March 5, 2009

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

Senate File 101, an Act establishing a shaken baby syndrome prevention program in the department of public health.

The above Senate File is hereby approved this date.

Sincerely,

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
    Chief Clerk of the House

AN ACT

ESTABLISHING A SHAKEN BABY SYNDROME PREVENTION PROGRAM IN THE
    DEPARTMENT OF PUBLIC HEALTH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

   Section 1. <u>NEW SECTION</u>.   135.119   SHAKEN BABY SYNDROME
PREVENTION PROGRAM.

   1.   For the purposes of this section:

   a.   "Birth center" and "birthing hospital" mean the same as
defined in section 135.131.

   b.   "Child care provider" means the same as a child care
facility, as defined in section 237A.1, that is providing
child care to a child who is newborn through age three.

   c.   "Family support program" means a program offering
instruction and support for families in which home visitation
is the primary service delivery mechanism.

   d.   "Parent" means the same as "custodian", "guardian", or
"parent", as defined in section 232.2, of a child who is
newborn through age three.

   e.   "Person responsible for the care of a child" means the
same as defined in section 232.68, except that it is limited
to persons responsible for the care of a child who is newborn
through age three.

   f.   "Shaken baby syndrome" means the collection of signs
and symptoms resulting from the vigorous shaking of a child
who is three years of age or younger. Shaken baby syndrome
may result in bleeding inside the child's head and may cause
one or more of the following conditions: irreversible brain
damage; blindness, retinal hemorrhage, or eye damage; cerebral
palsy; hearing loss; spinal cord injury, including paralysis;

seizures; learning disability; central nervous system injury; closed head injury; rib fracture; subdural hematoma; or death. Shaken baby syndrome also includes the symptoms included in the diagnosis code for shaken infant syndrome utilized by Iowa hospitals.

2. a. The department shall establish a statewide shaken baby syndrome prevention program to educate parents and persons responsible for the care of a child about the dangers to children three years of age or younger caused by shaken baby syndrome and to discuss ways to reduce the syndrome's risks. The program plan shall allow for voluntary participation by parents and persons responsible for the care of a child.

b. The program plan shall describe strategies for preventing shaken baby syndrome by providing education and support to parents and persons responsible for the care of a child and shall identify multimedia resources, written materials, and other resources that can assist in providing the education and support.

c. The department shall consult with experts with experience in child abuse prevention, child health, and parent education in developing the program plan.

d. The program plan shall incorporate a multiyear, collaborative approach for implementation of the plan. The plan shall address how to involve those who regularly work with parents and persons responsible for the care of a child, including but not limited to child abuse prevention programs, child care resource and referral programs, child care providers, family support programs, programs receiving funding through the community empowerment initiative, public and private schools, health care providers, local health departments, birth centers, and birthing hospitals.

e. The program plan shall identify the methodology to be used for improving the tracking of shaken baby syndrome incidents and for evaluating the effectiveness of the plan's education and support efforts.

f. The program plan shall describe how program results will be reported.

g. The program plan may provide for implementation of the program through a contract with a private agency or
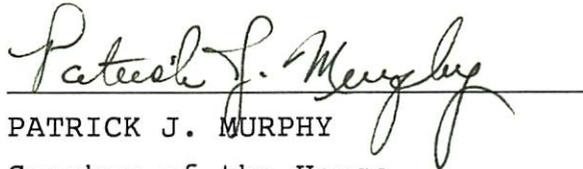
organization experienced in furnishing the services set forth in the program plan.

    3.   The department shall implement the program plan to the extent of the amount appropriated or made available for the program for a fiscal year.

JOHN P. KIBBIE
President of the Senate

PATRICK J. MURPHY
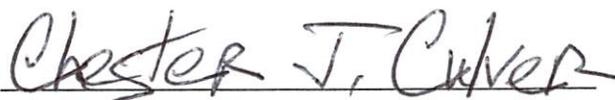Speaker of the House

    I hereby certify that this bill originated in the Senate and is known as Senate File 101, Eighty-third General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved March 5, 2009

CHESTER J. CULVER
Governor