



# SOUTH LYON FIRE DEPARTMENT

## Manual of Procedures 411

### SAFE ABANDONMENT OF NEWBORNS

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Approved: Chief Mike Kennedy

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#### I. PURPOSE

To implement the provisions of Public Act 488 of 2006 and Public Acts 232,233,234, and 235 of 2000.

#### II. BACKGROUND

In response to the significant number of newborn infants being abandoned by their parents, the Michigan Legislature passed Acts 232,233,234, and 235 in June of 2000, with an effective date of January 1, 2001. Public Act 488 of 2006 amended certain sections of the Safe Delivery of Newborns law and became effective January 1, 2007. These acts affect ALL HOSPITALS, FIRE DEPARTMENTS, POLICE STATIONS AND EMS (paramedic or emergency medical technician) AGENCIES in Michigan. They provide that a parent(s) may surrender an infant to an emergency service provider. This means that a parent(\$ of a newborn can surrender an unwanted newborn at any hospital, fire department, police station or call 9-1-1 from any location and remain anonymous.

#### III. DEFINITIONS

- A. Newborn: A child who a physician reasonably believes to be not more than 72 hours old.
- B. Emergency Service Provider: A uniformed or otherwise identified employee or contractor of a fire department, hospital, or police station when such an individual is inside the premises and on duty. ESP also includes a paramedic or an emergency medical technician (EMT) when either of those individuals is responding to a 9-1-1 emergency call.
- C. Surrender: To leave a newborn with an emergency service provider without expressing an intent to return for the newborn.

#### IV. PROCEDURES

The surrender of the infant must occur inside the fire department, police station or in response to a 9-1-1 emergency call to paramedics or EMT. To protect the parent's right to anonymity / confidentiality, the EMS agency responding to a 9-1-1 emergency call from a parent(s) wanting to surrender a newborn, should not use the vehicle sirens or flashing lights. The firefighter, police officer, paramedic or EMT personnel cannot refuse to accept the infant and must place the infant under temporary protective custody. Fire departments, police stations, paramedics and EMT have statutory obligations under the law, including:

- A. Assume that the child is a newborn and take into temporary protective custody.
- B. Ask surrendering person(s) if they are the biological parent (s). If they are not the biological parent(s), the newborn cannot be surrendered under the Safe Delivery of Newborns law.
- C. Make a reasonable effort to inform the parent(s) that:
  - i. By surrendering the newborn, the parent(s) is releasing the newborn to a child placing agency to be placed for adoption.
  - ii. He or she has 28 days to petition the Circuit Court, Family Division to regain custody of the newborn.
  - iii. There will be a public notice of this hearing and the notice will not contain the parent(s) name.
  - iv. The parent(s) will not receive personal notice of the hearing.
  - v. Information the parent(s) provides will not be made public.



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- vi. A parent(s) may contact the Safe Delivery of Newborns hotline for information. The toll free number is: 1-866-733-7733.
- D. Provide the parent(s) with written material from the Department of Human Services that includes:
  - i. Safe Delivery Program FACTSheet (DHS Pub 867)
  - ii. What Am I Going To Do? (DHS Pub 864) Optional
- E. Make a reasonable attempt to:
  - i. Reassure parent(s) that shared information will be kept confidential.
  - ii. Encourage parent(s) to identify him/herself.
  - iii. Encourage the parent(s) to share any relevant family/medical background, Voluntary Medical Background Form for a Surrendered Newborn (DHS Form 4819).
  - iv. Inform the parent(s) of the newborn he or she can receive counseling or medical attention.
  - v. Inform parent that in order to place the child for adoption the state is required to make a reasonable attempt to identify both parents. Ask for the non-surrendering parent's name. Do not press if the name is refused.
  - vi. Inform the parent(s) that he or she can sign a release for the child that could be used at the parental rights termination hearing, Voluntary Release for Adoption of a Surrendered Newborn (DHS Form 4820).
- F. Fire and Police will contact emergency medical services (EMS) to transport newborn to hospital. ESP will accompany newborn to the hospital to provide hospital with any forms completed by the parent(s) and to transfer temporary protective custody.

**Note:** Temporary protective custody cannot be transferred to EMS. A representative of the fire department or police station must go to the hospital to transfer temporary protective custody to the hospital.
- G. Paramedics and EMT responding to a 9-1-1 emergency call will transport newborn to hospital, provide any forms completed by parent(s) and transfer temporary protective custody to hospital staff.

### V. FORMS

Attached are the following information sheets/forms:

- A. (DHS PUB 864) What Am I Going To Do?
- B. (DHS PUB 867) Program Fact Sheet
- C. (DHS FORM 4819) Medical Background Form
- D. (DHS FORM 4820) Voluntary Release Form

Approved by  
/s/ Chief Mike Kennedy