
By: **Delegates Dumais, Barkley, Bronrott, Cryor, Feldman, Franchot, Goldwater, Gutierrez, Heller, Kaiser, King, Madaleno, Mandel, Montgomery, Simmons, and Taylor Taylor, Hurson, Hammen, Benson, Boteler, Boutin, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rosenberg, Rudolph, Smigiel, V. Turner, and Weldon**

Introduced and read first time: February 5, 2004
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted with floor amendments
Read second time: March 17, 2004

CHAPTER _____

1 AN ACT concerning

2 **Hospitals and Health Care Facilities - Maternity Patients - Shaken Baby**
3 **Syndrome**

4 FOR the purpose of requiring certain hospitals and health care facilities to provide
5 maternity patients with written information about shaken baby syndrome prior
6 to the discharge of the patient's newborn or infant child; ~~requiring each patient~~
7 ~~to sign a statement acknowledging receipt of the written materials; requiring~~
8 ~~the Maryland Center for Maternal and Child Health in the Family Health~~
9 ~~Administration to provide the written information about shaken baby syndrome~~
10 ~~to certain hospitals; providing for the contents of the written information;~~
11 ~~requiring the written information to be in English and Spanish; specifying that~~
12 failure to meet the requirements may of this Act not be construed to create a
13 private right of action; and generally relating to hospitals providing information
14 about shaken baby syndrome to maternity patients.

15 BY adding to
16 Article - Health - General
17 Section 19-308.7
18 Annotated Code of Maryland
19 (2000 Replacement Volume and 2003 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Health - General

2 19-308.7.

3 (A) EACH HOSPITAL OR HEALTH CARE FACILITY IN THE STATE THAT
4 PROVIDES MATERNITY AND OBSTETRICAL SERVICES SHALL PROVIDE WRITTEN
5 INFORMATION ABOUT SHAKEN BABY SYNDROME TO A MATERNITY PATIENT PRIOR
6 TO THE DISCHARGE OF THE PATIENT'S NEWBORN OR INFANT CHILD FROM THE
7 HOSPITAL.

8 ~~(B) (1) EACH PATIENT SHALL SIGN A STATEMENT ACKNOWLEDGING
9 RECEIPT OF THE WRITTEN MATERIALS.~~

10 ~~(2) ONE COPY OF THE STATEMENT SHALL BE GIVEN TO THE PATIENT
11 AND ONE COPY OF THE STATEMENT SHALL REMAIN ON FILE AT THE HOSPITAL.~~

12 ~~(C) (1) THE MARYLAND CENTER FOR MATERNAL AND CHILD HEALTH IN
13 THE FAMILY HEALTH ADMINISTRATION SHALL PROVIDE THE WRITTEN
14 INFORMATION ABOUT SHAKEN BABY SYNDROME TO EACH HOSPITAL IN THE STATE
15 THAT PROVIDES MATERNITY AND OBSTETRICAL SERVICES.~~

16 ~~(2) THE WRITTEN INFORMATION SHALL INCLUDE:~~

17 ~~(I) A FACT SHEET ABOUT SHAKEN BABY SYNDROME;~~

18 ~~(II) SUGGESTIONS FOR WAYS NEW PARENTS CAN COPE WITH
19 CRYING BABIES;~~

20 ~~(III) SUGGESTIONS FOR WAYS NEW PARENTS CAN COPE WITH THE
21 STRESS, FRUSTRATION, AND FATIGUE CREATED BY CARING FOR NEWBORNS AND
22 INFANTS, INCLUDING RESOURCE REFERRALS; AND~~

23 ~~(IV) A LISTING OF LOCAL AND INTERNET RESOURCE REFERRALS.~~

24 ~~(3) THE WRITTEN INFORMATION SHALL BE IN ENGLISH AND SPANISH.~~

25 (B) FAILURE TO MEET THE REQUIREMENTS OF THIS SECTION MAY NOT BE
26 CONSTRUED TO CREATE A PRIVATE RIGHT OF ACTION.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2004.

