

HOUSE BILL 989

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CF SB 944

By: **Delegate R. Lewis**

Introduced and read first time: February 5, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals – Care of Infants After Discharge**

3 FOR the purpose of requiring a hospital to provide certain instructions to the parent or
4 legal guardian of an infant before the hospital discharges the infant into the care of
5 the parent or legal guardian; authorizing a hospital to supplement certain
6 instruction in a certain manner; requiring a hospital before discharging an infant to
7 inquire as to whether a parent or legal guardian is able to provide the infant with a
8 certain environment and a certain item, inform a parent or legal guardian of certain
9 matters, and provide each parent or legal guardian with a certain form; requiring a
10 hospital to provide a list of resources available for an infant's parent or legal
11 guardian under certain circumstances; defining a certain term; and generally
12 relating to the care of infants after discharge from a hospital.

13 BY adding to

14 Article – Health – General
15 Section 19–308.9
16 Annotated Code of Maryland
17 (2019 Replacement Volume)

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

20 **Article – Health – General**

21 **19–308.9.**

22 (A) IN THIS SECTION, “SAFE SLEEP ENVIRONMENT” MEANS, AS DESCRIBED
23 IN AMERICAN ACADEMY OF PEDIATRIC POLICY STATEMENTS, AN ENVIRONMENT IN
24 WHICH A NEWBORN MAY SLEEP THAT REDUCES THE RISK OF ALL SLEEP-RELATED
25 INFANT DEATHS, INCLUDING THROUGH:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(1) THE USE OF SUPINE POSITIONING;**
2 **(2) THE USE OF A FIRM SLEEP SURFACE;**
3 **(3) THE USE OF ROOM SHARING WITHOUT BED SHARING;**
4 **(4) THE AVOIDANCE OF SOFT BEDDING AND OVERHEATING; AND**
5 **(5) THE AVOIDANCE OF EXPOSURE TO SMOKE, ALCOHOL, AND ILLICIT**
6 **DRUGS.**

7 **(B) (1) BEFORE A HOSPITAL DISCHARGES AN INFANT INTO THE CARE OF**
8 **A PARENT OR LEGAL GUARDIAN, THE HOSPITAL SHALL PROVIDE VERBAL AND**
9 **WRITTEN INSTRUCTIONS TO THE PARENT OR LEGAL GUARDIAN ON HOW TO**
10 **PERFORM THE TASKS NECESSARY TO CARE FOR THE INFANT AT HOME, INCLUDING:**

11 **(I) PROVIDING A SAFE SLEEP ENVIRONMENT;**

12 **(II) AVOIDING SHAKEN BABY SYNDROME;**

13 **(III) COPING WITH CRYING INFANTS AND THE STRESS,**
14 **FRUSTRATION, AND FATIGUE CREATED BY CARING FOR INFANTS; AND**

15 **(IV) PERFORMING ANY OTHER TASKS THAT THE HOSPITAL**
16 **STAFF DETERMINES ARE NECESSARY FOR THE CARE OF THE INFANT.**

17 **(2) THE INSTRUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS**
18 **SUBSECTION MAY BE SUPPLEMENTED BY AN INSTRUCTIONAL VIDEO.**

19 **(C) (1) BEFORE DISCHARGING AN INFANT, A HOSPITAL SHALL:**

20 **(I) INQUIRE AS TO WHETHER THE INFANT'S PARENT OR LEGAL**
21 **GUARDIAN IS ABLE TO PROVIDE THE INFANT WITH:**

22 **1. A SAFE SLEEP ENVIRONMENT; AND**

23 **2. A BASSINET, CRIB, OR PORTABLE CRIB;**

24 **(II) INFORM THE PARENT OR LEGAL GUARDIAN OF THE**
25 **IMPORTANCE OF ENSURING THAT THE INFANT HAS A SAFE SLEEP ENVIRONMENT**
26 **AND THE RISKS OF SUFFOCATION AND SUDDEN INFANT DEATH IN UNSAFE SLEEP**
27 **ENVIRONMENTS; AND**

1 **(III) PROVIDE EACH PARENT OR LEGAL GUARDIAN WITH A**
2 **STANDARDIZED FORM, IN CLEAR AND SIMPLE LANGUAGE, TO BE SIGNED BY THE**
3 **PARENT OR LEGAL GUARDIAN, THAT CONFIRMS THE PARENT OR LEGAL GUARDIAN**
4 **UNDERSTANDS THE INSTRUCTIONS PROVIDED UNDER SUBSECTION (B) OF THIS**
5 **SECTION AND THE INFORMATION DESCRIBED UNDER ITEM (II) OF THIS PARAGRAPH.**

6 **(2) IF THE INFANT’S PARENT OR LEGAL GUARDIAN CANNOT PROVIDE**
7 **A SAFE SLEEP ENVIRONMENT, OR A BASSINET, CRIB, OR PORTABLE CRIB, THE**
8 **HOSPITAL SHALL PROVIDE A LIST OF RESOURCES AVAILABLE FOR THE PARENT OR**
9 **LEGAL GUARDIAN TO OBTAIN THE ITEMS NECESSARY TO PROVIDE A SAFE SLEEP**
10 **ENVIRONMENT FOR THE INFANT.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2020.