

Signed Testimony SB 59.pdf

Uploaded by: Arthur Ellis

Position: FAV

ARTHUR ELLIS, CPA
Legislative District 28
Charles County

ASSISTANT DEPUTY MAJORITY LEADER

Finance Committee

Senate Chair
Joint Committee on the
Management of Public Funds

Chair, Charles, St. Mary's and Calvert
Counties' Senate Delegation



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ANNAPOLIS, MARYLAND 21401

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February 7, 2024

Testimony of Senator Arthur Ellis in Support of Senate Bill 59: Safe Sleep for Infants – Awareness and Certification

Dear Chair Beidle, Vice Chair Klausmeier, and the Members of the Finance Committee:

Senate Bill 59 requires the Maryland Department of Health to develop and implement a public awareness campaign to promote education regarding safe sleep for infants; establish the Maryland Safe Sleep Certification Program and requiring child care centers to be certified by the Program; and requires hospitals and freestanding birthing centers to be certified by the Cribs for Kids' National Safe Sleep Hospital Certification program.

I urge your favorable report on Senate Bill 200.

Yours in Service,


Arthur Ellis – District 28

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February 7, 2024

**Testimony of Senator Ellis in Support of Senate Bill 197: Residential Service Agencies –
Reimbursement – Personal Assistance Services**

Dear Chair Beidle, Vice Chair Klausmeier, and the Members of the Finance Committee:

Senate Bill 197 authorizes the Maryland Department of Health to reimburse a residential service agency for personal assistance services only if the personal assistance services are provided by an individual classified as an employee.

I urge your favorable report on Senate Bill 197.

Yours in Service,


Arthur Ellis – District 28

SB 59 Safe Sleep for Infants - Written Testimony.p

Uploaded by: Keontae Kells

Position: FAV



Testimony in Support of Senate Bill 59

Safe Sleep for Infants – Awareness and Certification

To: Chair Pamela Beidle and Members of the Finance Committee
From: Demaune A. Millard, President & CEO, Family League of Baltimore
Date: February 8, 2024

Family League of Baltimore (Family League) supports Senate Bill 59 as it would require the Maryland Department of Health to develop and implement a public awareness campaign to promote education regarding safe sleep for infants. In addition, SB 59 will establish a Maryland Safe Sleep Certification Program and require childcare centers to be certified by the Program. Lastly, it would require hospitals and freestanding birthing centers to be certified by the Cribs for Kids' National Safe Sleep Hospital Certification program.

Family League serves as an implementing partner in B'more Healthy Babies (BHB), a collective impact strategy aimed at addressing infant mortality while further closing the disparity gaps in birth outcomes. In alignment with BHB, to ensure that babies are born healthy we support legislation that raises the critical awareness of Safe Sleep for Infants. This bill aims to have the Department of Health implement an awareness campaign that would promote education around safe sleep for infants. In addition to the campaign, the bill would establish a safe sleep certification program and require childcare centers to be certified by the program. Hospitals and Birthing Centers will also be required to be certified by the Cribs for Kids' National Safe Sleep Hospital Certification program to ensure that safe sleep education is provided to patients.

With this law in place the campaign would specifically target high risk for SIDS and those most in need of education regarding safe sleep for infants. Sudden infant death syndrome (SIDS) is one of the leading causes of post neonatal mortality, which is why it is important to provide education and certifications to Baltimoreans and Marylanders alike. Unfortunately, the city of Baltimore has seen an increase in the number of SIDS since the pandemic, in 2023 there was a total of 18 which is the same amount from 2022.

In FY23, Health Care Access Maryland's (HCAM) Care Coordination program delivered 346 free cribs in Baltimore and provided safe sleep education and environmental assessments to 467 residents. So far in FY24, the Safe Sleep team has already delivered 219 cribs. Care coordination plays a crucial role in connecting pregnant and postpartum individuals to resources, spreading the message about safe sleep in communities, and providing families with a safe sleep environment for their infant.

As the designated Local Management Board for the City of Baltimore, Family League works collaboratively to support data-informed, community-driven solutions to align resources to dismantle systemic barriers that limit the possibilities for children, families, and communities.

