

Senate Bill No. 1070

CHAPTER 1112

An act to add and repeal Section 217 of the Health and Safety 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 1070, Boatwright. Sudden infant death syndrome: advisory council.

Existing law requires the State Department of Health Services to keep each county health officer advised of the most current knowledge relating to the nature and causes of sudden infant death syndrome (SIDS), and to submit an annual report to the Legislature on SIDS. Existing law also requires the county health officer or his or her designated agent, upon being informed by the coroner of any case in which sudden infant death syndrome is the provisional cause of death, after consultation with the infant's physician of record, to immediately contact the person or persons who had custody and control of the infant and explain to those persons the nature and causes of sudden infant death syndrome.

This bill would require the State Department of Health Services to establish the Sudden Infant Death Syndrome Advisory Council which would be composed of 9 members to be chosen by the State Director of Health Services, as specified. The SIDS Advisory Council would be required to (1) provide guidance to the State Department of Health Services in the development of training, educational, and research programs regarding SIDS, (2) provide ongoing guidance to the Governor and the Legislature regarding the need for specific programs regarding SIDS for specific targeted groups of persons, and (3) convene a statewide conference annually, in conjunction with the state department or a person with whom the state department contracts to provide SIDS education, regarding SIDS, as specified.

This bill would provide that the above requirements shall be subject to the annual Budget Act and shall be operative only to the extent that funds are appropriated for those purposes.

This bill would repeal the above provisions on January 1, 1995.

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

SECTION 1. (a) The Legislature finds and declares the following:

(1) Sudden infant death syndrome (SIDS) is the leading cause of death in children under the age of one, striking one out of every 500 infants, with a death toll in California now approaching 800 annually.

(2) Babies afflicted with SIDS simply stop breathing in their sleep and die.

(3) SIDS kills more children in the first year of life than birth defects, cancer, heart disease, cerebral palsy, cystic fibrosis, child abuse, and virtually all other diseases combined.

(4) The precise cause of SIDS continues to remain a mystery.

(5) There is a pressing need for strong state support for the following: SIDS education and training programs, data collection and analysis regarding SIDS, printing and distribution of newsletters and research monographs regarding SIDS, coordinated activities with SIDS volunteer groups, sponsorship of statewide conferences regarding SIDS, oversight of coroners' autopsy reporting and use of appropriate protocols in autopsies involving SIDS, county public health nursing visits regarding SIDS death, and grief counseling following SIDS deaths.

(b) Therefore, it is the intention of the Legislature by providing for the establishment of a Sudden Infant Death Syndrome Advisory Council, to ameliorate hardships encountered by SIDS families and child care providers by addressing the education and training services required by those who interact with SIDS parents and caregivers following a SIDS death, to foster research into the cause of SIDS, and to increase public awareness and education which will result in greater support and understanding for those families and caregivers affected by SIDS.

SEC. 2. Section 217 is added to the Health and Safety Code, to read:

217. (a) For purposes of this section, the following definitions shall apply:

(1) "SIDS" means sudden infant death syndrome.

(2) "SIDS Advisory Council" or "advisory council" means the Sudden Infant Death Syndrome Advisory Council established pursuant to subdivision (b).

(b) The State Department of Health Services shall establish a Sudden Infant Death Syndrome Advisory Council. The advisory council shall consist of nine members who shall be chosen by the State Director of Health Services in consultation with regional SIDS parent advisory councils. At least one-third of the members of the advisory council chosen by the director shall be representatives of SIDS parents' groups. The membership of the advisory council shall also include, but not be limited to, a coroner, a medical examiner, a public health nurse, a physician and surgeon with expertise in SIDS, and a representative from a police or fire department.

(c) The SIDS Advisory Council shall do all of the following:

(1) Provide guidance to the state department in the development of training, educational, and research programs regarding SIDS.

(2) Provide ongoing guidance to the Governor and the Legislature regarding the need for specific programs regarding SIDS for specific targeted groups of persons.

(3) In conjunction with the state department or a person with whom the state department contracts to provide SIDS education, convene a statewide conference annually to examine the progress in discovering the cause of SIDS, explore the progress of newly established programs and services related to SIDS, identify future needs for legislation and program development regarding SIDS, and make recommendations on the needs of programs regarding SIDS. Conference participants shall include professionals and service providers in the area of SIDS, family members of SIDS victims, and the staff of members of the Legislature and departments of the state.

(d) The members of the advisory council shall serve at the pleasure of the director. The members of the advisory council shall serve without compensation, but shall be reimbursed for necessary and travel expenses incurred in the performance of the duties of the advisory council.

(e) The requirements contained in this section shall be subject to the annual Budget Act and shall be operative only to the extent that funds are appropriated for the purposes of this section.

(f) This section shall remain in effect only until January 1, 1995, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1995, deletes or extends that date.