

1 HB497
2 129160-1
3 By Representatives McCutcheon, Ball, Hill, Weaver, Morrow,
4 Johnson (W), Treadaway and Farley
5 RFD: Health
6 First Read: 12-APR-11

2
3
4
5
6
7
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 members of the State Child Death
16 Review Team, to provide for the development and
17 maintenance of SUIDI training curricula in the
18 State of Alabama and other duties.

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

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

1 A BILL
2 TO BE ENTITLED
3 AN ACT
4

5 Relating to sudden unexplained infant death, to
6 provide for investigating suspected cases of sudden
7 unexplained infant death (SUID); to create the Alabama Sudden
8 Unexplained Infant Death Investigation Team; to provide for
9 its duties; to provide for the coordination of certain county
10 officials, law enforcement, and medical or emergency personnel
11 in investigating suspected cases of SUID; and to provide
12 certain persons and entities immunity from civil and criminal
13 liability under certain conditions.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. This act shall be known and may be cited
16 as the Sudden Unexplained Infant Death Investigation Act.

17 Section 2. The Legislature finds and declares all
18 the following:

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

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

26 (3) Collecting accurate data on the cause and manner
27 of unexpected infant deaths will better enable the state to

1 protect infants from preventable deaths and will help reduce
2 the incidence of infant deaths.

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

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

11 (2) INFANT DEATH. The sudden death of an person less
12 than one year of age whose death occurs outside the direct
13 care of a physician in a hospital or other health care
14 setting.

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

21 Section 4. (a) There is established the Alabama
22 Sudden Unexplained Infant Death Investigation (SUIDI) Team
23 which for administrative purposes shall be organized within
24 the Department of Public Health as a subcommittee of the State
25 Child Death Review Team. The team is charged with the
26 development, maintenance, and provision of SUIDI training
27 curricula for the State of Alabama. The development and

1 approval of infant death investigation protocol and reporting
2 forms are not subject to the rule-making requirements of the
3 Administrative Procedure Act.

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

6 (1) Establish infant death scene investigation
7 protocol.

8 (2) Develop and maintain the training standards,
9 policies, and procedures related to investigating and
10 reporting SUID in Alabama.

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

13 Section 5. (a) An investigation shall be performed
14 utilizing protocol and forms approved by the Alabama Sudden
15 Unexplained Infant Death Investigation (SUIDI) Team in all
16 incidents of infant deaths.

17 (b) All law enforcement agencies within this state
18 are responsible to ensure that all personnel who investigate
19 infant deaths obtain training developed by the SUIDI Team on
20 investigation protocol and completing reporting forms.

21 (c) All elected and appointed coroners and deputy
22 coroners are responsible for obtaining training on
23 investigation protocol and completing reporting forms in cases
24 of infant deaths.

25 (d) The training, which shall be developed by the
26 SUIDI Team, shall include a focus on the importance of being
27 sensitive to the grief of family members and shall be

1 consistent with the death scene investigation protocol
2 approved by the SUIDI Team.

3 (e) The Alabama Department of Public Health shall be
4 responsible for developing a team of trainers to provide
5 infant death investigation training to law enforcement
6 personnel, as well as coroners and deputy coroners.

7 (f) The Alabama Department of Public Health shall be
8 responsible for disseminating infant death investigation
9 protocol and reporting forms to the various law enforcement
10 associations and the Alabama Coroner's Association within the
11 state which shall in turn disseminate the protocol and
12 reporting forms to the respective law enforcement agencies and
13 coroners in this state.

14 (g) When changes occur in protocol pertaining to
15 SUID investigations, the Alabama Department of Public Health
16 shall promptly notify various law enforcement associations and
17 the Alabama Coroner's Association within the state. The
18 changes shall then be communicated in a timely manner to the
19 respective law enforcement agencies and coroners for
20 dissemination to their enforcement personnel.

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

24 (b) The county coroner or medical examiner shall
25 obtain legal authorization to send the infant to a forensic
26 pathologist for examination.

1 (c) The county coroner or medical examiner shall
2 contact the appropriate law enforcement personnel to conduct a
3 death investigation according to the protocol developed by the
4 SUIDI Team. The investigation shall be initiated within 24
5 hours of the time the appropriate law enforcement personnel is
6 contacted.

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

10 Section 7. This act shall become effective on the
11 first day of the sixth month following its passage and
12 approval by the Governor, or its otherwise becoming law.