

1 HB748  
2 119285-2  
3 By Representatives McCutcheon, Treadaway, Canfield, Morrow,  
4 Hill, Ward, Grantland, Love, Hubbard, Ball, Williams (P),  
5 Wood, Collier, Shiver, Curtis, Beech, Robinson (J), Dukes,  
6 Hinshaw, White, Irons, Letson, Sherer, Hall and Todd  
7 RFD: Judiciary  
8 First Read: 23-MAR-10

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8 SYNOPSIS: This bill would create the Sudden  
9 Unexplained Infant Death Investigation Act, to  
10 provide for investigating suspected cases of sudden  
11 unexplained infant death (SUID) of infants less  
12 than one year of age.

13 This bill would create the Alabama Sudden  
14 Unexplained Infant Death Investigation (SUIDI)  
15 Team, comprised of certain state officials and  
16 representatives of certain state agencies, to  
17 provide for the development and maintenance of  
18 SUIDI training curricula in the State of Alabama  
19 and other duties.

20 This bill would provide for the coordination  
21 of the county coroner or medical examiner, along  
22 with law enforcement and other necessary medical or  
23 emergency personnel in investigating suspected  
24 cases of SUID.

25 This bill would provide certain persons and  
26 entities immunity from civil and criminal liability  
27 under certain conditions.

1  
2 A BILL  
3 TO BE ENTITLED  
4 AN ACT  
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6 Relating to sudden unexplained infant death, to  
7 create the Sudden Unexplained Infant Death Investigation Act;  
8 to provide for investigating suspected cases of sudden  
9 unexplained infant death (SUID); to create the Alabama Sudden  
10 Unexplained Infant Death Investigation Team; to provide for  
11 its duties; to provide for the coordination of certain county  
12 officials, law enforcement, and medical or emergency personnel  
13 in investigating suspected cases of SUID; and to provide  
14 certain persons and entities immunity from civil and criminal  
15 liability under certain conditions.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. This act shall be known and may be cited  
18 as the "Sudden Unexplained Infant Death Investigation Act."

19 Section 2. The Legislature finds and declares all  
20 the following:

21 (1) Protection of the health and welfare of the  
22 infants of this state is a goal of its people and the  
23 unexpected or unexplained death of an infant is an important  
24 public health concern that requires legislative action.

25 (2) Death scene investigations and findings thereof  
26 can be particularly important in accurately diagnosing the  
27 manners and causes of infant deaths.

1           (3) Collecting accurate data on the cause and manner  
2 of unexpected infant deaths will better enable the state to  
3 protect infants from preventable deaths and will help reduce  
4 the incidence of infant deaths.

5           Section 3. For purposes of this act, the following  
6 words shall have the following meanings:

7           (1) FORENSIC PATHOLOGIST. A pathologist trained or  
8 with experience in forensic pathology, licensed to practice  
9 medicine and surgery or osteopathic medicine and surgery in  
10 the State of Alabama and board of certified by the American  
11 Board of Pathology, or under the direct supervision of a  
12 physician with these qualifications.

13           (2) SUDDEN UNEXPLAINED INFANT DEATH (SUID). The  
14 sudden death of an infant less than one year of age whose  
15 death occurs outside the direct care of a physician in a  
16 hospital or other health care setting and whose cause of death  
17 is not reasonably ascertainable after a thorough investigation  
18 and examination by the person signing the death certificate.

19           Section 4. (a) There is established the Alabama  
20 Sudden Unexplained Infant Death Investigation (SUIDI) Team.  
21 The team is charged with the development and maintenance of  
22 SUIDI training curricula for the State of Alabama. The SUIDI  
23 Team shall be comprised of all of the following:

24           (1) The Director of the Alabama Department of Child  
25 Abuse and Neglect Prevention.

26           (2) The State Health Officer or his or her designee.

1                   (3) The Chief Medical Examiner of the Alabama  
2 Department of Forensic Sciences.

3                   (4) The President of the Alabama Coroners  
4 Association.

