

Senate Bill No. 1067

CHAPTER 1111

An act to amend Sections 1797.170, 1797.171, 1797.172, and 1797.213 of, and to add Section 1797.192 to, the Health and Safety Code, and to add Section 13519.3 to the Penal Code, relating to sudden infant death syndrome.

[Approved by Governor September 29, 1989. Filed with Secretary of State September 30, 1989.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, Boatwright. Sudden infant death syndrome: training: peace officers and emergency response personnel.

(1) Under existing law, there is in the Department of Justice, the Commission on Peace Officer Standards and Training which is responsible for administering numerous law enforcement training and certification programs.

This bill would require the commission, effective July 1, 1990, to establish a course for certain specified peace officers on sudden infant death syndrome and require the completion of the course as a condition of certification of completion of the basic training course. This bill also would require officers who are employed after January 1, 1990, to complete a course in sudden infant death syndrome and complete training on this topic, on or before July 1, 1992. This bill further would require the commission to prepare guidelines establishing standard procedures which may be followed by law enforcement agencies on the investigation of cases involving sudden deaths of infants. It would require the commission to review the basic course curriculum to include sudden infant death syndrome awareness as part of death investigation training.

(2) Existing law requires the Emergency Medical Services Authority to establish minimum standards and promulgate regulations for the training and scope of practice of EMT-I's, EMT-II's, and EMT-P's, and provides for the certification of EMT-I's by the authority and local EMS agencies and for the certification of EMT-II's, EMT-P's, and authorized registered nurses by local EMS agencies. Existing law also requires firefighters, except those whose duties are primarily clerical or administrative, to receive training in first aid and cardiopulmonary resuscitation, and requires the authority to prescribe standards regarding the training of firefighters in first aid and cardiopulmonary resuscitation.

This bill would require EMT-I's, EMT-II's, and EMT-P's to complete a course on the nature of sudden infant death syndrome, and, effective July 1, 1990, would require any person certified as an EMT-I by the authority or certified as an EMT-I, EMT-II, EMT-P, or authorized registered nurse by a local EMS agency to complete the

course as a condition of certification thereby imposing a state-mandated local program by adding a requirement to existing local programs. Persons who are certified prior to January 1, 1990, would be required to complete supplementary training on this topic on or before January 1, 1992. This bill also would require all firefighters in this state to complete a course on sudden infant death syndrome, thereby imposing a state-mandated local program by creating additional duties for local fire agencies.

This bill would incorporate additional changes in Section 1797.213 of the Health and Safety Code, proposed by AB 2159, to be operative only if AB 2159 and this bill are both chaptered and become effective January 1, 1990, and this bill is chaptered last.

(3) The bill would require local agencies to charge a fee to defray the entire costs incurred due to the instruction and training provided by the local agencies pursuant to the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. The Legislature hereby finds and declares as follows:

(a) Sudden infant death syndrome is the leading cause of death for children under the age of one, striking one out of every 500 children.

(b) Existing law generally requires an investigation to determine the cause of all unexplained deaths, and law enforcement agencies often interview parents, day care providers, and surviving children shortly after an infant death has occurred to determine if a criminal act may have taken place.

(c) Law enforcement officers and many other first responders in emergency situations are not adequately informed on the nature of sudden infant death syndrome, its signs and typical history, and as a result, may compound the family grief and child care provider grief through conveyed suspicions of a criminal act.

SEC. 2. Section 1797.170 of the Health and Safety Code is amended to read:

1797.170. (a) The authority shall establish minimum standards and promulgate regulations for the training and scope of practice for EMT-I.

(b) Any individual certified as an EMT-I pursuant to this act shall be recognized as an EMT-I on a statewide basis, and recertification shall be based on statewide standards. Effective July 1, 1990, any individual certified as an EMT-I pursuant to this act shall complete

a course of training on the nature of sudden infant death syndrome which is developed by the California SIDS program in the State Department of Health Services in consultation with experts in the field of sudden infant death syndrome.

SEC. 3. Section 1797.171 of the Health and Safety Code is amended to read:

1797.171. (a) The authority shall develop, and after approval of the commission pursuant to Section 1799.50 shall adopt, minimum standards for the training and scope of practice for EMT-II.

(b) An EMT-II shall complete a course of training on the nature of sudden infant death syndrome in accordance with subdivision (b) of Section 1797.170.

SEC. 4. Section 1797.172 of the Health and Safety Code is amended to read:

1797.172. (a) The authority shall develop, and after the approval of the commission pursuant to Section 1799.50, shall adopt, minimum standards for the training and scope of practice for EMT-P.

(b) An EMT-P shall complete a course of training on the nature of sudden infant death syndrome in accordance with subdivision (b) of Section 1797.170.

