Safe Delivery of Newborns

Purpose

According to Public Act 488 of 2006 and Public Acts 232, 233, 234, and 235 or 2000, parents may surrender their newborn child to any hospital, fire department, police station, or call 911 from any location and remain anonymous. This protocol outlines steps to be taken in this circumstance. ***IMPORTANT* While there is opportunity for information gathering through forms, the surrendering parent has the option of remaining completely anonymous and disclosing no information.**

Definitions

Newborn: A child who a physician reasonably believes to be not more than 72 hours old.

Emergency Service Provider (ESP): 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.

Surrender: To leave a newborn with an emergency service provider without expressing an intent to return for the newborn.

Procedures

1. 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.
2. In the instance of a parent attempting to surrender a newborn to a staffed ambulance, not on an emergency call, immediately notify dispatch and establish an emergency call.
3. 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.
4. The firefighter, police officer, paramedic or EMT personnel cannot refuse to accept the infant and must place the infant under temporary protective custody.
5. Fire departments, police stations, paramedics and EMTs 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 placement 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. A parent(s) may contact the Safe Delivery of Newborns hotline for information. The toll-free number is: **866-733-7733**

6. Provide the parent(s) with written material from the Department of Health and Human Services that includes:
    a. Safe Delivery Program FACT Sheet (DHHS Pub 867)
    b. What Am I Going To Do? (DHHS Pub 864) Optional
7. Make a reasonable attempt to:
    a. Reassure parent(s) that shared information will be kept confidential.
    b. Encourage parent(s) to identify him/herself.
    c. Encourage the parent(s) to share any relevant family/medical background, Voluntary Medical Background Form for a Surrendered Newborn (DHHS Form 4819).
    d. Inform the parent(s) of the newborn he or she can receive counseling or medical attention.
    e. 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.
    f. 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 (DHHS Form 4820).
8. Fire and Police may 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.
    a. 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.
9. The responding EMS crew will transport the newborn to closest appropriate facility, according to the MCA transport protocol, provide any forms completed by parent(s) and transfer temporary protective custody to hospital staff.

* For Safe Delivery purposes EMS is defined as a paramedic or emergency medical technician.

Michigan's
Safe Delivery of Newborns Law
FACT Sheet

SAFE. LEGAL. ANONYMOUS.

Background:

Michigan lawmakers passed the Safe Delivery of Newborns law to end the tragedy of unwanted newborns being hidden and left to die in unsafe places. More than 100 newborns were surrendered in the first 10 years the law was in effect, with the majority of these infants adopted by loving families.

What the law provides?

- Unharmed newborns, up to 72 hours old, can be taken to an Emergency Service Provider (ESP), meaning a uniformed or otherwise identified employee or contractor of a fire department, hospital or police station who is inside the building and on duty. ESP includes a paramedic or EMT when either responds to a 9-1-1 call. The parent(s) has the choice to leave the infant without giving any identifying information to the ESP.
- The ESP is authorized to accept the infant and provide whatever care may be necessary.
- The ESP will make a reasonable effort to provide the parent(s) with the following information:
  1. A written statement of the parent's rights following surrender of the infant.
  2. Information about other confidential infant placement options, as well as information about the availability of confidential medical and counseling services, such as Public Health, Community Mental Health, Family Planning Clinics, Adoptions Agencies.

What are the rights of the surrendering parent?

- To be informed that by surrendering the newborn, the parent is releasing the newborn to a child placing agency to be placed for adoption.
- To petition the court to regain custody of the newborn within 28 days of surrender or notice of surrender.
- Any information the parent(s) provides the ESP will **not** be made public.
- A criminal investigation shall not be initated solely on the basis of a newborn being surrendered to an ESP.
- To file a consent to release identifying information with the Adoption Central Registry.

CONFIDENTIAL
VOLUNTARY MEDICAL BACKGROUND FORM FOR A SURRENDERED NEWBORN
Michigan Department of Human Services

Preference for Child's Name	Date of Birth
Where was the child born?	Sex

SURRENDERING PARENT BACKGROUND (Optional)

Name	Marital Status ☐ S ☐ M ☐ D	Date of Birth	Phone Number
Address			
Race	Affiliated with American Indian Tribe ☐ YES ☐ NO	Identify Tribe	
Height	Weight	Hair Color	Eye Color

