

By Senator Osgood

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A bill to be entitled
An act relating to education on abusive head trauma;
amending s. 411.2035, F.S.; requiring the Department
of Health to adopt evidence-based parent education
materials that describe the dangers of abusive head
trauma, including shaken baby syndrome; specifying
requirements for the parent education materials;
specifying requirements for the distribution of the
parent education materials, including a statewide
public education campaign; requiring the department to
implement a multi-year phase-in plan for the
distribution of the parent education materials;
conforming provisions related to construction and
immunity from civil liability to changes made by the
act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 411.2035, Florida Statutes, is amended
to read:

411.2035 Dangers of abusive head trauma ~~shaking infants and
young children~~; requirements for distributing parent education
materials ~~brochures~~.—

~~(1) Every hospital, birthing facility, and provider of home
birth which has maternity and newborn services shall provide to
the parents of a newborn, before they take their newborn home
from the hospital or birthing facility, written information with
an explanation concerning the dangers of shaking infants and
young children.~~

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30 ~~(1)(2)~~ The Department of Health shall adopt evidence-based
31 parent education materials ~~prepare a brochure that describe~~
32 ~~describes~~ the dangers of abusive head trauma, including shaken
33 baby syndrome shaking infants and young children. The parent
34 education materials may be provided using written, visual, or
35 electronic applications. The materials ~~description~~ must include,
36 but need not be limited to, information concerning all of the
37 following:

38 (a) The grave effects of shaking infants and young
39 children, ~~information concerning~~

40 (b) Appropriate ways to manage the causes that can lead a
41 person to shake or harm infants and young children, including
42 normal infant crying, fussing, and other causes.

43 (c) a discussion of Ways to reduce the risks that can lead
44 a person to shake or harm infants and young children.

45 (d) Evidence-based practices for safe infant sleep and
46 avoiding the dangers associated with unsafe sleep environments
47 for infants.

48 (e) Information on the importance of carefully selecting a
49 trusted and responsible caregiver, including warning signs of
50 potential risk factors.

51 (2)(a) The evidence-based parent education materials
52 adopted by the department under subsection (1) must be
53 distributed as follows:

54 1. Each hospital, birth center, and home birth provider
55 providing maternity, prenatal, and newborn services shall
56 provide the parent education materials to the parents or
57 caregivers of a newborn within the first 2 weeks after the birth
58 of the infant.

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59 2. Childbirth educators, pediatric physician practices,
60 home visiting programs, and obstetrician practices shall provide
61 the parent education materials to the expectant parents or
62 caregivers receiving education or health care services or, if
63 parents or caregivers have already received the parent education
64 materials, reiterate or reinforce the information covered by
65 such materials.

66 3. The department shall adopt a statewide multimedia public
67 education campaign to prevent instances of abusive head trauma,
68 including shaken baby syndrome, using the parent education
69 materials developed under subsection (1) or the information
70 covered by such materials.

71 (b) The department shall implement a multi-year phase-in
72 plan for the distribution of the parent education materials,
73 beginning with the counties with the six highest birth rates.

74 (3) This section does not preclude a hospital, a birth
75 center birthing facility, ~~or~~ a home birth provider, a childbirth
76 educator, a pediatric physician practice, a home visiting
77 program, or an obstetrician practice from providing the parent
78 education materials ~~notice~~ required under this section as an
79 addendum to, or in connection with, any other required
80 information.

81 (4) A cause of action does not accrue against the state or
82 any subdivision or agency thereof or any hospital, birth center,
83 home birth birthing facility or home-birth provider, childbirth
84 educator, pediatric physician practice, home visiting program,
85 or obstetrician practice for failure to give or receive the
86 information required under this section.

87 Section 2. This act shall take effect July 1, 2026.