

## **IC 16-41-40**

### **Chapter 40. Shaken Baby Syndrome Education**

#### **IC 16-41-40-1**

##### **Repealed**

*(Repealed by P.L.145-2006, SEC.376.)*

#### **IC 16-41-40-1.5**

##### **"Childhood hazards" defined**

Sec. 1.5. As used in this chapter, "childhood hazards" means the following preventable causes of death to children:

- (1) Shaken baby syndrome.
- (2) Abuse and neglect, and accidents caused by fire, water, and agricultural equipment.

*As added by P.L.101-1999, SEC.2.*

#### **IC 16-41-40-2**

##### **"Shaken baby syndrome" defined**

Sec. 2. As used in this chapter, "shaken baby syndrome" refers to the vigorous shaking of an infant or a young child that may:

- (1) result in bleeding inside the head; and
- (2) cause one (1) or more of the following conditions:
  - (A) Irreversible brain damage.
  - (B) Blindness, retinal hemorrhage, or eye damage.
  - (C) Cerebral palsy.
  - (D) Hearing loss.
  - (E) Spinal cord injury, including paralysis.
  - (F) Seizures.
  - (G) Learning disability.
  - (H) Death.
  - (I) Central nervous system injury as evidenced by central nervous system hemorrhaging.
  - (J) Closed head injury.
  - (K) Rib fracture.
  - (L) Subdural hematoma.

*As added by P.L.51-1998, SEC.3.*

#### **IC 16-41-40-3**

##### **Awareness and prevention program**

Sec. 3. (a) The state department, with the assistance of the department of child services shall establish a program focusing on awareness and prevention of childhood hazards.

(b) If a program is established under subsection (a), the state department or the department of child services may contract with a statewide nonprofit organization with experience and knowledge in childhood hazards to implement all or part of the program.

*As added by P.L.51-1998, SEC.3. Amended by P.L.101-1999, SEC.3; P.L.145-2006, SEC.143.*

#### **IC 16-41-40-4**

### **Strategies for raising public awareness**

Sec. 4. If the state department and the department of child services establish a program under section 3 of this chapter, the state department, with the assistance of the department of child services, shall design and implement strategies for raising public awareness concerning the causes and nature of childhood hazards, including the following concerning shaken baby syndrome:

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

*As added by P.L.51-1998, SEC.3. Amended by P.L.101-1999, SEC.4; P.L.145-2006, SEC.144.*

### **IC 16-41-40-5**

#### **Distribution of information and instructional materials**

Sec. 5. (a) A program established under this chapter must include the distribution of readily understandable information and instructional materials regarding childhood hazards. Information concerning shaken baby syndrome, must explain its medical effects on infants and children and emphasize preventive measures.

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

- (1) Each hospital licensed under IC 16-21, to a parent or guardian of each newborn upon discharge from the hospital.
- (2) The department of child services to each provider (as defined in IC 12-7-2-149.1 or IC 31-9-2-99.3) when:
  - (A) the provider applies for a license from the division or the department of child services under IC 12-17.2 or IC 31-27; or
  - (B) the division or the department of child services inspects a facility operated by a provider.

*As added by P.L.51-1998, SEC.3. Amended by P.L.101-1999, SEC.5; P.L.273-1999, SEC.178; P.L.145-2006, SEC.145.*

### **IC 16-41-40-6**

#### **Powers of state department**

Sec. 6. The state department, with the assistance of the department of child services may do the following:

- (1) Work to improve the capacity of community based services available to victims of childhood hazards.
- (2) Work with:
  - (A) other state and local governmental agencies;
  - (B) community and business leaders;
  - (C) community organizations;
  - (D) health care and human service providers;
  - (E) national organizations; and
  - (F) university safety programs;

to coordinate efforts and maximize state and private resources

in the areas of prevention of and education about childhood hazards.

(3) Identify and, when appropriate, replicate or use successful childhood hazard programs and procure related materials and services from organizations with appropriate experience and knowledge of childhood hazards.

*As added by P.L. 51-1998, SEC.3. Amended by P.L. 101-1999, SEC.6; P.L. 145-2006, SEC.146.*

#### **IC 16-41-40-7**

##### **Childhood hazards education and prevention account**

Sec. 7. (a) The childhood hazards education and prevention account is established within the state general fund to carry out this chapter. The account shall be administered by the state department.

(b) Expenses of administering the account shall be paid from money in the account.

(c) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Money in the account at the end of a fiscal year does not revert to the state general fund.

(d) The account consists of money accepted by the state department from grants and donations from private entities.

(e) Money in the account is continuously appropriated for the purposes provided under this chapter.

*As added by P.L. 51-1998, SEC.3. Amended by P.L. 101-1999, SEC.7.*