Our policy focus is also guided by and in support of the Governor’s Office of Crime Prevention Youth and Victim Services’ Results for Child Well-Being. Through our strategic planning process, we have prioritized three of these results areas, focusing on the success of Baltimore’s children in school; the economic stability of families; and the safety of communities for children, youth, and families. We support SB59 in particular because of its alignment with the result areas that work to ensure “Babies Are Born Healthy”

For more information contact Keontae Kells, Executive Administrator kkells@familyleague.org

SB 59_MFN_FAV_Morrow_Safe Sleep.pdf

Uploaded by: Beth Morrow

Position: FWA



Testimony Concerning SB 59
“Safe Sleep for Infants - Awareness and Certification”
Submitted to the Senate Finance Committee
February 8, 2024

Position: Support with Amendments

Maryland Family Network (MFN) supports efforts to ensure infants have safe sleep environments and child care programs are licensed, inspected, and following safe sleep regulations.

MFN has worked since 1945 to improve the availability and quality of child care and other supports for children and families in Maryland. As the largest and oldest statewide child advocacy organization in Maryland, MFN is strongly committed to ensuring the health and well-being of children across our state.

Maryland State Department of Education recently updated child care center and family child care home safe sleep regulations. As of February 5, 2024, regulations are now in line with the latest research recommendations from the American Academy of Pediatrics. Additionally, cribs, portable cribs, and playpens used for child care must adhere to the current safety standards set by the U.S. Consumer Product Safety Commission. For this reason, MFN respectfully requests striking the portion of SB 59 referring to child care centers (page 3 line 26 through page 5 line 15).

Efforts to raise public awareness of the importance of safe sleep have merit. A campaign to promote safe sleep for infants could educate parents on strategies they can implement in the home.

MFN respectfully requests consideration of amendments to SB 59.



MSCCA Testimony -SB 59 - FWA.pdf

Uploaded by: Christina Peusch

Position: FWA



**Caring For Maryland's Most
Important Natural Resource™**

Maryland State Child Care Association

2810 Carrollton Road
Annapolis, Md. 21403
Phone: (410) 820-9196
Email: info@mscca.org
www.mscca.org

The Maryland State Child Care Association (MSCCA) is a non-profit, statewide, professional association incorporated in 1984 to promote the growth and development of child care and learning centers in Maryland. MSCCA has over 5000 members working in the field of child care/early childhood education. We believe children are our most important natural resource and work hard to advocate for children, families and for professionalism within the early childhood community.

Testimony: SB Safe Sleep for Infants-Awareness and Certification Submitted to: Finance Committee February 8, 2024

Maryland State Child Care Association (MSCCA) appreciates the efforts of SB 59 to focus on Safe Sleep practices and above all work to ensure the safety of infants. MSCCA supports SB 59 **with amendments**.

We enthusiastically support the Maryland Department of Health development of a public awareness campaign to promote education regarding safe sleep for infants. We request an amendment to add the Maryland State Department of Education as a consulting party in the development of the public awareness campaign because they have already developed materials on safe sleep for infants. We suggest the following amendment:

On page 2, in line 15, after “DEPARTMENT” insert “**IN CONSULTATION WITH THE MARYLAND STATE DEPARTMENT OF EDUCATION’S OFFICE OF CHILD CARE**”.

MSCCA **does not support** the requirement of certification in Maryland Safe Sleep Program for child care centers, as this effort is duplicative. Maryland State Department of Education Office of Child Care COMAR regulations include safe sleep practices, which aligns with and exceeds the Maryland Safe Sleep Certification Program. As such we recommend the following amendments:

On page 3, in line 27, after “PROGRAM” insert “**OR AN EQUIVALENCY DETERMINED BY THE MARYLAND STATE DEPARTMENT OF EDUCATION**”.

On page 3, strike in their entirety lines 28 through 30, inclusive, and substitute “**(2) ALL LICENSED AND REGISTERED CHILD CARE PROGRAMS SHALL RECEIVE AND DISTRIBUTE PUBLIC AWARENESS MATERIALS DEVELOPED BY THE DEPARTMENT RELATED TO MARYLAND SAFE SLEEP TO DISSEMINATE ANNUALLY AS A RESOURCE TO FAMILIES WITH CHILDREN UNDER 2 YEARS**”.

MSCCA also suggests amendments to strike all language related to fines and civil citations for violations. Child care businesses may be deterred from enrolling infants due to duplicative requirements from two different state agencies and hefty fines for primarily small many struggling women owned and operated businesses. Maryland lacks sufficient slots for infant/toddlers for working parents and these mandates and threats of civil citations will negatively impact access to already limited licensed child care options. The suggested amendment is as follows:

On page 4, in line 5, strike “, [or] (e), **OR (G)**” and insert “**OR (E)**”.

