

HOUSE BILL 177

J3
HB 989/20 – HGO

(PRE-FILED)

4lr0996

By: **Delegate R. Lewis**

Requested: October 17, 2023

Introduced and read first time: January 10, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals – Care of Infants After Discharge**

3 FOR the purpose of requiring a hospital to take certain actions relating to the care of infants
4 before the hospital discharges an infant, including providing written instructions to
5 the parent or legal guardian on how to provide a safe sleep environment and
6 providing, under certain circumstances, a list of resources available for an infant’s
7 parent or legal guardian; requiring the Maryland Department of Health to develop
8 a list of resources available for an infant’s parent or legal guardian; and generally
9 relating to the care of infants after discharge from a hospital.

10 BY adding to
11 Article – Health – General
12 Section 19–308.10
13 Annotated Code of Maryland
14 (2023 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Health – General**

18 **19–308.10.**

19 (A) IN THIS SECTION, “SAFE SLEEP ENVIRONMENT” MEANS, AS DESCRIBED
20 IN AMERICAN ACADEMY OF PEDIATRICS POLICY STATEMENTS, AN ENVIRONMENT
21 IN WHICH A NEWBORN MAY SLEEP THAT REDUCES THE RISK OF ALL SLEEP-RELATED
22 INFANT DEATHS.

23 (B) (1) BEFORE A HOSPITAL DISCHARGES AN INFANT INTO THE CARE OF

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 A PARENT OR LEGAL GUARDIAN, THE HOSPITAL SHALL PROVIDE ORAL AND WRITTEN
2 INSTRUCTIONS TO THE PARENT OR LEGAL GUARDIAN ON HOW TO:

3 (I) PROVIDE A SAFE SLEEP ENVIRONMENT;

4 (II) AVOID SHAKEN BABY SYNDROME, AS DESCRIBED IN
5 AMERICAN ACADEMY OF PEDIATRICS POLICY STATEMENTS; AND

6 (III) COPE WITH CRYING INFANTS AND THE STRESS,
7 FRUSTRATION, AND FATIGUE CREATED BY CARING FOR INFANTS.

8 (2) THE INSTRUCTIONS REQUIRED UNDER PARAGRAPH (1) OF THIS
9 SUBSECTION MAY BE SUPPLEMENTED BY AN INSTRUCTIONAL VIDEO.

10 (C) (1) BEFORE DISCHARGING AN INFANT, A HOSPITAL SHALL:

11 (I) INQUIRE AS TO WHETHER THE INFANT'S PARENT OR LEGAL
12 GUARDIAN IS ABLE TO PROVIDE THE INFANT WITH:

13 1. A SAFE SLEEP ENVIRONMENT; AND

14 2. A BASSINET, CRIB, OR PORTABLE CRIB;

15 (II) INFORM THE PARENT OR LEGAL GUARDIAN OF THE
16 IMPORTANCE OF ENSURING THAT THE INFANT HAS A SAFE SLEEP ENVIRONMENT
17 AND THE RISKS OF SUFFOCATION AND SUDDEN INFANT DEATH IN UNSAFE SLEEP
18 ENVIRONMENTS; AND

19 (III) PROVIDE EACH PARENT OR LEGAL GUARDIAN WITH A
20 STANDARDIZED FORM, IN CLEAR AND SIMPLE LANGUAGE, TO BE SIGNED BY THE
21 PARENT OR LEGAL GUARDIAN, THAT CONFIRMS THE PARENT OR LEGAL GUARDIAN
22 UNDERSTANDS THE INSTRUCTIONS PROVIDED UNDER SUBSECTION (B) OF THIS
23 SECTION AND THE INFORMATION DESCRIBED UNDER ITEM (II) OF THIS PARAGRAPH.

24 (2) IF THE INFANT'S PARENT OR LEGAL GUARDIAN CANNOT PROVIDE
25 A SAFE SLEEP ENVIRONMENT, OR A BASSINET, CRIB, OR PORTABLE CRIB, THE
26 HOSPITAL SHALL PROVIDE A LIST OF RESOURCES AVAILABLE FOR THE PARENT OR
27 LEGAL GUARDIAN TO OBTAIN THE ITEMS NECESSARY TO PROVIDE A SAFE SLEEP
28 ENVIRONMENT FOR THE INFANT.

29 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2025,
30 the Maryland Department of Health, in consultation with local health officers, hospitals,
31 the Maryland Chapter of the American Academy of Pediatrics, and other stakeholders,
32 shall develop for distribution to parents and legal guardians a list of resources available for

1 the applicable geographic area of each health care facility, as defined in § 20–1801 of the
2 Health – General Article, to obtain the items necessary to provide a safe sleep environment
3 for an infant, as described under Section 1 of this Act.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2024.