

House Bill 3555

Sponsored by Representative GELSER (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 **as introduced**.

Directs State Commission on Children and Families to implement Shaken Baby Syndrome Prevention Program to educate parents and primary caregivers of infants and young children.

Directs hospitals and birthing centers to offer program to parents and primary caregivers of newborns. Prescribes requirements for program.

A BILL FOR AN ACT

1
2 Relating to shaken baby syndrome.

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 sections 2 and 3 of this 2007 Act:**

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

26 **(a) An infant's or young child's biological or adoptive mother or biological or adoptive**
27 **father;**

28 **(b) The domestic partner of an infant's or young child's biological or adoptive mother or**
29 **father; or**

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

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 (2) “Shaken baby syndrome” means the vigorous shaking of an infant or young child that
2 may result in bleeding inside the head and cause one or more of the following conditions:

- 3 (a) Irreversible brain damage.
- 4 (b) Blindness.
- 5 (c) Retinal hemorrhage or eye damage.
- 6 (d) Cerebral palsy.
- 7 (e) Hearing loss.
- 8 (f) Spinal cord injury, including paralysis.
- 9 (g) Seizures.
- 10 (h) Learning disability.
- 11 (i) Central nervous system injury.
- 12 (j) Closed head injury.
- 13 (k) Rib fracture.
- 14 (L) Subdural hematoma.
- 15 (m) Death.

16 **SECTION 2.** (1) The State Commission on Children and Families shall establish the
17 Shaken Baby Syndrome Prevention Program to educate parents about the dangers of shaken
18 baby syndrome and to offer alternative techniques to parents to manage anger, frustration
19 and stress.

20 (2) The program shall:

- 21 (a) Be provided by hospitals and birthing centers;
- 22 (b) Allow for voluntary participation by parents;
- 23 (c) Use research-based multimedia educational materials to target the parents of children
24 from birth to three years of age; and
- 25 (d) Educate parents about the dangers associated with shaking infants and young chil-
26 dren and about alternative techniques to manage anger, frustration and stress.

27 (3) The commission shall develop program participation and evaluation forms for use by
28 hospitals and birthing centers. The participation forms shall require the signature of a par-
29 ticipating parent.

30 (4) Prior to February 1 of each odd-numbered year, the commission shall report to the
31 Legislative Assembly about the program. The report shall include the number of parents who
32 consented to participate in the program and the number of parents who declined to partic-
33 ipate in the program.

34 (5) The commission may adopt any rules necessary for the administration of this section
35 and section 3 of this 2007 Act.

36 **SECTION 3.** (1) Each hospital and birthing center shall implement the Shaken Baby
37 Syndrome Prevention Program by:

- 38 (a) Informing the parents of any newborn child about the program and the dangers of
39 shaking infants and young children, prior to discharging the newborn child;
- 40 (b) Requesting that each parent of a newborn child participate in the program;
- 41 (c) Providing program participation and evaluation forms developed by the State Com-
42 mission on Children and Families to parents for the purpose of recording participation in the
43 program;
- 44 (d) Keeping all program participation and evaluation forms on file for a period of time
45 as prescribed by the commission;

- 1 **(e) Reporting participation rates as required by the commission; and**
2 **(f) Procuring program curriculum and materials that meet the requirements prescribed**
3 **by the commission.**

4 **(2) Notwithstanding subsection (1) of this section, a hospital or birthing center is not**
5 **required to offer the program to biological parents who are placing their child for adoption**
6 **prior to discharge or immediately upon discharge from the hospital or birthing center.**

7 **SECTION 4.** **Prior to July 1, 2008, each hospital and birthing center shall offer the Shaken**
8 **Baby Syndrome Prevention Program as required by section 3 of this 2007 Act.**

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