
A BILL FOR AN ACT

RELATING TO HUMAN SERVICES.

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

1 **PART I**

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



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

22 **PART II**



1 SECTION 3. (a) There is established a task force to
2 address the issues facing home and community-based facilities
3 during the transition of services from the department of human
4 services to the department of health, including issues relating
5 to:

- 6 (1) Community care foster family homes;
- 7 (2) Adult residential care homes;
- 8 (3) Adult day care centers;
- 9 (4) Developmental and intellectually disabled caregivers;
- 10 (5) Adult foster homes; and
- 11 (6) Fees, rules, and regulations that affect all of these
12 care setting providers.

13 (b) The task force shall consist of:

- 14 (1) One member of the senate to be appointed by the
15 president of the senate;
- 16 (2) One member of the house of representatives to be
17 appointed by the speaker of the house of
18 representatives;
- 19 (3) One representative from the department of human
20 services;
- 21 (4) One representative from the department of health;
- 22 (5) Two representatives from the adult day care centers;



1 (6) Four representatives of adult residential care homes;
2 and

3 (7) Four representatives of community care foster family
4 homes;

5 (c) Members shall serve without compensation.

6 (d) The task force shall submit a written report of its
7 findings and recommendations, including any proposed
8 legislation, to the legislature no later than twenty days prior
9 to the convening of the regular session of 2014.

10 (e) The task force shall terminate on June 30, 2014.

11 **PART III**

12 SECTION 4. New statutory material is underscored.

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



Report Title:

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

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. Establishes a task force to address issues of home and community-based facilities during the transition of services from the department of human services to the department of health. (SD1)

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