

SUBSTITUTE FOR
HOUSE BILL NO. 4962

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding part 58A.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 58A

INFANT DEATH DUE TO UNSAFE SLEEP EDUCATION AND PREVENTION

SEC. 5881. (1) THIS PART MAY BE REFERRED TO AS THE "INFANT
SAFE SLEEP ACT".

(2) FOR PURPOSES OF THIS PART, THE WORDS AND PHRASES DEFINED
IN SECTIONS 5883 TO 5884 HAVE THE MEANINGS ASCRIBED TO THEM IN
THOSE SECTIONS UNLESS THE CONTEXT REQUIRES OTHERWISE.

(3) IN ADDITION, ARTICLE 1 CONTAINS GENERAL DEFINITIONS AND
PRINCIPLES OF CONSTRUCTION APPLICABLE TO ALL ARTICLES IN THIS ACT.

House Bill No. 4962 (H-2) as amended February 18, 2014

1 MATERIALS PROVIDED ON THE RISK FACTORS ASSOCIATED WITH INFANT DEATH
2 DUE TO UNSAFE SLEEP PRACTICES AND INFANT SAFE SLEEP PRACTICES.

3 (3) FOR A BIRTH THAT OCCURS IN A SETTING OTHER THAN A
4 HOSPITAL, THE HEALTH PROFESSIONAL IN CHARGE AT THE BIRTH OF AN
5 INFANT, OR IF NONE THE HEALTH PROFESSIONAL IN CHARGE OF THE CARE OF
6 AN INFANT, SHALL PROVIDE THE MATERIALS DESCRIBED IN SUBSECTION (1)
7 TO A PARENT AFTER THE BIRTH OF AN INFANT.

8 (4) TO COMPLY WITH THIS SECTION, A HOSPITAL OR HEALTH
9 PROFESSIONAL SUBJECT TO THIS SECTION MAY USE EDUCATIONAL AND
10 INSTRUCTIONAL MATERIALS PROVIDED BY THE DEPARTMENT UNDER SUBSECTION
11 (5) OR MAY USE EDUCATIONAL AND INSTRUCTIONAL MATERIALS OF ITS
12 CHOICE THAT ARE CONSISTENT WITH THE MATERIALS PROVIDED BY THE
13 DEPARTMENT UNDER SUBSECTION (5).

14 (5) UPON THE REQUEST OF A HOSPITAL OR HEALTH PROFESSIONAL
15 SUBJECT TO THIS SECTION, THE DEPARTMENT SHALL PROVIDE, AT NO COST,
16 TO THE HOSPITAL OR HEALTH PROFESSIONAL, EDUCATIONAL AND
17 INSTRUCTIONAL MATERIALS DESCRIBED IN SECTION 5887(C).

18 SEC. 5886. (1) AFTER RECEIPT OF THE MATERIALS UNDER SECTION
19 5885, A PARENT [MAY] SIGN THE PARENT ACKNOWLEDGMENT STATEMENT. THE
20 HOSPITAL OR HEALTH PROFESSIONAL, AS APPLICABLE, SHALL PLACE THE
21 SIGNED PARENT ACKNOWLEDGMENT STATEMENT IN THE INFANT'S PERMANENT
22 MEDICAL RECORD. THE HOSPITAL OR HEALTH PROFESSIONAL, AS APPLICABLE,
23 SHALL PROVIDE A COPY OF THE SIGNED PARENT ACKNOWLEDGMENT STATEMENT
24 TO THE PARENT WHO SIGNED THE STATEMENT.

25 (2) A HOSPITAL OR HEALTH PROFESSIONAL THAT COMPLIES WITH THIS
26 PART IS NOT CRIMINALLY OR CIVILLY LIABLE FOR THE ACTION OR INACTION
27 OF A PARENT WITH REGARD TO INFANT SAFE SLEEP PRACTICES PURSUANT TO

1 MATERIALS GIVEN TO THE PARENT UNDER SECTION 5885.

2 SEC. 5887. THE DEPARTMENT AND THE DEPARTMENT OF HUMAN SERVICES
3 SHALL COLLABORATE TO DO ALL OF THE FOLLOWING:

4 (A) WORK TO IMPROVE COMMUNITY-BASED SERVICES AVAILABLE TO
5 INFORM PARENTS REGARDING THE RISK FACTORS ASSOCIATED WITH INFANT
6 DEATH DUE TO UNSAFE SLEEP PRACTICES AND INFANT SAFE SLEEP
7 PRACTICES.

8 (B) WORK WITH OTHER STATE AND LOCAL GOVERNMENTAL AGENCIES,
9 COMMUNITY ORGANIZATIONS, HEALTH CARE AND HUMAN SERVICE PROVIDERS,
10 AND NATIONAL ORGANIZATIONS TO COORDINATE EFFORTS AND MAXIMIZE STATE
11 AND PRIVATE RESOURCES IN EDUCATION REGARDING THE RISK FACTORS
12 ASSOCIATED WITH INFANT DEATH DUE TO UNSAFE SLEEP PRACTICES AND
13 INFANT SAFE SLEEP PRACTICES.

14 (C) PROVIDE EDUCATIONAL AND INSTRUCTIONAL MATERIALS THAT
15 EXPLAIN THE RISK FACTORS ASSOCIATED WITH INFANT DEATH DUE TO UNSAFE
16 SLEEP PRACTICES, THAT INCLUDE METHODS TO REDUCE THE RISK OF INFANT
17 DEATH DUE TO UNSAFE SLEEP, AND THAT EMPHASIZE INFANT SAFE SLEEP
18 PRACTICES.

19 Enacting section 1. This amendatory act takes effect 90 days
20 after the date it is enacted into law.