

**As Passed by the House**

**130th General Assembly  
Regular Session  
2013-2014**

**S. B. No. 198**

**Senators Jones, Tavares**

**Cosponsors: Senators Bacon, Beagle, Burke, Lehner, Manning, Seitz,  
Uecker, Cafaro, Turner, Schiavoni, Smith, Brown, Kearney, Coley, Eklund,  
Faber, Gardner, Gentile, Hite, Hughes, Jordan, LaRose, Obhof, Oelslager,  
Patton, Peterson, Sawyer, Schaffer, Skindell, Widener**

**Representatives Wachtmann, Antonio, Barnes, Bishoff, Brown, Carney, Hill,  
Johnson, Ramos, Schuring, Adams, R., Anielski, Baker, Barborak, Beck,  
Blessing, Boyce, Brenner, Buchy, Burkley, Butler, Celebrezze, Cera,  
Damschroder, DeVitis, Fedor, Foley, Gerberry, Green, Hackett, Hagan, C.,  
Hagan, R., Hall, Henne, Huffman, Landis, Letson, Mallory, McClain, Milkovich,  
Patterson, Pillich, Retherford, Ruhl, Sears, Sheehy, Slesnick, Sprague,  
Stautberg, Stebelton, Stinziano, Strahorn, Terhar, Thompson, Winburn,  
Young Speaker Batchelder**

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**A B I L L**

To amend section 313.121 and to enact section 5.2290 1  
of the Revised Code to designate October as 2  
"Sudden Infant Death Syndrome Awareness Month" and 3  
to encourage the completion of a sudden 4  
unexplained infant death investigation reporting 5  
form (SUIDI reporting form) developed by the 6  
United States Centers for Disease Control and 7  
Prevention whenever a child one year of age or 8  
younger dies suddenly when in apparent good 9  
health. 10

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 313.121 be amended and section 5.2290 11  
of the Revised Code be enacted to read as follows: 12

Sec. 5.2290. The month of October is designated as "Sudden 13  
Infant Death Syndrome Awareness Month." 14

**Sec. 313.121.** (A) As used in this section, "parent" means 15  
either parent, except that if one parent has been designated the 16  
residential parent and legal custodian of the child, "parent" 17  
means the designated residential parent and legal custodian, and 18  
if a person other than a parent is the child's legal guardian, 19  
"parent" means the legal guardian. 20

(B) If a child under two years of age dies suddenly when in 21  
apparent good health, the death shall be reported immediately to 22  
the coroner of the county in which the death occurred, as required 23  
by section 313.12 of the Revised Code. Except as provided in 24  
division (C) of this section, the coroner or deputy coroner shall 25  
perform an autopsy on the child. The autopsy shall be performed in 26  
accordance with rules adopted by the director of health under 27  
section 313.122 of the Revised Code. The coroner or deputy coroner 28  
may perform research procedures and tests when performing the 29  
autopsy. 30

If the child was one year of age or younger at the time of 31  
death, the general assembly encourages the coroner, deputy 32  
coroner, or any other individual who has been designated to 33  
investigate the child's death to complete a sudden unexplained 34  
infant death investigation reporting form (SUIDI reporting form) 35  
developed by the United States centers for disease control and 36  
prevention. If completed, a copy of the form shall be sent to the 37

director of health and used for the purpose of collecting data to 38  
prevent future unexplained infant deaths. 39

(C) A coroner or deputy coroner is not required to perform an 40  
autopsy if the coroner of the county in which the death occurred 41  
or a court with jurisdiction over the deceased body determines 42  
under section 313.131 of the Revised Code that an autopsy is 43  
contrary to the religious beliefs of the child. If the coroner or 44  
the court makes such a determination, the coroner shall notify the 45  
health district or department of health with jurisdiction in the 46  
area in which the child's parent resides. For purposes of this 47  
division, the religious beliefs of the parents of a child shall be 48  
considered to be the religious beliefs of the child. 49

(D) If the child's parent makes a written or verbal request 50  
for the preliminary results of the autopsy after the results are 51  
available, the coroner, or a person designated by the coroner, 52  
shall give the parent an oral statement of the preliminary 53  
results. 54

The coroner, within a reasonable time after the final results 55  
of the autopsy are reported, shall send written notice of the 56  
results to the state department of health, the health district or 57  
department with jurisdiction in the area in which the child's 58  
parent resides, and, upon the request of a parent of the child, to 59  
the child's attending physician. Upon the written request of a 60  
parent of the child and the payment of the transcript fee required 61  
by section 313.10 of the Revised Code, the coroner shall send 62  
written notice of the final results to that parent. The notice 63  
sent to the state department of health shall include all of the 64  
information specified in rules adopted under section 313.122 of 65  
the Revised Code. 66

(E) On the occurrence of any of the following, the health 67  
district or department with jurisdiction in the area in which the 68  
child's parent resides shall offer the parent any counseling or 69

other supportive services it has available: 70

(1) When it learns through any source that an autopsy is 71  
being performed on a child under two years of age who died 72  
suddenly when in apparent good health; 73

(2) When it receives notice that the final result of an 74  
autopsy performed pursuant to this section concluded that the 75  
child died of sudden infant death syndrome; 76

(3) When it is notified by the coroner that, pursuant to 77  
division (C) of this section, an autopsy was not performed. 78

(F) When a health district or department receives notice that 79  
the final result of an autopsy performed pursuant to this section 80  
concluded that the child died of sudden infant death syndrome or 81  
that, pursuant to division (C) of this section, an autopsy was not 82  
performed but sudden infant death syndrome may have been the cause 83  
of death, it shall offer the child's parent information about 84  
sudden infant death syndrome. The state department of health shall 85  
ensure that current information on sudden infant death syndrome is 86  
available for distribution by health districts and departments. 87

**Section 2.** That existing section 323.121 of the Revised Code 88  
is hereby repealed. 89