Additionally, we recommend amending the compliance and evaluation of programs for certification to an equivalency determined by licensing authority, MSDE.

First and foremost, the sponsor and MSCCA’s collective priorities and goals are the safety and well-being of children. SB 59, with proposed amendments will further these goals by developing of important safe sleep campaign materials, supporting additional partnership opportunities with state agencies to expand awareness, recommending alignment and recognizing equivalencies of safe sleep best practices with current child care COMAR regulations to avoid duplicity.

MSCCA recommends a favorable committee report **with the aforementioned amendments.**

SB 59- Safe Sleep for Infants - Awareness and Cert

Uploaded by: Jane Krienke

Position: FWA



Maryland
Hospital Association

Senate Bill 59 - Safe Sleep for Infants - Awareness and Certification

Position: *Support with Amendments*

February 8, 2024

Senate Finance Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment in support of Senate Bill 59. Maryland's 32 birthing hospitals deliver more than 67,000 babies each year and are committed to a safe delivery, hospital stay, and discharge home.

Maryland's hospitals support the goals of SB 59 and acknowledge the life-saving role that safe sleep practices have in preventing infant mortality. Creating a state-sponsored public awareness campaign could ensure the same messaging on safe sleep is shared across the health care continuum before, throughout, and after pregnancy.

Although the Kids for Cribs designation is a model program, we are concerned about mandating hospitals apply for a specific designation, especially from an organization that is not associated with a state or federal entity. Many Maryland hospitals have applied for the designation and/or are interested; however, we do not support mandating this designation.

MHA worked closely with Delegate Lewis and stakeholders to amend HB 177 this session, which also addresses safe sleep practices. These amendments ensure safe sleep education is provided before an infant is discharged from the hospital while allowing flexibility to choose the method for delivering the information to maximize patient understanding without overwhelming the new parent(s)/guardian(s), and confirming receipt. Adding a public awareness campaign could spread the same message across health care settings and improve receptivity.

We would like to propose the following amendments to SB 59. We appreciate the sponsor's work to raise awareness about this critical public health issue.

Strike section 19-310.4.

19-310.4. (A) A HOSPITAL SHALL BE CERTIFIED BY THE CRIBS FOR KIDS' NATIONAL SAFE SLEEP HOSPITAL CERTIFICATION PROGRAM AT LEAST AT THE BRONZE LEVEL.

(B) A HOSPITAL CERTIFIED BY THE CRIBS FOR KIDS' NATIONAL SAFE SLEEP HOSPITAL CERTIFICATION PROGRAM SHALL SUBMIT PROOF OF THE CERTIFICATION TO THE SECRETARY.

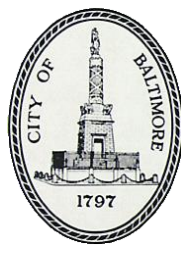
For these reasons, we request a *favorable* report on SB 59 with the proposed amendments.

For more information, please contact:
Jane Krienke, Senior Legislative Analyst, Government Affairs
Jkrienke@mhaonline.org

SB0059-FIN-FWA.pdf

Uploaded by: Nina Themelis

Position: FWA



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB0059

February 8, 2024

TO: Members of the Senate Finance Committee
FROM: Nina Themelis, Director of Mayor's Office of Government Relations
RE: Senate Bill 59 – Safe Sleep for Infants - Awareness and Certification
POSITION: FAVORABLE WITH AMMENDMENTS

Chair Beidle, Vice Chair Klausmeier, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 59 **with amendments**.

SB 59 requires the Maryland Department of Health (MDH) to develop a public awareness campaign about safe infant sleep. It also requires MDH to develop and administer a safe sleep certification program in collaboration with the national organization “Cribs for Kids,” and for childcare centers, hospitals, and birthing centers to become safe sleep certified through the program.

In 2021 (the latest year for which data is available), **50 babies in Maryland died in their sleep due to known or suspected accidental suffocation**. Sleep-related deaths are the second leading cause of infant death in Baltimore City, accounting for 30% of all infant deaths, and the third leading cause of infant death in Maryland. Data from the Baltimore City Child Fatality Review, which conducts in-depth reviews of every sleep-related infant death in the city, show that in 100% of the 68 sleep-related infant deaths from 2018 to 2022, the baby was placed to sleep in an unsafe environment with suffocation hazards. Every death was determined to be likely preventable.

