

BILL ANALYSIS

C.S.H.B. 2574
By: Johnson
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The death of a child due to prolonged heat exposure while left unattended in a motor vehicle is as unacceptable as it is avoidable. Concerned parties assert that such a tragedy is largely due to a caregiver's lack of awareness of the dangers of leaving children in cars, even during moderately hot weather. C.S.H.B. 2574 seeks to address this issue by furthering awareness of the dangers of leaving a child unattended in a vehicle in warm weather conditions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2574 amends the Health and Safety Code to include information about the danger of a heatstroke for a child left unattended in a motor vehicle among the information in the resource pamphlet that a hospital, birthing center, physician, nurse midwife, or midwife who provides prenatal care to a pregnant woman during gestation or at delivery of an infant is required to provide to the woman and the father of the infant, if possible, or another adult caregiver for the infant. The bill establishes that a facility is not required to comply with this provision until January 1, 2016. The bill requires the Department of State Health Services, not later than December 1, 2015, to make the informational materials in the pamphlet available on its website.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2574 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Chapter 32, Health and Safety Code, is amended by adding Subchapter D

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

to read as follows:

SUBCHAPTER D. INFORMATIONAL MATERIALS

Sec. 32.101. INFORMATIONAL MATERIALS ON UNATTENDED CHILDREN IN MOTOR VEHICLES.

(a) Using existing resources, the department shall develop informational materials that describe the danger of leaving a child unattended in a closed motor vehicle during hot or sunny weather. The department shall make the materials available for download from its Internet website.

(b) A facility that provides childbirth services shall provide a copy of the informational materials described by Subsection (a) to a parent or legal guardian of each infant born in the facility.

No equivalent provision.

SECTION 1. Section 161.501(a), Health and Safety Code, is amended to read as follows:

(a) A hospital, birthing center, physician, nurse midwife, or midwife who provides prenatal care to a pregnant woman during gestation or at delivery of an infant shall:

(1) provide the woman and the father of the infant, if possible, or another adult caregiver for the infant, with a resource pamphlet that includes:

(A) a list of the names, addresses, and phone numbers of professional organizations that provide postpartum counseling and assistance to parents relating to postpartum depression and other emotional trauma associated with pregnancy and parenting;

(B) information regarding the prevention of shaken baby syndrome including:

(i) techniques for coping with anger caused by a crying baby;

(ii) different methods for preventing a person from shaking a newborn, infant, or other young child;

(iii) the dangerous effects of shaking a newborn, infant, or other young child; and

(iv) the symptoms of shaken baby syndrome and who to contact, as recommended by the American Academy of Pediatrics, if a parent suspects or knows that a baby has been shaken in order to receive prompt medical treatment;

(C) a list of diseases for which a child is required by state law to be immunized and

the appropriate schedule for the administration of those immunizations;

(D) the appropriate schedule for follow-up procedures for newborn screening;

(E) information regarding sudden infant death syndrome, including current recommendations for infant sleeping conditions to lower the risk of sudden infant death syndrome; ~~and~~

(F) educational information in both English and Spanish on pertussis disease and the availability of a vaccine to protect against pertussis, including information on the Centers for Disease Control and Prevention recommendation that parents receive Tdap during the postpartum period to protect newborns from the transmission of pertussis; and

(G) the danger of heatstroke for a child left unattended in a motor vehicle;

(2) if the woman is a recipient of medical assistance under Chapter 32, Human Resources Code, provide the woman and the father of the infant, if possible, or another adult caregiver with a resource guide that includes information in both English and Spanish relating to the development, health, and safety of a child from birth until age five, including information relating to:

(A) selecting and interacting with a primary health care practitioner and establishing a "medical home" for the child;

(B) dental care;

(C) effective parenting;

(D) child safety;

(E) the importance of reading to a child;

(F) expected developmental milestones;

(G) health care resources available in the state;

(H) selecting appropriate child care; and

(I) other resources available in the state;

(3) document in the woman's record that the woman received the resource pamphlet described in Subdivision (1) and the resource guide described in Subdivision (2), if applicable; and

(4) retain the documentation for at least five years in the hospital's, birthing center's, physician's, nurse midwife's, or midwife's records.

SECTION 2. (a) Not later than December 1, 2015, the Department of State Health Services shall make the informational

SECTION 2. (a) Not later than December 1, 2015, the Department of State Health Services shall make the informational

materials required by Section 32.101, Health and Safety Code, as added by this Act, available on its Internet website.

(b) Notwithstanding Section 32.101, Health and Safety Code, as added by this Act, a facility is not required to comply with that section until January 1, 2016.

SECTION 3. This Act takes effect September 1, 2015.

materials required by Section 161.501(a)(1), Health and Safety Code, as amended by this Act, available on its Internet website.

(b) Notwithstanding Section 161.501(a)(1)(G), Health and Safety Code, as added by this Act, a facility is not required to comply with that provision until January 1, 2016.

SECTION 3. Same as introduced version.