



Reprinted  
March 5, 1999

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## HOUSE BILL No. 1547

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DIGEST OF HB 1547 (Updated March 4, 1999 4:02 pm - DI 73)

**Citations Affected:** IC 16-18; IC 16-41.

**Synopsis:** Childhood hazards program. Expands the shaken baby syndrome education program to include other childhood hazards. Provides that the department of health may implement a program focusing on awareness and prevention of childhood hazards.

**Effective:** July 1, 1999.

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**Klinker, Crawford, Budak, Becker**

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January 19, 1999, read first time and referred to Committee on Human Affairs.  
February 18, 1999, amended, reported — Do Pass; referred to Committee on Ways and Means pursuant to House Rule 127.  
March 1, 1999, amended, reported — Do Pass.  
March 4, 1999, read second time, amended, ordered engrossed.

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HB 1547—LS 7503/DI 77+



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March 5, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1547

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-18-2-54.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 1999]: **Sec. 54.5. "Childhood hazards", for**  
4 **purposes of IC 16-41-40, has the meaning set forth in**  
5 **IC 16-41-40-1.5.**

6 SECTION 2. IC 16-41-40-1.5 IS ADDED TO THE INDIANA  
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 1999]: **Sec. 1.5. As used in this chapter,**  
9 **"childhood hazards" means the following preventable causes of**  
10 **death to children:**

11 (A) **Shaken baby syndrome.**  
12 (B) **Abuse and neglect, and accidents caused by fire, water,**  
13 **firearms, agricultural equipment, and motor vehicles.**

14 SECTION 3. IC 16-41-40-3 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) The state  
16 department, with the assistance of the division, ~~may~~ **shall** establish a  
17 program focusing on awareness and prevention of ~~shaken baby~~

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1 ~~syndrome.~~ **childhood hazards.**

2 (b) If a program is established under subsection (a), the state  
3 department or the division may contract with a statewide nonprofit  
4 organization with experience and knowledge in ~~shaken baby syndrome~~  
5 **childhood hazards** to implement all or part of the program.

6 SECTION 4. IC 16-41-40-4 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. If the state  
8 department and the division establish a program under section 3 of this  
9 chapter, the state department, with the assistance of the division, shall  
10 design and implement strategies for raising public awareness  
11 concerning the causes and nature of **childhood hazards, including the**  
12 **following concerning** shaken baby syndrome: ~~including the following:~~

- 13 (1) Factors placing parents, guardians, and other caregivers at risk  
14 for shaking an infant.  
15 (2) The risks associated with shaking an infant.  
16 (3) Suggestions for preventing shaken baby syndrome.

17 SECTION 5. IC 16-41-40-5 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) A program  
19 established under this chapter must include the distribution of readily  
20 understandable information and instructional materials regarding  
21 **childhood hazards. Information concerning** shaken baby syndrome  
22 ~~explaining must explain~~ its medical effects on infants and children and  
23 ~~emphasizing~~ **emphasize** preventive measures.

24 (b) The information and instructional materials described in  
25 subsection (a) **concerning shaken baby syndrome** must be provided  
26 without cost by the following:

- 27 (1) Each hospital licensed under IC 16-21, to a parent or guardian  
28 of each newborn upon discharge from the hospital.  
29 (2) The division of family and children to each provider (as  
30 defined in IC 12-7-2-149(4) or IC 12-7-2-149(5)) when:  
31 (A) the provider applies for a license from the division under  
32 IC 12-17.2 or IC 12-17.4; or  
33 (B) the division inspects a facility operated by a provider.

34 SECTION 6. IC 16-41-40-6 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. The state  
36 department, with the assistance of the division, may do the following:

- 37 (1) Work to improve the capacity of community based services  
38 available to victims of ~~shaken baby syndrome.~~ **childhood**  
39 **hazards.**  
40 (2) Work with:  
41 (A) other state and local governmental agencies;  
42 (B) community and business leaders;



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1 (C) community organizations;  
 2 (D) health care and human service providers; ~~and~~  
 3 (E) national organizations; **and**  
 4 (F) **university safety programs;**  
 5 to coordinate efforts and maximize state and private resources in  
 6 the areas of prevention of and education about ~~shaken baby~~  
 7 ~~syndrome.~~ **childhood hazards.**  
 8 (3) Identify and, when appropriate, replicate or use successful  
 9 ~~shaken baby syndrome~~ **childhood hazard** programs and procure  
 10 related materials and services from organizations with appropriate  
 11 experience and knowledge of ~~shaken baby syndrome.~~ **childhood**  
 12 **hazards.**  
 13 SECTION 7. IC 16-41-40-7 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The ~~shaken baby~~  
 15 ~~syndrome~~ **childhood hazards** education and prevention account is  
 16 established within the state general fund to carry out this chapter. The  
 17 account shall be administered by the state department.  
 18 (b) Expenses of administering the account shall be paid from money  
 19 in the account.  
 20 (c) The treasurer of state shall invest the money in the account not  
 21 currently needed to meet the obligations of the account in the same  
 22 manner as other public money may be invested. Money in the account  
 23 at the end of a fiscal year does not revert to the state general fund.  
 24 (d) The account consists of money accepted by the state department  
 25 from grants and donations from private entities.  
 26 (e) Money in the account is continuously appropriated for the  
 27 purposes provided under this chapter.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1547, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, strike "If a program is established under subsection (a),".

Page 2, line 2, delete "the" and insert "The".

Page 2, line 5, after "program" insert "**established under subsection (a)**".

Page 2, line 23, strike "emphasizing" and insert "emphasize".

and when so amended that said bill do pass.

(Reference is to HB 1547 as introduced.)

SUMMERS, Chair

Committee Vote: yeas 12, nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1547, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Delete the committee report of the Human Affairs Committee adopted February 18, 1999.

Page 2, line 7, reset in roman "If the state".

Page 2, reset in roman line 8.

Page 2, line 9, reset in roman "chapter,".

Page 2, line 9, delete "The" and insert "the".

Page 2, line 23, strike "emphasizing" and insert "**emphasize**".

Page 3, delete lines 27 through 32.

and when so amended that said bill do pass.

(Reference is to HB 1547 as introduced and as amended by the committee report of the Human Affairs Committee adopted February 18, 1999.)

BAUER, Chair

Committee Vote: yeas 24, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1547 be amended to read as follows:

Page 1, line 13, after "firearms," insert "**agricultural equipment**,".

Page 3, line 2, strike "and".

Page 3, line 3, after "organizations;" insert "**and**".

Page 3, between lines 3 and 4, begin a new subparagraph and insert: "**(F) university safety programs;**"

(Reference is to HB1547 as printed March 2, 1999.)

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