The American Academy of Pediatrics (AAP) has put forth recommendations that are shown to reduce infant sleep-related deaths. Among these are that the infant sleeps alone, on their back, in a crib, and in a smoke-free environment.ⁱ However, not everyone knows this vital information. B'more for Healthy Babies (BHB) has shown that saturating a community with information on safe sleep environments can prevent these deaths. Hospitals play an essential role in ensuring that families understand the need to practice safe sleep and have been shown to measuredly impact rates of sleep-related infant death in the community.ⁱⁱ Over the past 15 years, BHB has worked collaboratively with all birthing hospitals in Baltimore City to implement postpartum safe sleep education efforts. However, due to challenges including staff and leadership turnover and

competing priorities such as those related to the COVID-19 pandemic, hospitals' implementation of safe sleep education practices has been inconsistent. Baltimore City Child Fatality Review has found that **there was no safe sleep education documented by the birthing hospital in 57% of deaths reviewed** (39 of 68 deaths from 2018 to 2022).

The BCA strongly supports efforts to increase knowledge about safe sleep at all touchpoints – including hospitals, birthing centers, and childcare facilities. However, the Administration respectfully recommends several amendments:

- MDH has already created a safe sleep education campaign, complete with an education toolkit that includes one-pagers and social media materials. These materials are available online free of chargeⁱⁱⁱ. As such, the requirement for MDH to create a campaign can be struck from the bill.
- The BCA appreciates the bill's mission to ensure that relevant stakeholders are adequately aware of and trained in safe sleep practices. However, national certification programs already exist (such as Cribs for Kids, referenced in the bill). Rather than require MDH to create a new program or name a specific program that may cease to exist in the future, the BCA respectfully recommends striking the requirement for MDH to create a Program and adopt an amendment to require the specified stakeholders to become certified through a national program aligned with AAP recommendations.

For these reasons, the BCA respectfully request a **favorable with amendments** report on SB 59.

ⁱ Moon, R., Carlin, R., & Hand, I. (2022). Sleep-Related Infant Deaths: Updated 2022 Recommendations for Reducing Infant Deaths in the Sleep Environment. American Academy of Pediatrics. PEDIATRICS Volume 150, number 1, 2022:e2022057990. <https://doi.org/10.1542/peds.2022-057990>

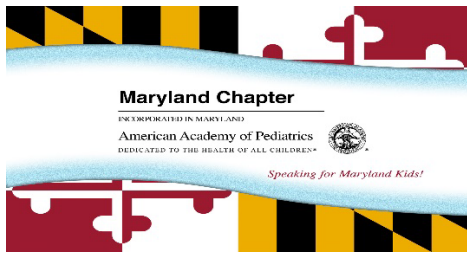
ⁱⁱ Krugman, S. & Cumpsty-Fowler, C. (2018). A Hospital-Based Initiative to Reduce Postdischarge Sudden Unexpected Infant Deaths. *Hosp Pediatr* (2018) 8 (8): 443–449. <https://doi.org/10.1542/hpeds.2017-0211>

ⁱⁱⁱ https://health.maryland.gov/phpa/mch/pages/safe_sleep.aspx

SB0059_FWA_MDAAP_Safe Sleep Infants - Awareness &

Uploaded by: Pam Kasemeyer

Position: FWA



TO: The Honorable Pam Beidle, Chair
Members, Senate Finance Committee
The Honorable Arthur Ellis

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Christine K. Krone

DATE: February 8, 2024

RE: **SUPPORT WITH AMENDMENT** – Senate Bill 59 – *Safe Sleep for Infants – Awareness and Certification*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **support with amendment** for Senate Bill 59.

Senate Bill 59 requires the Maryland Department of Health to develop and implement a public awareness campaign to promote education regarding safe sleep for infants. The bill also would establish a Maryland Safe Sleep Certification Program and requires childcare centers to be certified by the Program as well as requiring hospitals and freestanding birthing centers to be certified by the Cribs for Kids' National Safe Sleep Hospital Certification Program.

Sudden Unexpected Infant Death (SUID), which includes Sudden Infant Death Syndrome (SIDS), is the leading cause of injury death in infancy. Sleep is a big challenge for families with babies, but following safe sleep recommendations can prevent many SUID fatalities. The rate of sleep-related infant deaths declined significantly in the 1990s after the American Academy of Pediatrics (AAP) and others recommended that babies be placed on their backs to sleep, but rates have since plateaued, and SIDS remains the leading cause of post-neonatal mortality. Black and Native American/Alaska Native infants die at rates more than double that of white babies. The AAP is committed to helping guide conversations about safe sleep with families, with the objective of making safe infant sleep the norm.

