Ohio Legislative Service Commission

Bill Analysis

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Sub. S.B. 278

130th General Assembly
(As Passed by the Senate)

Sens. Jones and Tavares, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Skindell, Smith, Turner, Uecker, Widener

BILL SUMMARY

- Requires coroners, deputy coroners, or any other individuals who have been designated to investigate the sudden, unexpected death of a child one year of age or younger to complete a "Sudden Unexplained Infant Death Investigation Reporting Form" (SUIDI reporting form) or an alternative form that the Director of Health may develop.

- Requires the person who completes the SUIDI reporting form or the alternative reporting form to retain the form and send a copy of it to the appropriate child fatality review board or regional child fatality board.

- Specifies that a completed reporting form and copies of completed reporting forms are not public records.

- Eliminates a provision specifying that a health district or department of health with jurisdiction in the area in which a parent resides must offer the parent any available counseling when the parent's child is found to have suffered a sudden unexplained infant death.

CONTENT AND OPERATION

Sudden Unexplained Infant Death Investigation Reporting Form

Form completion

The bill requires a coroner, deputy coroner, or any other individual who has been designated to investigate when a child one year of age or younger dies suddenly

and unexpectedly, the cause of which is not immediately obvious prior to investigation, to complete a Sudden Unexplained Infant Death Investigation Reporting Form (SUIDI reporting form) developed by the U.S. Centers for Disease Control and Prevention (CDC) or an alternative form. The alternative reporting form may be one that the bill authorizes the Director of Health to develop in consultation with the Ohio State Coroners Association.[1] The bill's requirement would replace law recently enacted by S.B. 198 of the 130th General Assembly (effective May 20, 2014) that encourages the persons specified above to complete a SUIDI reporting form developed by the CDC in the same circumstances as the bill.[2]

Child fatality review boards

If a person completes a SUIDI form under law recently enacted by S.B. 198, a copy of the form must be sent to the Director of Health and used for the purpose of collecting data to prevent future unexplained infant deaths. The bill eliminates this requirement and, instead, requires the person who completes the SUIDI reporting form or the alternative reporting form to retain the form and send a copy of it to the appropriate child fatality review board or regional child fatality review board. Under law unchanged by the bill, the purpose of a child fatality review board is to decrease the incidence of preventable child deaths by doing all of the following: (1) promoting cooperation, collaboration, and communication between all groups, professions, agencies, or entities that serve families and children, (2) maintaining a comprehensive database of all child deaths that occur in the county or region served by the child fatality review board in order to develop an understanding of the causes and incidence of those deaths, (3) recommending and developing plans for implementing local service and program changes and changes to the groups, professions, agencies, or entities that serve families and children that might prevent child deaths, and (4) advising the Department of Health of aggregate data, trends, and patterns concerning child deaths.[3]

If a coroner or deputy coroner completes the reporting form, the bill requires that, in addition, a copy of the coroner's report be sent to the appropriate child fatality review board or regional child fatality review board.[4] Existing law requires a coroner to keep a complete record of each case of death under the coroner's jurisdiction. The

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[1] R.C. 313.121(B).

[2] R.C. 313.121(B), as amended by S.B. 198 of the 130th General Assembly.

[3] R.C. 307.623, not in the bill.

[4] R.C. 313.121(B).

record must include the decedent's name (if known), place where the body was found, date of death, cause of death, and all other available information.[5]

Exemption from public records law

The bill specifies that a completed reporting form and copies of completed reporting forms are not public records under Ohio's Public Records Law (R.C. 149.43).[6]

Background – form availability

The current version of the SUIDI reporting form is eight pages in length. It is available through the CDC's website[7] or may be accessed directly at the following address: <http://www.cdc.gov/sids/PDF/SUIDI-Form2-1-2010.pdf>.

Services to parents affected by sudden unexplained infant death

Under existing law unchanged by the bill, a coroner or deputy coroner must perform an autopsy of the body of a child under two years of age who dies suddenly when in apparent good health, unless the autopsy is contrary to the religious beliefs of the child's parents.[8] Current law requires a health district or department of health with jurisdiction in the area in which a parent resides to offer the parent counseling or other supportive services (if available) if any of the following is the case:[9]

--The health district or department has learned through any source that a required autopsy, described above, is being performed.

--The health district or department has received notice that the final result of a required autopsy concluded that the child died of Sudden Infant Death Syndrome (SIDS). (SIDS is the sudden death of an infant less than one year of age that cannot be explained after a thorough investigation is conducted, including a complete autopsy, examination of the death scene, and a review of the infant's clinical history. SIDS is a type of "sudden unexpected infant death.")[10]

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[5] R.C. 313.09, not in the bill.

[6] R.C. 313.121(B).

[7] CDC, *Download the Sudden Unexplained Infant Death Investigation Reporting Form (SUIDIRF)* (last visited April 15, 2014), available at <http://www.cdc.gov/sids/SUIDRFdownload.htm>.

[8] R.C. 313.121(B) and (C).

[9] R.C. 313.121(C).

[10] CDC, *Sudden Unexpected Infant Death and Sudden Infant Death Syndrome* (last visited April 15, 2014), available at <http://www.cdc.gov/sids/>.

--The health district or department was notified by the coroner that a required autopsy was not performed because an autopsy is contrary to the religious beliefs of the child's parents.

The bill removes the specific requirement that the health district or department offer any available counseling but maintains the provision requiring a health district or department of health to offer the parent "any supportive services it has available." It is not clear whether counseling will continue to be considered a supportive service if the bill is enacted.

HISTORY

ACTION	DATE
Introduced	02-12-14
Reported, S. Medicaid, Health & Human Services	04-02-14
Passed Senate (32-0)	04-02-14

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