5                   (5) One representative appointed by the Alabama  
6 District Attorneys Association.

7                   (6) One representative appointed by the Alabama  
8 State Board of Nursing.

9                   (7) One representative appointed by the Alabama  
10 Department of Human Resources.

11                   (b) In order to implement this act, the SUIDI Team  
12 shall do all of the following:

13                   (1) Establish death scene investigation protocol.

14                   (2) Develop and maintain the training standards,  
15 policies, and procedures related to investigating and  
16 reporting SUID in Alabama.

17                   (3) Approve a standardized reporting form to be used  
18 in conjunction with the above procedures.

19                   (4) Maintain records of information collected and  
20 report de-identified, aggregate data as appropriate.

21                   (5) Conduct educational programs to inform the  
22 general public of research findings that may lead to the  
23 possible means of prevention of SUID.

24                   (c) For administrative purposes, the Alabama SUIDI  
25 Team shall be organized within the Department of Child Abuse  
26 and Neglect Prevention.

1           Section 5. (a) A death investigation as provided in  
2 this act shall be performed in all cases of SUID to help  
3 reduce the incidence of injury and death to infants by  
4 accurately identifying the causes of death in infants under  
5 one year of age.

6           (b) All law enforcement investigators who will be  
7 assigned to investigate infant deaths and elected or duly  
8 appointed coroners and deputy coroners shall receive training  
9 on the investigation and handling of cases of SUID as  
10 determined by the SUIDI Team.

11           (c) The training, which shall be developed by the  
12 SUIDI Team, shall include a focus on the importance of being  
13 sensitive to the grief of family members and shall be  
14 consistent with the death scene investigation protocol  
15 approved by the SUIDI Team. The SUIDI team shall develop a  
16 team of trainers who shall provide SUID training.

17           (d) When changes occur in policies or procedures  
18 pertaining to SUID investigations, the Alabama SUIDI Team  
19 shall promptly notify various law enforcement associations and  
20 the Alabama Coroner's Association within the state. The  
21 changes shall then be communicated in a timely manner to the  
22 respective law enforcement agencies and coroners for  
23 dissemination to their enforcement personnel.

24           (e) Emergency medical technicians, professional  
25 firefighters, and other first responders shall be offered  
26 training by the Alabama SUIDI Team on the handling of cases of  
27 SUID as a part of their continuing training.

1           Section 6. (a) In every case of SUID, the county  
2 coroner or medical examiner shall be notified and cooperate  
3 and assist law enforcement with the death investigation.

4           (b) The county coroner or medical examiner shall  
5 obtain legal authorization to send the infant to a forensic  
6 pathologist for examination.

7           (c) The county coroner or medical examiner shall  
8 contact the appropriate law enforcement personnel to conduct a  
9 death investigation according to the protocol developed by the  
10 SUIDI Team. The investigation shall be initiated within 24  
11 hours of the time the appropriate law enforcement personnel is  
12 contacted.

13           (d) The county coroner or medical examiner shall  
14 send a copy of the SUIDI Team approved investigative form to  
15 the forensic pathologist conducting the autopsy.

16           (e) A copy of the completed post-mortem examination  
17 report, available medical history, and death scene  
18 investigation form shall be forwarded to the Director of  
19 Alabama Child Death Review System.

20           (f) Members of the SUIDI Team shall be immune from  
21 any and all civil and criminal liability in connection with  
22 their good faith participation on the team and all activities  
23 associated therewith; however, this immunity is not available  
24 in the event any team member violates the confidentiality  
25 provided in this act.

26           (g) Any individual or entity providing information  
27 pertinent to the investigation and related autopsy in a

1       suspected case of SUID shall be immune from any and all civil  
2       or criminal liability for breach of confidentiality concerning  
3       the release of the information.

4               Section 7. This act shall become operative three  
5       months after the development and dissemination of the protocol  
6       required by Section 4 (b) by the SUIDI team.

7               Section 8. This act shall become effective on the  
8       first day of the third month following its passage and  
9       approval by the Governor, or its otherwise becoming law.