While MDAAP strongly supports the provisions of Senate Bill 59 related to the public awareness campaign, they would prefer the bill be amended to couple the public awareness campaign with a framework for educating mothers and families about safe sleep prior to the time of discharge and providing those families with information on resources available after discharge. Such a framework will enhance the likelihood that the parents/guardians and other family members will adopt safe sleep practices from

day 1 after discharge. Early adoption of safe sleep practices will significantly decrease the likelihood of preventable infant deaths from unsafe sleep practices.

MDAAP would also suggest the bill be amended to recognize the need to continue to provide resources and education on safe sleep practices throughout the first year of life by convening relevant stakeholders to identify avenues to enhance patient education about safe sleep practices and available resources. With the adoption of the suggested amendments, MDAAP urges a favorable report.

For more information call:

Pamela Metz Kasemeyer

J. Steven Wise

Danna L. Kauffman

Christine K. Krone

410-244-7000

oppose SB0059.pdf

Uploaded by: Peggy Williams

Position: UNF

Dear Committee Members:

I oppose SB0059. Any recommendations put out about Safe Sleep should be backed up by justification, based on peer-reviewed scientific studies and other evidence, and not simply writing off certain factors. For example, previous information campaigns stated that vaccinations do not cause SIDS. Has there been peer-reviewed studies that prove this? People should not be misled into thinking that this has been proven true when in fact it has not.

Peggy Williams

Severna Park

District 31

7 - SB 59 - FIN - MDH - LOI (3).pdf

Uploaded by: Jason Caplan

Position: INFO



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 8, 2024

The Honorable Pamela Beidle
Chair, Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: Senate Bill 59 – Safe Sleep for Infants – Awareness and Certification – Letter of Information

Dear Chair Beidle and Committee Members:

The Maryland Department of Health (Department) respectfully submits this letter of information for Senate Bill (SB) 59 – Safe Sleep for Infants – Awareness and Certification. This bill requires the Department to develop and implement a public awareness campaign to promote education regarding safe sleep for infants and establishes the Maryland Safe Sleep Certification Program. The Program requires child care centers to obtain certification, while hospitals and freestanding birthing centers must be certified by Cribs for Kids.

In 2021, Sudden Infant Death Syndrome (SIDS) was the leading cause of postneonatal infant deaths in Maryland, with 45 fatalities. Sudden unexpected infant deaths (SUID), including SIDS, accidental suffocation, and unknown causes, increased by nearly 18% from 58 in 2020 to 74 in 2021.¹ Many SUID deaths are related to unsafe sleep environments and practices.²

In Maryland, between 2018-2022, there were zero (0) infant or child fatalities at licensed child care centers, four (4) sleep-related infant deaths in licensed home child care settings, and three (3) sleep-related infant deaths in unlicensed home child care settings.³ Currently, Maryland has regulations ensuring infant safe sleep practices align with the American Academy of Pediatrics Safe Sleep Guidelines in child care centers.⁴ Regional Maryland State Department of Education (MSDE) staff conduct annual reviews and onsite inspections to enforce regulatory compliance. Any complaints related to safe sleep concerns are promptly investigated, and an onsite visit is conducted. Given MSDE's oversight and implementation of guidelines for child care centers, the proposed Maryland Safe Sleep Certification Program outlined in SB 59 is duplicative of current efforts.

The Cribs for Kids National Infant Safe Sleep Hospital Certification criteria were developed based on the AAP 2022 Safe Infant Sleep Guidelines, with input from medical experts of the AAP Safe Sleep Task Force.⁵ This certification, which is free and valid for 5 years, requires hospitals to submit annual reports

¹ 2021 Vital Statistics Administration Infant Mortality Report:

https://health.maryland.gov/vsa/Documents/Reports%20and%20Data/Infant%20Mortality/InfantMortalityAnnualReport_2021_Final.pdf

² Figure 14, 2020 Child Fatality Review Report: http://dlslibrary.state.md.us/publications/Exec/MDH/FHA/HG5-704%28b%29%2812%29_2020.pdf

³ National Center for Fatality Review and Prevention, National Fatality Review Case Reporting System: <https://ncfrp.org/data/nfr-crs/>

⁴ COMAR 13A.15.05.06, 13A.15.09.01, 13A.15.10.06, 13A.16.09.01, 13A.16.09.04, 13A.16.10.05, 13A.18.09.01, 13A.18.09.04, 13A.18.10.05

⁵ Cribs for Kids Certificates and Manuals: <https://cribsforkids.org/manual-guides/>

and re-certification applications.⁵ Currently, only 4 out of 32 birthing hospitals in Maryland hold this certification.⁶ Cribs for Kids does not currently offer certification for freestanding birth centers.

