

As Passed by the House

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Sub. S. B. No. 278

Senators Jones, Tavares

**Cosponsors: Senators Bacon, Balderson, Beagle, Brown, Burke, Cafaro,
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Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni,
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Rogers, Schuring, Sears, Sheehy, Slaby, Smith, Stinziano, Strahorn, Terhar,
Wachtmann**

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A B I L L

To amend section 313.121 of the Revised Code to 1
require the completion of a sudden unexplained 2
infant death investigation reporting form (SUIDI 3
reporting form) developed by the United States 4
Centers for Disease Control and Prevention, or an 5
alternative reporting form developed by the 6
Director of Health, whenever a child one year of 7
age or younger dies suddenly and unexpectedly and 8
to require that the appropriate child fatality 9
review board receive a copy of each completed 10
form. 11

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

Section 1. That section 313.121 of the Revised Code be 12
amended to read as follows: 13

Sec. 313.121. (A) As used in this section, "parent" means 14
either parent, except that if one parent has been designated the 15
residential parent and legal custodian of the child, "parent" 16
means the designated residential parent and legal custodian, and 17
if a person other than a parent is the child's legal guardian, 18
"parent" means the legal guardian. 19

(B) If a child under two years of age dies suddenly when in 20
apparent good health, the death shall be reported immediately to 21
the coroner of the county in which the death occurred, as required 22
by section 313.12 of the Revised Code. Except as provided in 23
division (C) of this section, the coroner or deputy coroner shall 24
perform an autopsy on the child. The autopsy shall be performed in 25
accordance with rules adopted by the director of health under 26
section 313.122 of the Revised Code. The coroner or deputy coroner 27
may perform research procedures and tests when performing the 28
autopsy. 29

If the child was one year of age or younger at the time of 30
death, ~~the general assembly encourages and the death occurred~~ 31
suddenly and unexpectedly, the cause of which is not immediately 32
obvious prior to investigation, the coroner, deputy coroner, or 33
~~any~~ other individual who has been designated to investigate the 34
child's death ~~to~~ shall complete a sudden unexplained infant death 35
investigation reporting form (SUIDI reporting form) developed by 36
the United States centers for disease control and prevention or an 37
alternative reporting form. ~~If completed, a copy of the form shall~~ 38
~~be sent to the director of health and used for the purpose of~~ 39

~~collecting data to prevent future unexplained infant deaths. The~~ 40
~~director of health may develop an alternative reporting form in~~ 41
~~consultation with the Ohio state coroners association. The~~ 42
~~individual who completes the reporting form shall retain the form~~ 43
~~and send a copy of it to the appropriate child fatality review~~ 44
~~board or regional child fatality review board established under~~ 45
~~section 307.621 of the Revised Code. If a coroner or deputy~~ 46
~~coroner completes the reporting form, a copy of the coroner's~~ 47
~~report described in section 313.09 of the Revised Code shall also~~ 48
~~be sent to the board.~~ 49

A completed reporting form and copies of completed reporting 50
forms are not public records under section 149.43 of the Revised 51
Code. 52

(C) A coroner or deputy coroner is not required to perform an 53
autopsy if the coroner of the county in which the death occurred 54
or a court with jurisdiction over the deceased body determines 55
under section 313.131 of the Revised Code that an autopsy is 56
contrary to the religious beliefs of the child. If the coroner or 57
the court makes such a determination, the coroner shall notify the 58
health district or department of health with jurisdiction in the 59
area in which the child's parent resides. For purposes of this 60
division, the religious beliefs of the parents of a child shall be 61
considered to be the religious beliefs of the child. 62

(D) If the child's parent makes a written or verbal request 63
for the preliminary results of the autopsy after the results are 64
available, the coroner, or a person designated by the coroner, 65
shall give the parent an oral statement of the preliminary 66
results. 67

The coroner, within a reasonable time after the final results 68
of the autopsy are reported, shall send written notice of the 69
results to the state department of health, the health district or 70
department with jurisdiction in the area in which the child's 71

parent resides, and, upon the request of a parent of the child, to 72
the child's attending physician. Upon the written request of a 73
parent of the child and the payment of the transcript fee required 74
by section 313.10 of the Revised Code, the coroner shall send 75
written notice of the final results to that parent. The notice 76
sent to the state department of health shall include all of the 77
information specified in rules adopted under section 313.122 of 78
the Revised Code. 79

(E) On the occurrence of any of the following, the health 80
district or department with jurisdiction in the area in which the 81
child's parent resides shall offer the parent any counseling or 82
other supportive services it has available: 83

(1) When it learns through any source that an autopsy is 84
being performed on a child under two years of age who died 85
suddenly when in apparent good health; 86

(2) When it receives notice that the final result of an 87
autopsy performed pursuant to this section concluded that the 88
child died of sudden infant death syndrome; 89

(3) When it is notified by the coroner that, pursuant to 90
division (C) of this section, an autopsy was not performed. 91

(F) When a health district or department receives notice that 92
the final result of an autopsy performed pursuant to this section 93
concluded that the child died of sudden infant death syndrome or 94
that, pursuant to division (C) of this section, an autopsy was not 95
performed but sudden infant death syndrome may have been the cause 96
of death, it shall offer the child's parent information about 97
sudden infant death syndrome. The state department of health shall 98
ensure that current information on sudden infant death syndrome is 99
available for distribution by health districts and departments. 100

Section 2. That existing section 313.121 of the Revised Code 101
is hereby repealed. 102