SEC. 5. Section 1797.192 is added to the Health and Safety Code, to read:

1797.192. (a) By July 1, 1992, existing firefighters in this state shall complete a course on the nature of sudden infant death syndrome taught by experts in the field of sudden infant death syndrome. All persons who become firefighters after January 1, 1990, shall complete a course on this topic as part of their basic training as firefighters. The course shall include information on the community resources available to assist families who have lost children to sudden infant death syndrome.

(b) For purposes of this section, the term "firefighter" has the same meaning as that specified in Section 1797.182.

(c) When the instruction and training are provided by a local agency, a fee shall be charged sufficient to defray the entire cost of the instruction and training.

SEC. 6. Section 1797.213 of the Health and Safety Code is amended to read:

1797.213. (a) Any local EMS agency conducting a program pursuant to this article may provide courses of instruction and training leading to certification as an EMT-I, EMT-II, EMT-P, or authorized registered nurse. When such instruction and training are provided, a fee may be charged sufficient to defray the cost of such instruction and training.

(b) Effective July 1, 1990, any courses of instruction and training leading to certification as an EMT-I, EMT-II, EMT-P, or authorized registered nurse shall include a course of training on the nature of sudden infant death syndrome which is developed by the California SIDS program in the State Department of Health Services in

consultation with experts in the field of sudden infant death syndrome, and effective January 1, 1990, any individual certified as an EMT-I, EMT-II, EMT-P, or authorized registered nurse shall complete that course of training. The course shall include information on the community resources available to assist families who have lost a child to sudden infant death syndrome. An individual who was certified as an EMT-I, EMT-II, EMT-P, or authorized registered nurse prior to January 1, 1990, shall complete supplementary training on this topic on or before January 1, 1992.

SEC. 6.5. Section 1797.213 of the Health and Safety Code is amended to read:

1797.213. (a) Any local EMS agency conducting a program pursuant to this article may provide courses of instruction and training leading to certification as an EMT-I, EMT-II, EMT-P, or authorized registered nurse if the courses are consistent with Sections 1797.7, 1797.170, 1797.171, and 1797.172. When the instruction and training are provided, a fee shall be charged sufficient to defray the entire cost of the instruction and training.

(b) Effective July 1, 1990, any courses of instruction and training leading to certification as an EMT-I, EMT-II, EMT-P, or authorized registered nurse shall include a course of training on the nature of sudden infant death syndrome which is developed by the California SIDS program in the State Department of Health Services in consultation with experts in the field of sudden infant death syndrome, and effective January 1, 1990, any individual certified as an EMT-I, EMT-II, EMT-P, or authorized registered nurse shall complete that course of training. The course shall include information on the community resources available to assist families who have lost a child to sudden infant death syndrome. An individual who was certified as an EMT-I, EMT-II, EMT-P, or authorized registered nurse prior to January 1, 1990, shall complete supplementary training on this topic on or before January 1, 1992.

SEC. 7. Section 13519.3 is added to the Penal Code, to read:

13519.3. (a) Effective July 1, 1990, the commission shall establish, for those peace officers specified in subdivision (a) of Section 13510 who are assigned to patrol or investigations, a course on the nature of sudden infant death syndrome and the handling of cases involving the sudden deaths of infants. The course shall include information on the community resources available to assist families and child care providers who have lost a child to sudden infant death syndrome. Officers who are employed after January 1, 1990, shall complete a course in sudden infant death syndrome prior to the issuance of the Peace Officer Standards and Training basic certificate, and shall complete training on this topic on or before July 1, 1992.

(b) The commission, in consultation with experts in the field of sudden infant death syndrome, shall prepare guidelines establishing standard procedures which may be followed by law enforcement agencies in the investigation of cases involving sudden deaths of

infants.

(c) The course relating to sudden infant death syndrome and the handling of cases of sudden infant deaths shall be developed by the commission in consultation with experts in the field of sudden infant death syndrome. The course shall include instruction in the standard procedures developed pursuant to subdivision (b). In addition, the course shall include information on the nature of sudden infant death syndrome which shall be taught by experts in the field of sudden infant death syndrome.

(d) The commission shall review and modify the basic course curriculum to include sudden infant death syndrome awareness as part of death investigation training.

(e) When the instruction and training are provided by a local agency, a fee shall be charged sufficient to defray the entire cost of instruction and training.

SEC. 8. Section 6.5 of this bill incorporates amendments to Section 1797.213 of the Health and Safety Code proposed by both this bill and AB 2159. It shall only become operative if (1) both bills are enacted and become effective on January 1, 1990, (2) each bill amends Section 1797.213 of the Health and Safety Code, and (3) this bill is enacted after AB 2159, in which case Section 6 of this bill shall not become operative.

SEC. 9. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.