

HCS SB 533 -- PROTECTION OF CHILDREN

SPONSOR: Riddle (Franklin)

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Children and Families by a vote of 9 to 1. Voted "Do Pass with HCS" by the Select Committee on Social Services by a vote of 7 to 1.

This bill changes the laws regarding the protection of children.

PERINATAL CARE (Section 192.380, RSMo)

The bill establishes the Perinatal Advisory Council which must be composed of representatives from specified organizations who must focus on and have experience in perinatal care or infant mortality, one of whom must be elected chair by a majority of the members, to be appointed by the Governor with the advice and consent of the Senate. The Director of the Department of Health and Senior Services and the Director of the Department of Social Services or their designees must serve as ex officio members of the council and must not have a vote. After seeking broad public and stakeholder input, the council must make recommendations for the division of the state into neonatal and maternal care regions. When making the recommendations the council must make specified considerations. The council must establish criteria for levels of birthing center care including regional perinatal centers. The levels developed under these provisions must be based on specified criteria.

Nothing in these provisions must be construed in any way to modify or expand the licensure of any health care professional or to require a patient be transferred to a different facility.

Beginning January 1, 2017, hospital applications for license must include the appropriate level of maternal care designation and neonatal care designation as determined by the council under these provisions. Beginning January 1, 2017, any hospital operated by a state university must report, as requested by the department, the appropriate level of maternal care designation and neonatal care designation as determined by the perinatal advisory council under these provisions.

Nothing in these provisions must be construed to impose liability for referral or failure to refer in accordance with the recommendations of the council. The department may partner with appropriate nationally recognized nonprofit organizations with demonstrated expertise in maternal and neonatal standards of care to administer these provisions.

The criteria for levels of birthing care developed under these provisions must not include pregnancy termination, or counseling or referral for pregnancy termination. All certified professional midwives may consult with and participate in educational opportunities through the regional perinatal center.

#### IMMUNIZATION OF CHILDREN (Section 210.003)

The bill requires all public, private, and parochial day care centers, preschools, and nursery schools to notify parents or guardians, upon request, of whether there are children currently enrolled in or attending the facility for whom an immunization exemption has been filed.

#### SAFE SLEEP PRACTICES (Sections 210.221 and 210.223)

The bill authorizes the Department of Health and Senior Services to approve training concerning the safe sleep recommendations of the American Academy of Pediatrics.

The bill requires all licensed child care facilities that provide care for children less than one year of age to implement and maintain a written safe sleep policy in accordance with the most recent safe sleep recommendations of the academy.

When an infant requires alternative sleep positions or special sleeping arrangements, the facility must be provided with written instructions, signed by the infant's licensed health care provider, detailing the alternative sleep positions or special sleeping arrangements for the infant. The facility must put the infant to sleep in accordance with the written instructions.

All employees of licensed child care facilities who care for infants less than one year of age or any volunteer who may be assisting at the facility are required to successfully complete department-approved training on the most recent safe sleep recommendations of the academy every three years.

The department must establish rules that include:

- (1) Amending any current rules which are not in compliance with the most recent recommendations of the academy, including the rule that permits the use of bumper pads in cribs or playpens;
- (2) Keeping soft or loose bedding away from sleeping infants and out of safe sleep environments; and
- (3) Prohibiting blankets or other soft or loose bedding from being hung on the sides of cribs. The department may adopt emergency

rules to implement these requirements.

PROPONENTS: Supporters say that the bill specifically allows notice that another child has an immunization exemption on file if a parent desires the notice. Ultimately, it is a safety issue for any child who is under one year of age and who cannot be fully vaccinated. The bill provides parents the ability to make an informed decision that is in the best interest of their child.

Testifying for the bill were Senator Riddle; Missouri State Medical Association; and Missouri Children's Leadership Council.

OPPONENTS: There was no opposition voiced to the committee.