

B-Engrossed
House Bill 3555

Ordered by the Senate June 15
Including House Amendments dated May 29 and Senate Amendments
dated June 15

Sponsored by Representative GELSER; Representative HUNT (at the request of Oregon Pediatric Society, Oregon Medical Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Creates Task Force on Prevention of Shaken Baby Syndrome. Specifies membership and duties of task force.

Establishes Prevention of Shaken Baby Syndrome Fund. Continuously appropriates moneys in fund to Oregon Department of Administrative Services for distribution to Oregon Health and Science University.

Declares emergency, effective July 1, 2007.

A BILL FOR AN ACT

1
2 Relating to shaken baby syndrome; appropriating money; and declaring an emergency.

3 Whereas shaken baby syndrome is a medically serious and often fatal result of violent shaking
4 of infants and young children; and

5 Whereas vigorous shaking of an infant or young child can result in serious damage including,
6 but not limited to, bleeding inside the head that causes irreversible brain damage, blindness,
7 cerebral palsy, hearing loss, spinal cord injury, seizures, learning disabilities and death; and

8 Whereas shaken baby syndrome is recognized as the leading cause of death of physically abused
9 children; and

10 Whereas while doctors have long recognized that shaking an infant can cause serious injury,
11 many adults remain unaware of how dangerous the practice can be; and

12 Whereas demonstration projects have shown that voluntary education programs in hospitals
13 have significantly reduced the number of infant injuries and deaths caused by shaken baby syn-
14 drome; and

15 Whereas successful programs include firsthand information about victims of shaken baby syn-
16 drome and provide alternative techniques for dealing with the frustrations, anger and stress that
17 may be caused by crying infants and young children; and

18 Whereas the costs of such prevention programs are minimal compared to the savings of public
19 and private funds in the long-term health care needs of children with severe inflicted brain damage;
20 and

21 Whereas educating parents about shaken baby syndrome in order to prevent the effects of such
22 a hazard is in the public interest; now, therefore,

23 **Be It Enacted by the People of the State of Oregon:**

24 **SECTION 1. As used in section 2 of this 2007 Act:**

25 (1) **"Parent" means:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) An infant's or young child's biological or adoptive mother or biological or adoptive
2 father;

3 (b) The domestic partner of an infant's or young child's biological or adoptive mother or
4 father; or

5 (c) Any other primary caregiver of an infant or young child.

6 (2) "Shaken baby syndrome" means the vigorous shaking of an infant or young child that
7 may result in bleeding inside the infant's or young child's head and cause one or more of the
8 following conditions:

9 (a) Irreversible brain damage.

10 (b) Blindness.

11 (c) Retinal hemorrhage or eye damage.

12 (d) Cerebral palsy.

13 (e) Hearing loss.

14 (f) Spinal cord injury, including paralysis.

15 (g) Seizures.

16 (h) Learning disability.

17 (i) Central nervous system injury.

18 (j) Closed head injury.

19 (k) Rib fracture.

20 (L) Subdural hematoma.

21 (m) Death.

22 **SECTION 2.** (1) There is created the Task Force on the Prevention of Shaken Baby Syn-
23 drome, consisting of eight members appointed as follows:

24 (a) The President of the Senate shall appoint one member from among members of the
25 Senate.

26 (b) The Speaker of the House of Representatives shall appoint one member from among
27 members of the House of Representatives.

28 (c) The Governor shall appoint six members who represent the following:

29 (A) The Oregon Association of Hospitals and Health Systems;

30 (B) The Oregon Pediatric Society;

31 (C) The Oregon Medical Association;

32 (D) The Oregon Nurses Association;

33 (E) The Child Abuse Multidisciplinary Intervention Program; and

34 (F) A public health program within the Department of Human Services.

35 (2) The task force shall:

36 (a) Make recommendations about a video-based program to educate parents about shaken
37 baby syndrome to be provided by hospitals and birthing centers;

38 (b) Make recommendations about whether hospitals and birthing centers would be re-
39 quired to provide the program;

40 (c) Identify sources of funding for the program, including federal, state and private; and

41 (d) Identify how many hospitals and birthing centers in the state are currently providing
42 a program to educate parents about shaken baby syndrome.

43 (3) A majority of the members of the task force constitutes a quorum for the transaction
44 of business.

45 (4) Official action by the task force requires the approval of a majority of the members

1 of the task force.

2 (5) The task force shall elect one of its members to serve as chairperson.

3 (6) If there is a vacancy for any cause, the appointing authority shall make an appoint-
4 ment to become immediately effective.

5 (7) The task force shall meet at times and places specified by the call of the chairperson
6 or of a majority of the members of the task force.

7 (8) The task force may adopt rules necessary for the operation of the task force.

8 (9) The task force shall submit a report, and may include recommendations for legis-
9 lation, to the interim legislative committee on human services no later than October 1, 2008.

10 (10) The Oregon Health and Science University shall provide staff support to the task
11 force.

12 (11) Members of the task force who are not members of the Legislative Assembly are not
13 entitled to compensation or reimbursement for expenses and serve as volunteers on the task
14 force.

15 (12) All agencies of state government, as defined in ORS 174.111, are directed to assist
16 the task force in the performance of its duties and, to the extent permitted by laws relating
17 to confidentiality, to furnish such information and advice as the members of the task force
18 consider necessary to perform their duties.

19 (13) The university may accept contributions of moneys and assistance from the United
20 States Government or its agencies or from any other source, public or private, and agree to
21 conditions placed on the moneys not inconsistent with the duties of the task force.

22 (14) All moneys received by the university under subsection (13) of this section shall be
23 paid into the State Treasury and deposited in the Prevention of Shaken Baby Syndrome Fund
24 for use by the university to carry out the duties of the task force.

25 **SECTION 3.** The Prevention of Shaken Baby Syndrome Fund is established in the State
26 Treasury, separate and distinct from the General Fund. Interest earned by the Prevention
27 of Shaken Baby Syndrome Fund shall be credited to the fund. Moneys in the fund are con-
28 tinuously appropriated to the Oregon Department of Administrative Service for distribution
29 to the Oregon Health and Science University.

30 **SECTION 4.** Any unexpended moneys in the Prevention of Shaken Baby Syndrome Fund
31 shall be transferred to the General Fund prior to the convening of the next regular biennial
32 legislative session.

33 **SECTION 5.** Sections 1 to 3 of this 2007 Act are repealed on the date of the convening
34 of the next regular biennial legislative session.

35 **SECTION 6.** This 2007 Act being necessary for the immediate preservation of the public
36 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
37 July 1, 2007.

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