

“Safe Haven” Suggested Guidelines **Kansas Fire Rescue/Emergency Medical Services**

Kansas Statue – Chapter 38, Article 2282

Newborn Infant Protection Act 2006

Purpose:

To protect newborn children from injury and death caused by abandonment by a parent and to **provide safe and secure alternatives** to such abandonment.

The Law:

A parent shall not be prosecuted for voluntary relinquishment of a child if:

- The person purporting to be the parent voluntarily delivers the child to the physical custody of any on duty Hospital, Fire Rescue/EMS or Health Department personnel.
- The child is forty five (45) days old or younger.
- No physical signs of abuse or neglect are suspected.

The Hospital, Fire Rescue/EMS and Health Department personnel shall remain immune from civil, criminal and administrative liability for accepting physical custody of a child if such persons accept custody in good faith.

Safe Haven expenses are eligible for coverage under Medicaid, subject to federal rules.

Parental rights are terminated 3 months after the child is relinquished.

The Law does not require that personal information be obtained.

“Safe Haven” Process:

- Recognize that a “Safe Haven” event is occurring and **make every effort to maintain anonymity** of the surrender process.
- **Unless there is evidence of abuse or neglect**, neither a child protective investigation nor a criminal investigation may be initiated solely because a newborn infant is relinquished under the provision of the Newborn Infant Protection Act of 2006.
- Provide emergency medical care to the newborn infant to the extent that staff is trained to provide those services. Surrender period is forty five (45) days or younger. **Physician to make the final determination.**
- Offer the mother emergency medical care. Provide her with the “Getting Help” letter and medical history questionnaire. She is not required to answer any questions or complete the questionnaire.
- If a parent(s) return to reclaim the newborn, instruct them to contact officials at the hospital receiving facility.
- **Notify Law Enforcement.** They shall take custody of the newborn and arrange for immediate transportation to the nearest appropriate hospital.
- Report the incident to next in command and complete agency report.
- Notify your agency Public Information Officer to handle media inquiries.

To report a Safe Haven baby: Please go to http://mchc.net/programs/safe_havens.aspx when a baby is relinquished under the Safe Haven program. Statistics are maintained such as:

- Number of newborns saved under “Safe Haven” Law.
- Those abandoned in dangerous places.
- Geographic and demographic information regarding the newborn child.