Any Family History of:	Yes	No		Yes	No	
Sickle Cell Disease	☐	☐	Cancer	☐	☐	If Yes Type _____
Heart Disease	☐	☐	Genetic Disease	☐	☐	If Yes Type _____
Diabetes	☐	☐	Family History of Mental Illness	☐	☐	If Yes Explain _____
HIV	☐	☐	Drug Usage	☐	☐	If Yes Explain _____
Hepatitis	☐	☐	Alcohol Usage	☐	☐	If Yes Explain _____
Other _____						

Surgical History

OTHER PARENT BACKGROUND (Optional)

Name	Marital Status ☐ S ☐ M ☐ D	Date of Birth	Phone Number
Address			
Race	Affiliated with American Indian Tribe ☐ YES ☐ NO	Identify Tribe	
Height	Weight	Hair Color	Eye Color

Any Family History of:	Yes	No		Yes	No	
Sickle Cell Disease	☐	☐	Cancer	☐	☐	If Yes Type _____
Heart Disease	☐	☐	Genetic Disease	☐	☐	If Yes Type _____
Diabetes	☐	☐	Family History of Mental Illness	☐	☐	If Yes Explain _____
HIV	☐	☐	Drug Usage	☐	☐	If Yes Explain _____
Hepatitis	☐	☐	Alcohol Usage	☐	☐	If Yes Explain _____
Other _____						

Surgical History

INFORMATION ABOUT THE PREGNANCY

Length of Pregnancy	Weight Gain Lbs.	Drug or Alcohol Use During Pregnancy ☐ Yes ☐ No, If yes, Explain

EMERGENCY SERVICE PROVIDER OBSERVATIONS

Comments			
ESP Signature	Date	Phone Number	
Address:	City	State	Zip Code

DHS-4819 (Rev. 4-11) Previous edition obsolete. MS Word 1

VOLUNTARY RELEASE FOR ADOPTION OF A SURRENDERED NEWBORN BY PARENT

Michigan Department of Human Services

In the matter of _____, a newborn child.

1. I, _____, DOB ___/___/_____ am the ☐ mother ☐ father of the above child, who was born on ___/___/_____ at _____ (place).

2. I understand that I have parental rights to this child and that by signing this release, I voluntarily release all of my parental rights to my child. (Subject to number three below.)

3. I understand that I have 28 days after surrendering my newborn child to petition the court to reclaim custody of my child.

4. I understand that I will not receive notice of any hearings.

5. Understanding the above provisions, I release completely and permanently my parental rights to my child, and release my child to a child placing agency for the purpose of adoption.

6. I acknowledge receipt of the following:
   ____ Fact Sheet (Pub 867)

Date ___/___/_____ Parent Signature _____

Address _____

City _____ State _____ Zip _____

Witnessed by _____
Name (type or print)

on _____ (Date), at _____ (Agency and Address)

_____
Signature

IF A NOTARY IS AVAILABLE: Notary Public

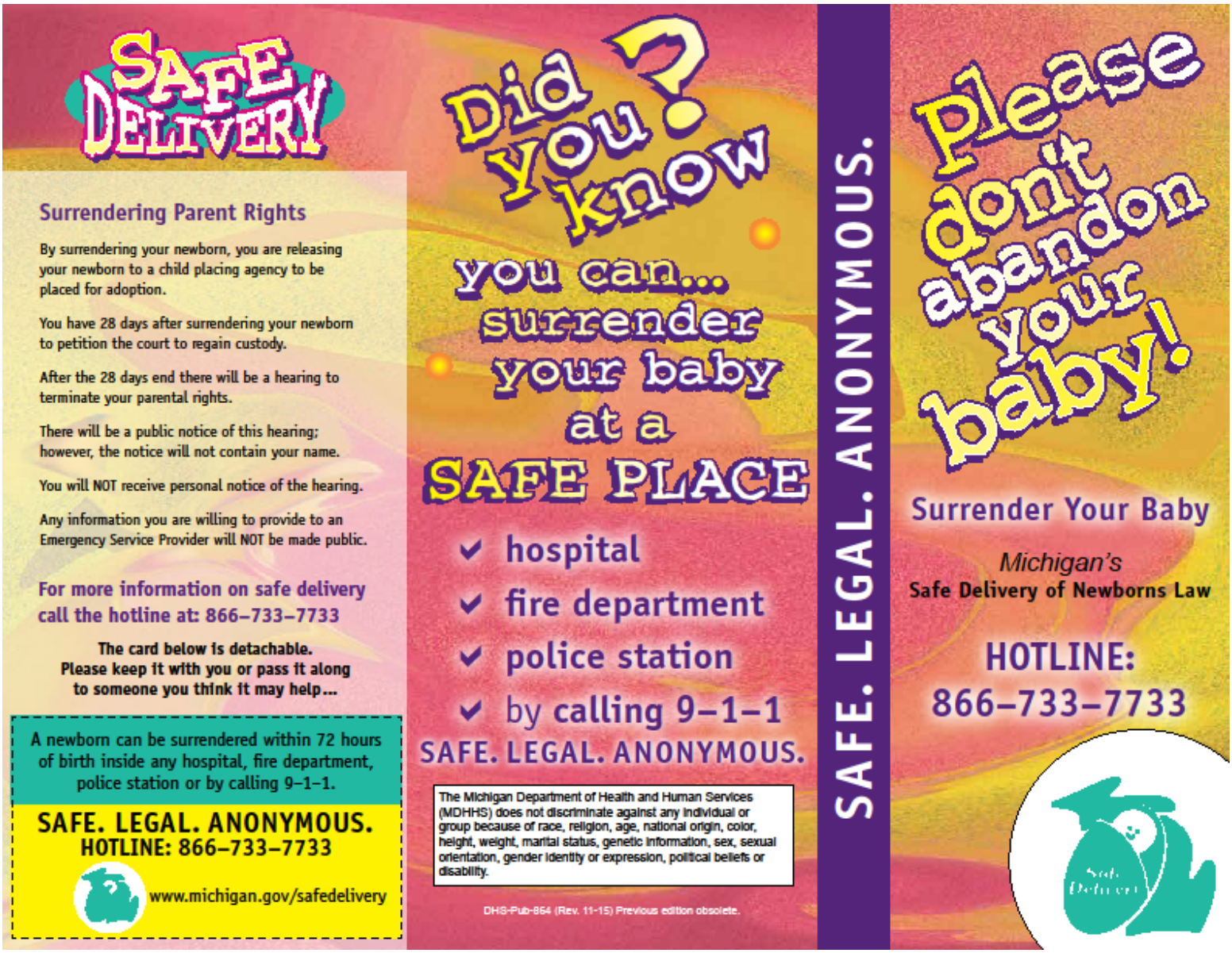
Subscribed and sworn to before me on _____ (Date), _____ (County and State)

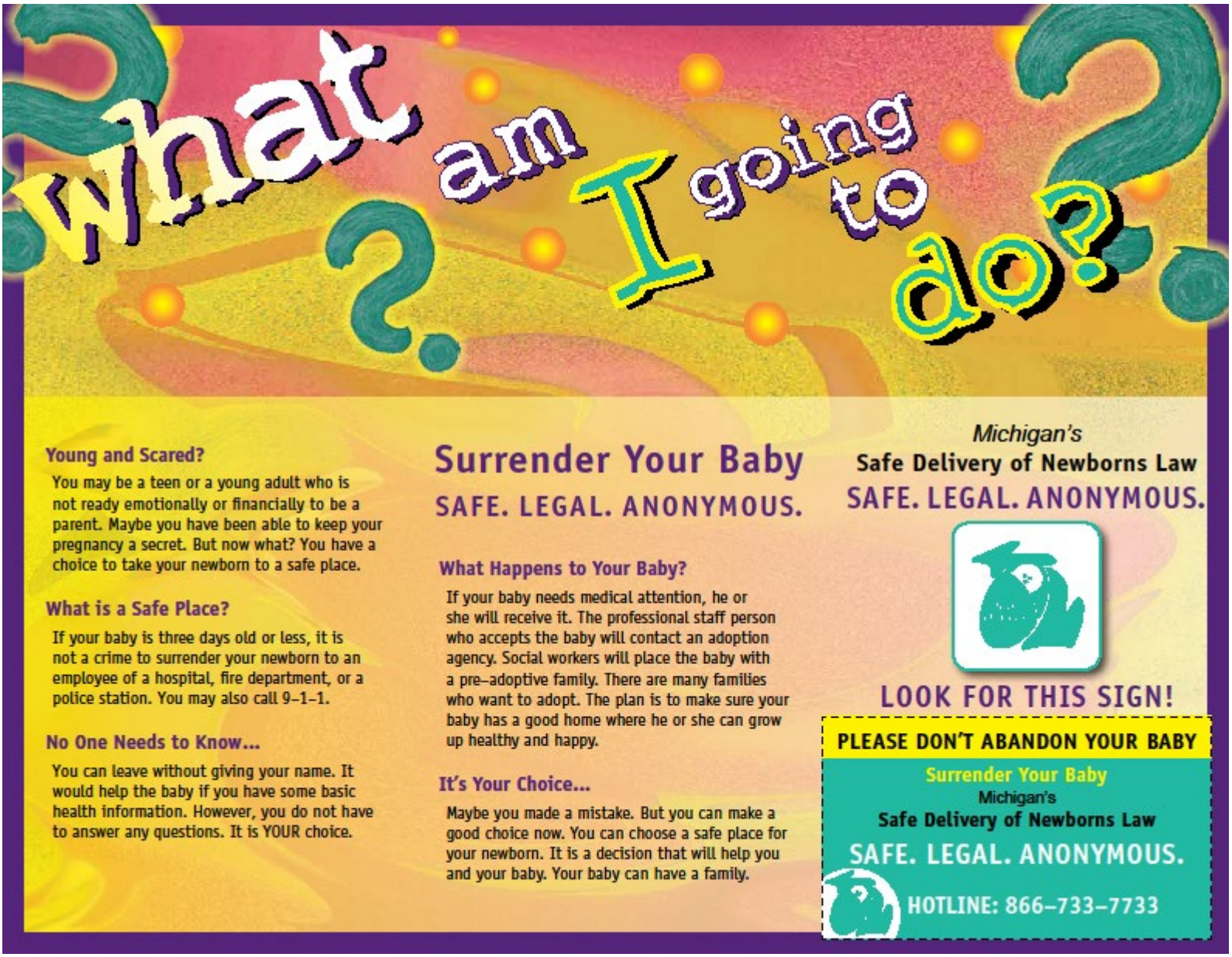
My commission expires: _____ (Date) Signature: _____

_____
Name (type or print)

AUTHORITY: State P.A. 232 of 2000 RESPONSE: Voluntary PENALTY: None	Department of Human Services (DHS) will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, height, weight, marital status, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you are invited to make your needs known to a DHS office in your area.

DHS-4820 (Rev. 5-07) MS Word


SAFE DELIVERY
Surrendering Parent Rights
By surrendering your newborn, you are releasing your newborn to a child placing agency to be placed for adoption.
You have 28 days after surrendering your newborn to petition the court to regain custody.
After the 28 days end there will be a hearing to terminate your parental rights.
There will be a public notice of this hearing; however, the notice will not contain your name.
You will NOT receive personal notice of the hearing.
Any information you are willing to provide to an Emergency Service Provider will NOT be made public.
For more information on safe delivery call the hotline at: 866-733-7733
The card below is detachable.
Please keep it with you or pass it along to someone you think it may help...
A newborn can be surrendered within 72 hours of birth inside any hospital, fire department, police station or by calling 9-1-1.
SAFE. LEGAL. ANONYMOUS.
HOTLINE: 866-733-7733
www.michigan.gov/safedelivery
Did you know
you can... surrender your baby at a SAFE PLACE
hospital
fire department
police station
by calling 9-1-1
SAFE. LEGAL. ANONYMOUS.
The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, genetic information, sex, sexual orientation, gender identity or expression, political beliefs or disability.
DHS-Pub-864 (Rev. 11-15) Previous edition obsolete.
SAFE. LEGAL. ANONYMOUS.
Please don't abandon your baby!
Surrender Your Baby
Michigan's
Safe Delivery of Newborns Law
HOTLINE:
866-733-7733


what am I going to do?
Young and Scared?
You may be a teen or a young adult who is not ready emotionally or financially to be a parent. Maybe you have been able to keep your pregnancy a secret. But now what? You have a choice to take your newborn to a safe place.
What is a Safe Place?
If your baby is three days old or less, it is not a crime to surrender your newborn to an employee of a hospital, fire department, or a police station. You may also call 9-1-1.
No One Needs to Know...
You can leave without giving your name. It would help the baby if you have some basic health information. However, you do not have to answer any questions. It is YOUR choice.
Surrender Your Baby
SAFE. LEGAL. ANONYMOUS.
What Happens to Your Baby?
If your baby needs medical attention, he or she will receive it. The professional staff person who accepts the baby will contact an adoption agency. Social workers will place the baby with a pre-adoptive family. There are many families who want to adopt. The plan is to make sure your baby has a good home where he or she can grow up healthy and happy.
It's Your Choice...
Maybe you made a mistake. But you can make a good choice now. You can choose a safe place for your newborn. It is a decision that will help you and your baby. Your baby can have a family.
Michigan's
Safe Delivery of Newborns Law
SAFE. LEGAL. ANONYMOUS.
LOOK FOR THIS SIGN!
PLEASE DON'T ABANDON YOUR BABY
Surrender Your Baby
Michigan's
Safe Delivery of Newborns Law
SAFE. LEGAL. ANONYMOUS.
HOTLINE: 866-733-7733