
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. (a) All child care
21 facilities, which include family child care homes, group child
22 care centers, and group child care homes, as those terms are



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

10 (b) As used in this section:

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

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



PART II

SECTION 3. (a) There is established a working group to review issues relating to the transition of oversight of home and community-based facilities from the department of human services to the department of health, including services offered by or issues related to:

- (1) Community care foster family homes;
- (2) Adult residential care homes;
- (3) Adult day care centers;
- (4) Caregivers of persons with developmental or intellectual disabilities;
- (5) Adult foster homes;
- (6) Licensed case management agencies; and
- (7) Fees, rules, and regulations that affect all of these care setting providers.

(b) The working group shall be convened by the chairs of the house and senate committees on human services. The working group shall consist of:

- (1) The chairs of the house and senate committees on human services, who shall serve as co-chairs;
- (2) One representative from the department of human services;



- 1 (3) One representative from the department of health;
2 (4) representatives of community care foster family
3 homes;
4 (5) representatives of adult residential care homes;
5 (6) representatives from adult day care centers;
6 (7) representatives of developmental disabilities
7 domiciliary homes;
8 (8) representatives of adult foster homes; and
9 (9) representatives of licensed case management
10 agencies.

11 (c) Members shall serve without compensation and shall not
12 be considered state employees based solely upon their
13 participation in the working group.

14 (d) The working group shall submit a written report of its
15 findings and recommendations, including any proposed
16 legislation, to the legislature no later than twenty days prior
17 to the convening of the regular session of 2014.

18 (e) The working group shall terminate on June 30, 2014.

19 **PART III**

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2020.

22



Report Title:

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

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 working group to review issues relating to the transition of oversight of home and community-based facilities from the department of human services to the department of health. Effective 07/01/2020. (SD2)

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