less than  
16 one year of age. According to a Mayo Clinic web article, "[T]he  
17 exact cause is unknown, but sudden infant death syndrome may be  
18 associated with abnormalities in the portion of an infant's



1 brain that controls breathing and arousal from sleep. Although  
2 all babies are vulnerable, certain sleep environments have been  
3 linked to increased risk. Perhaps the most important way to  
4 reduce the risk of sudden infant death syndrome is to place your  
5 baby on his or her back to sleep, on a firm crib mattress  
6 covered by a fitted sheet. Nothing else should go in the crib  
7 with your baby – no blanket, pillow, bumper pads or toys." The  
8 Centers for Disease Control and Prevention, Division of  
9 Reproductive Health, recognizes sudden infant death syndrome and  
10 sudden unexpected infant deaths as a public health issue and has  
11 established the Sudden Unexpected Infant Death Initiative to  
12 address the problem by improving investigation and reporting  
13 practices of sudden infant death syndrome and sudden unexpected  
14 infant deaths. The Initiative includes improving data  
15 collection and reporting regarding sudden unexpected infant  
16 deaths, using improved data to identify those at risk of sudden  
17 unexpected infant death, and training professionals to conduct  
18 comprehensive infant death investigations, with the hope that  
19 better data and the consistent classification of causes of death  
20 will result in a greater ability to prevent these types of  
21 deaths.



1       The legislature also finds that sudden unexpected infant  
2 deaths and sudden infant death syndrome are preventable through  
3 safe sleep policies that address causes of death that are  
4 associated with sudden unexpected infant deaths, such as  
5 accidental suffocation, and incorporate elements of the Sudden  
6 Unexpected Infant Death Initiative. However, Hawaii is one of  
7 nine states that do not regulate the proper sleep positions of  
8 infants and toddlers under the care of child care centers or  
9 family care homes.

10       The purpose of this Act is to require child care  
11 facilities, which include family child care homes, group child  
12 care centers, group child care homes, and infant and toddler  
13 child care centers, that care for children less than one year of  
14 age to implement safe sleep policies to prevent the occurrence  
15 of sudden unexpected infant deaths and sudden infant death  
16 syndrome.

17       SECTION 2. Chapter 346, Hawaii Revised Statutes, is  
18 amended by adding a new section to part VIII to be appropriately  
19 designated and to read as follows:

20       "§346-       **Safe sleep policy.** All child care facilities,  
21 which include family child care homes, group child care centers,  
22 and group child care homes, as those terms are defined in



1 section 346-151, and infant and toddler child care centers, that  
2 are registered or licensed by the department to provide care for  
3 children less than one year of age shall develop, maintain, and  
4 implement a written safe sleep policy in accordance with rules  
5 adopted by the department in accordance with the law. The  
6 purpose of the safe sleep policy shall be to maintain a safe  
7 sleep environment that prevents the occurrence of sudden infant  
8 death syndrome and sudden unexpected infant deaths in children  
9 less than one year of age. As used in this section:

10 "Sudden infant death syndrome" means the sudden death of an  
11 infant less than one year of age that cannot be explained after  
12 a thorough investigation has been conducted, including a  
13 complete autopsy, an examination of the death scene, and a  
14 review of the clinical history.

15 "Sudden unexpected infant death" means the sudden and  
16 unexpected death of an infant less than one year of age in which  
17 the manner and cause of death are not immediately obvious prior  
18 to investigation. Causes of sudden unexpected infant death  
19 include but are not limited to metabolic disorders, hypothermia  
20 or hyperthermia, neglect or homicide, poisoning, and accidental  
21 suffocation."



- 1 SECTION 3. New statutory material is underscored.
- 2 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Sudden Infant Death Syndrome; Sudden Unexpected Infant Death;  
Safe Sleep Policy

**Description:**

Requires child care facilities, family child care homes, group child care centers, group child care homes, and infant and toddler child care centers that care for children less than one year of age to develop, maintain, and implement safe sleep policies as adopted by the Department of Human Services, to prevent sudden unexpected infant deaths and sudden infant death syndrome. (HB398 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

