

BILL ANALYSIS

Senate Research Center
79R3041 UM-D

S.B. 316
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Health & Human Services
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, there are no laws in place to help educate parents about and prevent shaken baby syndrome (SBS). As proposed, S.B. 316 seeks to prevent cases of SBS by increasing parental awareness about the issue. S.B. 316 requires the Health and Human Services Commission (HHSC) to create an informational brochure about SBS, which would be posted on the HHSC website. The bill also requires that all hospitals, birthing centers, and midwives be required to present new parents with written or verbal information about SBS shortly after their child's birth.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle H, Title 2, Health and Safety Code, by adding Chapter 165A, as follows:

CHAPTER 165A. PREVENTION OF SHAKEN BABY SYNDROME

Sec. 165A.001. DEFINITIONS. Defines "birthing facility," "department," "midwife," and "parent."

Sec. 165A.002. REQUIRED EDUCATIONAL MATERIAL. (a) Requires the Department of State Health Services (department) to create a brochure describing certain facts related to shaken baby syndrome.

(b) Authorizes the department to distribute the brochure to physicians, nurses, midwives, and birthing facilities.

(c) Requires the department to make the brochure available on its website.

Sec. 165A.003. REQUIRED INFORMATION FOR A PARENT. (a) Requires the birthing facility to provide a parent with written or oral notice of the dangers of shaking a newborn, infant, or other young child before the parent leaves a birthing facility with the newborn.

(b) Requires a physician, nurse, or midwife to provide a parent with written or oral notice of the dangers of shaking a newborn, infant, or other young child before the physician, nurse, or midwife leaves a newborn that was born outside of a birthing facility along with the parent.

(c) Authorizes a person to provide the notice required by this section along with any other information the person is required to provide to the parent.

(d) Authorizes a person to satisfy the requirement for written or oral notice by providing a parent with the information in the brochure created by the department under Section 165A.002.

Sec. 165A.004. LIABILITY NOT CREATED. Provides that this chapter does not create civil or criminal liability.

SECTION 2. Effective date: September 1, 2005.