



## Act 73 of 2010 Frequently Asked Question

These frequently asked questions and responses are intended to clarify the requirements established in [Act 73](#) for hospitals, birth centers, and health care practitioners who attend births outside of hospitals and birth centers and are subject to the statutory requirements in the act.

1. Who is responsible for distributing safe sleep educational materials to caregivers of infants under Act 73?
  - a. Hospitals and birth centers are responsible for distributing safe sleep educational materials to caregivers of infants upon discharge. Health care practitioners attending births outside a hospital or birth center are responsible for distributing safe sleep educational materials to caregivers of infants after birth.
  
2. Where can hospitals, birth centers, and health care practitioners find Act 73 approved educational materials for caregivers?
  - a. Electronic versions of the Department of Health's (DOH) safe sleep brochure can be found under the [Act 73 heading](#). Instructions for ordering hard copies for eligible providers are under the [Bureau of Family Health Publications](#) section.
  
3. Can hospitals, birth centers, and health care practitioners use other educational materials?
  - a. Yes. Hospitals, birth centers, and health care practitioners can use other educational materials upon review and approval from the DOH. Hospitals, birth centers, and health care practitioners may request review of other education materials from Elizabeth Dunlevey at [edunlevey@pa.gov](mailto:edunlevey@pa.gov). Hospitals, birth centers, and health care practitioners are responsible for keeping the approval should it be requested by regulatory organizations.
  
4. What safe sleep recommendations does the DOH use to develop educational materials and use to evaluate educational materials sent for review by hospitals, birth centers, and health care practitioners?
  - a. The DOH uses the current American Academy of Pediatrics safe sleep recommendations to develop educational materials and evaluate educational materials sent for review by hospitals, birth centers, and health care practitioners.
  
5. How do hospitals, birth centers, and health care practitioners document that caregivers received, read, and understood the safe sleep information?



- a. Hospitals, birth centers, and health care practitioners can use the DOH's [acknowledgement form](#) to record that caregivers received, read, and understood the safe sleep educational materials.
6. Can hospitals, birth centers, and health care practitioners use a form other than the DOH's acknowledgement form?
    - a. Yes. Hospitals, birth centers, and health care practitioners can use a form other than the DOH's acknowledgement form. Hospitals, birth centers, and health care practitioners using a different form need to include the following statement on the form: 'I have received, read, and understand the information provided to me about infant safe sleep and the risk of unsafe infant sleep.' Hospitals, birth centers, and health care practitioners are responsible for all record keeping of the form that is used.
  7. What do hospitals, birth centers, and health care practitioners do if a caregiver refuses to sign an acknowledgement form?
    - a. Staff from hospitals, birth centers, or the health care practitioner can document the caregiver's refusal to sign the form with their own signature and complete the rest of the form.
  8. What is the timeframe for the form to be signed by the caregivers?
    - a. The caregivers who will be providing care for the infant upon discharge to the community need to receive the educational materials and sign the acknowledgement form upon the infant's discharge.

This response is different than the initial guidance provided in 2010. The intention of providing the educational materials and acknowledging caregiver receipt and understanding is to reduce infant injury and death during sleep and in the sleeping environment. The prior DOH guidance directed hospitals to have the form signed upon the mother's discharge. If the mother and infant are not discharged at the same time, it can be days or months between the mother's discharge with safe sleep educational material and the infant's discharge. Completing the acknowledgement form upon the infant's discharge to the community positions the safe sleep message closer to when infants go home with their caregivers.

9. If I have other questions about Act 73, who should I contact?
  - a. Please contact Elizabeth Dunlevey with questions about Act 73 at [edunlevey@pa.gov](mailto:edunlevey@pa.gov) or 717.772.2762.