

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 60**

Introduced by Cavanaugh, 6; Howard, 9.

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  
26 including crying plans, and the dangers associated with infants sleeping  
27 in the same bed with other children or adults. After viewing the  
28 presentation and reading the materials or upon a refusal to do so, the  
29 hospital, birth center, or other medical facility shall request that the  
30 mother and father, if available, sign a form stating that he or she has  
31 viewed and read or refused to view and read the presentation and

1 materials. Such presentation, materials, and forms may be provided by the  
2 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.