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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. Section 346-152.7, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "~~+~~ §346-152.7 ~~+~~ **Safe sleep policy.** (a) All child care  
4 facilities ~~[, which include family child care homes, group child~~  
5 ~~care centers, and group child care homes, as those terms are~~  
6 ~~defined in section 346-151, and infant and toddler child care~~  
7 ~~centers,]~~ that are registered or licensed by the department to  
8 provide care for children less than one year of age shall  
9 implement and maintain a written safe sleep policy in accordance  
10 with any rules that may be adopted by the department to  
11 implement the provisions of this section. The purpose of the  
12 safe sleep policy shall be to maintain a safe sleep environment  
13 that prevents the occurrence of sudden infant death syndrome and  
14 sudden unexpected infant deaths in children less than one year  
15 of age.  
16           (b) Each safe sleep policy shall require each child care  
17 facility to ensure that any child less than one year of age is



1 placed on the child's back to sleep, unless written instructions  
2 are on file at the child care facility from a health care  
3 practitioner indicating an alternate sleep positioning.

4 (c) The provider of the child care facility shall discuss  
5 the safe sleep policy with the child's parent or legal guardian  
6 before the child is enrolled in the child care facility. The  
7 child's parent or legal guardian shall sign a statement  
8 attesting that the parent or legal guardian received a copy of  
9 the safe sleep policy and that the policy was discussed with the  
10 parent or legal guardian before the child's enrollment.

11 (d) All employees, household members, and volunteers of a  
12 child care facility shall complete upon hire, and annually  
13 thereafter, training in safe sleep practices that is approved by  
14 the department. Each child care facility shall maintain a  
15 record of trainings completed.

16 (e) Every child care facility shall report to the  
17 department, within one working day of occurrence, the death of a  
18 child, employee, or household member, and any illness or injury  
19 received at the child care facility that results in a child's  
20 hospitalization.

21 ~~(b)~~ (f) As used in this section:



1        "Child care facility" includes a family child care home,  
2 group child care home, and group child care center, as defined  
3 in section 346-151, and an infant and toddler child care center.

4        "Sudden infant death syndrome" means the sudden death of an  
5 infant less than one year of age that cannot be explained after  
6 a thorough investigation has been conducted, including a  
7 complete autopsy, an examination of the death scene, and a  
8 review of the clinical history.

9        "Sudden unexpected infant death" means the sudden and  
10 unexpected death of an infant less than one year of age in which  
11 the manner and cause of death are not immediately obvious prior  
12 to investigation. Causes of sudden unexpected infant death  
13 include but are not limited to metabolic disorders, hypothermia  
14 or hyperthermia, neglect or homicide, poisoning, and accidental  
15 suffocation."

16        SECTION 2. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18        SECTION 3. This Act shall take effect upon its approval.

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**Report Title:**

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

**Description:**

Strengthens the safe sleep policy for child care facilities for children less than one year of age, including requiring placement of children on their backs for sleeping and establishing notice and annual training requirements; requires such facilities to report death of a child, employee, or household member, within one day of occurrence, to DHS. (SD1)

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

