

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 60

FINAL READING

Introduced by Cavanaugh, 6; Howard, 9; Blood, 3.

Read first time January 10, 2019

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to infants; to amend sections 71-2102,
2 71-2103, 71-2104, and 79-1902, Reissue Revised Statutes of Nebraska,
3 and section 43-2606, Revised Statutes Cumulative Supplement, 2018;
4 to change provisions relating to training requirements and shaken
5 baby syndrome; to harmonize provisions; and to repeal the original
6 sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-2606, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 43-2606 (1) The Department of Health and Human Services shall adopt
4 and promulgate rules and regulations for mandatory training requirements
5 for providers of child care and school-age-care programs. Such
6 requirements shall include preservice orientation and at least four hours
7 of annual inservice training. All child care programs required to be
8 licensed under section 71-1911 shall show completion of a preservice
9 orientation approved or delivered by the department prior to receiving a
10 provisional license.

11 (2) The department shall initiate a system of documenting the
12 training levels of staff in specific child care settings to assist
13 parents in selecting optimal care settings.

14 (3) The training requirements shall be designed to meet the health,
15 safety, and developmental needs of children and shall be tailored to the
16 needs of licensed providers of child care programs. Preservice
17 orientation and the training requirements for providers of child care
18 programs shall include, but not be limited to, information on sudden
19 unexpected infant death syndrome, abusive head trauma in infants and
20 children, crying plans shaken baby syndrome, and child abuse.

21 (4) The department shall provide or arrange for training
22 opportunities throughout the state and shall provide information
23 regarding training opportunities to all providers of child care programs
24 at the time of registration or licensure, when renewing a registration,
25 or on a yearly basis following licensure.

26 (5) Each provider of child care and school-age-care programs
27 receiving orientation or training shall provide his or her social
28 security number to the department.

29 (6) The department shall review and provide recommendations to the
30 Governor for updating rules and regulations adopted and promulgated under
31 this section at least every five years.

1 Sec. 2. Section 71-2102, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 71-2102 ~~The Legislature finds that shaken baby syndrome is the~~
4 ~~medical term used to describe the violent shaking of an infant or child~~
5 ~~and the injuries or other results sustained by the infant or child. The~~
6 Legislature further finds that abusive head trauma ~~shaken baby syndrome~~
7 may occur when an infant or child is violently shaken as part of a
8 pattern of abuse or because an adult has momentarily succumbed to the
9 frustration of responding to a crying infant or child. The Legislature
10 further finds that the these injuries sustained by the infant or child
11 can include brain swelling and damage, subdural hemorrhage, intellectual
12 disability, or death. The Legislature further finds and declares that
13 there is a present and growing need to provide programs aimed at reducing
14 the number of cases of abusive head trauma in infants and children ~~shaken~~
15 ~~baby syndrome~~ in Nebraska.

16 Sec. 3. Section 71-2103, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 71-2103 Every hospital, birth center, or other medical facility that
19 discharges a newborn child shall request that each maternity patient and
20 father of a newborn child, if available, view a video presentation and
21 read printed materials, approved by the Department of Health and Human
22 Services, on the dangers of shaking infants and children, the symptoms of
23 abusive head trauma in infants and children ~~shaken baby syndrome~~, the
24 dangers associated with rough handling or the striking of an infant,
25 safety measures which can be taken to prevent sudden infant death and
26 abusive head trauma in infants and children, including crying plans, and
27 the dangers associated with infants sleeping on the same surface ~~in the~~
28 ~~same bed~~ with other children or adults. After viewing the presentation
29 and reading the materials or upon a refusal to do so, the hospital, birth
30 center, or other medical facility shall request that the mother and
31 father, if available, sign a form stating that he or she has viewed and

1 read or refused to view and read the presentation and materials. Such
2 presentation, materials, and forms may be provided by the department.

3 Sec. 4. Section 71-2104, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 71-2104 The Department of Health and Human Services shall conduct
6 public awareness activities designed to promote the prevention of sudden
7 infant death syndrome and abusive head trauma in infants and children
8 ~~shaken baby syndrome~~. The public awareness activities may include, but
9 not be limited to, public service announcements, information kits and
10 brochures, and the promotion of preventive telephone hotlines.

11 Sec. 5. Section 79-1902, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 79-1902 (1) The State Department of Education, in cooperation with
14 the Department of Health and Human Services, shall develop a packet
15 entitled "Learning Begins at Birth" to be given to the parents of each
16 child born in this state on and after January 1, 2003.

17 (2) The packet shall contain information about child development,
18 child care, how children learn, children's health including, on and after
19 July 14, 2006, information on decreasing the risk ~~prevention~~ of sudden
20 unexplained infant death syndrome and abusive head trauma in infants and
21 children ~~shaken baby syndrome~~, services available to children and
22 parents, and any other information deemed relevant by the Department of
23 Health and Human Services or the State Department of Education. The State
24 Department of Education shall indicate which information in the packet is
25 appropriate for the parents of infants, for the parents of toddlers, and
26 for the parents of preschoolers.

27 (3) The State Department of Education shall develop a variety of
28 types of the packet, based on the needs of parents. The information in
29 the packets may be in the form of printed material or in the form of
30 video tapes, audio cassettes, or other appropriate media.

31 Sec. 6. Original sections 71-2102, 71-2103, 71-2104, and 79-1902,

- 1 Reissue Revised Statutes of Nebraska, and section 43-2606, Revised
- 2 Statutes Cumulative Supplement, 2018, are repealed.