In early 2023, MDH updated its Infant Safe Sleep webpage to include guidance for families, caregivers, and birthing hospitals.⁷ A new Infant Safe Sleep one-pager and social media toolkit were also developed and distributed to local health departments (LHDs) and community partners. Additionally, MDH provides grants to LHDs to distribute Infant Safe Sleep materials and a combination of durable goods such as cribs, portable cribs, educational onesies, and safe sleep educational videos through the Babies Born Healthy (BBH) and Surveillance and Quality Improvement (SQI) programs. BBH and SQI support perinatal care coordination activities and infant and child fatality review and prevention activities, respectively.

This bill would have both an operational and fiscal impact on MDH, including additional staff and resources to fulfill the requirements. If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at sarah.case-herron@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura Herrera Scott".

Laura Herrera Scott, M.D., M.P.H.
Secretary

⁶ Cribs for Kids Hospital Certification: <https://cribsforkids.org/hospitalcertification/>

⁷ Infant Safe Sleep: https://health.maryland.gov/phpa/mch/pages/safe_sleep.aspx

Testimony SB 59 - Safe Sleep for Infants - Awarene

Uploaded by: Laurel Cratsley

Position: INFO

BILL: Senate Bill 59 **DATE:** February 7, 2024

SUBJECT: Safe Sleep for Infants – Awareness Certification **COMMITTEE:** Finance

POSITION: Information Only

CONTACT: Akilah Alleyne, Ph.D.
Akilah.alleyne@maryland.gov
410-757-0504

The Maryland State Department of Education (MSDE) is providing information for consideration regarding Senate Bill (SB) 59 – Safe Sleep for Infants – Awareness and Certification, which requires child care centers to be certified by the Maryland Safe Sleep Certification Program. The child care center would need to submit proof of certification to the MSDE’s Division of Early Childhood, Office of Child Care (OCC). If a child care center is not certified, then the center could receive a fine of \$250 for the first violation, \$500 for the second violation, and \$1,000 for the third and each subsequent violation.

Currently, MSDE’s OCC inspects licensed child care centers for their compliance with licensing regulations. These inspections already include compliance with safe sleep. In addition, all licensed and registered child care centers and family child care homes are trained on safe sleep through a Basic Health and Safety training, the 45-Hour Infant and Toddler Certification course, as well as a Sudden Infant Death Syndrome (SIDS) training, in alignment with the U.S. Department of Health and Human Services, Administration for Children and Families. Moreover, licensing staff monitor programs for supervision of resting children, including infants.

In addition, MSDE’s OCC has put forth new proposed regulations regarding safe sleep. These proposed regulations are currently in the promulgation process and open for public comment. The proposed regulations seek to align the requirements for safe sleep in child care settings with the latest research recommendations from the American Academy of Pediatrics (AAP). As an initial matter, these regulations clarify that cribs, portable cribs, and playpens used for child care must adhere to the current safety standards set by the U.S. Consumer Product Safety Commission.

Additionally, these regulations mandate that sleep surfaces for children under 12 months old must be firm, flat, and non-inclined unless specifically authorized in writing by a physician or other licensed health care provider, which is in alignment with the AAP’s guidance to reduce the risk of SIDS.

While such authorizations have historically been given by physicians, the addition of “other licensed health care provider” to these regulations is intended to increase access for families so long as evaluation of a child for an inclined sleeping surface or positioning device is within the scope of the provider’s license.

Furthermore, the use of weighted rest items, including blankets, sleepers, and swaddles, is prohibited for children under 12 months, consistent with the AAP's recommendations to create a safe sleep environment. These regulations collectively aim to ensure a safe and nurturing environment for children in child care programs while adhering to the latest research-backed guidelines from the AAP.

MSDE would like to caution the committee on the use of fines. Given that child care supply across the State is declining, in addition to licensing non-compliances, which may also lower a program’s revenue by reducing their Child Care Scholarship reimbursement, may be overly administratively and financially burdensome to child care centers and cause them to close or no longer care for infants.

We respectfully request that you consider this information as you **deliberate SB 59**. Please contact Akilah Alleyne, akilah.alleyne@maryland.gov for any additional information.