

STAND. COM. REP. NO.

521

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 400
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 400 entitled:

"A BILL FOR AN ACT RELATING TO HUMAN SERVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to require child care facilities, including family child care homes, group child care centers, and group child care homes, and infant and toddler child care centers that care for children one year of age or younger to develop, maintain, and implement safe sleep policies to prevent sudden unexpected infant deaths and sudden infant death syndrome.

Your Committee received testimony in support of this measure from the March of Dimes Foundation and two individuals. Your Committee received testimony in opposition to this measure from the Department of Human Services.

Your Committee finds that sudden unexpected infant death is a broad term that refers to the sudden death of an infant less than one year of age where the specific cause of death is not immediately obvious prior to investigation. Sudden infant death syndrome is the sudden death of an infant less than one year of age where the death cannot be explained even after a thorough investigation. It is the leading cause of death in babies between one month and one year of age and babies between two and four months old are the most vulnerable to sudden infant death syndrome. Your Committee further finds that the American Academy



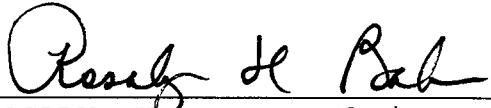
of Pediatrics reports that one in five deaths from sudden infant death syndrome occurs while an infant is in the care of someone other than a parent. This measure ensures that all registered or licensed child care providers in Hawaii will have policies in place to maintain safe sleep environments for infants.

Your Committee has amended this measure by:

- (1) Clarifying that all child care facilities shall implement and maintain a written safe sleep policy in accordance with any rules that may be adopted by the Department of Human Services to implement the provisions of the new section in chapter 346, Hawaii Revised Statutes; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 400, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 400, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,

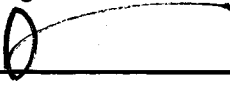


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

| | | | | |
|--|--|-------------------------|-----|----------|
| Bill / Resolution No.:* SB 400 | Committee Referral: HMS/HTH, CPN | Date: 2/20/13 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| BAKER, Rosalyn H. (C) | ✓ | | | |
| GALUTERIA, Brickwood (VC) | ✓ | | | |
| NISHIHARA, Clarence K. | ✓ | | | |
| SOLOMON, Malama | ✓ | | | |
| TANIGUCHI, Brian T. | | | | ✓ |
| WAKAI, Glenn | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 6 | | | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes