

Michigan's  
**SAFE DELIVERY OF NEWBORNS**  
Law

**PARAMEDICS AND EMERGENCY MEDICAL TECHNICIANS  
PORTABLE RESPONSE PACKET**



This Safe Delivery *Portable Response Packet* for Paramedics and Emergency Medical Technicians (EMT) has been prepared to offer emergency service providers (ESP)\* with the tools and information necessary to ensure a successful surrender under the Safe Delivery of Newborns law. This packet is intended to be carried in mobile response units. The decal is intended to be mounted on the inside of the windshield or a side window.

This packet is not intended to take the place of a full agency or legal review of policies and procedures.

Additional packets may be ordered by completing a *Portable Response Packet* order form which can be found at [www.michigan.gov/dhs](http://www.michigan.gov/dhs) and selecting the Safe Delivery icon.

More detailed information on the law, agency policy development, and media response can be found in the *Response and Resource Handbook* which may be ordered by completing a Safe Delivery of Newborns Site Kit Order Form available on the Safe Delivery Web site at [www.michigan.gov/dhs](http://www.michigan.gov/dhs) and selecting the Safe Delivery icon. The full handbook may also be downloaded as a pdf file from the Web site.

\* Safe Delivery of Newborns law defines ESP as a uniformed or otherwise identified employee or contractor of a fire department, hospital, or police station when that 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.



# SAFE DELIVERY OF NEWBORNS

## READINESS CHECKLIST—ARE YOU READY?

Below you will find a checklist of policies and procedures you should have in place to effectively respond to a safe delivery surrender.

### **MOBILE UNITS**

- Portable Response Packet* for Paramedics and EMTs accessible in all units.

#### **Considerations:**

- Place *Portable Resource Packet* in an easily accessible location.
- Keep on hand the publications and forms to give to parents at a surrender.

### **POLICY**

- Agency has a written policy and/or Standard Operating Guideline (SOG).

#### **Considerations:**

- Safe delivery information is readily available to all staff.
- Staff are trained on the law and agency policy.
- Local contact information, including phone numbers, is included.
- Documents to give to parent(s) are readily accessible.

#### **If there is no policy or SOG:**

- See model policy and guidelines in the *Response and Resource Handbook\** (*R&R Handbook*) for developing policy.
- Additional information is available by calling 866-733-7733 or visiting the Web site [www.michigan.gov/dhs](http://www.michigan.gov/dhs).

### **TRAINING**

- A formal plan for training is in place for all employees.

#### **Considerations:**

- Plan to review policy on an annual basis with all staff.
- Information is included for the orientation of all new staff.
- A training Web site can be linked through [www.michigan.gov/dhs](http://www.michigan.gov/dhs).

### **RESOURCES**

- A designated staff person is assigned to ensure the agency is prepared for a surrender.
- Source of documents and how to replenish inventory is known.
- A response to media inquiries is in place.\*

**When readiness checklist is complete, your agency is ready to accept a Safe Delivery. If you have questions, you may call the Safe Delivery hotline at 1-866-733-7733.**

\* Michigan Safe Delivery of Newborns *Response and Resource Handbook* contains information to assist in agency preparation for accepting a surrendered newborn. More information is available by calling 1-866-733-7733 or by going to Web site [www.michigan.gov/dhs](http://www.michigan.gov/dhs).



## Safe Delivery of Newborns Law

In 2000, infant abandonment was identified as an increasing problem throughout Michigan when stories of newborn babies abandoned in public places such as trash bins, car washes, along the side of the road or on steps of a church, were being reported by the media. These incidents typically involved young women or girls who were in a state of denial and/or panicked about the pregnancy. Responding to this increase in infant abandonment, Michigan lawmakers enacted the Safe Delivery of Newborns law (effective January 1, 2001 and amended in December 2006) which:

- Focuses on educating the parent(s) that there are safe choices and protecting the newborn from harm or possible death.
- Creates an affirmative defense for the parent(s) to surrender an unwanted newborn to an emergency service provider (ESP) within 72 hours of birth anonymously or with assurances of confidentiality.
- Defines ESP as a uniformed or otherwise identified employee or contractor of a fire department, hospital, or police station when that 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.

### **SAFE DELIVERY IS NOT INTENDED TO BE A SUBSTITUTE FOR RELEASING A CHILD FOR ADOPTION UNDER MICHIGAN'S ADOPTION CODE.**

On June 26, 2000, Michigan enacted the Safe Delivery of Newborns law with an effective date of January 1, 2001. The law was amended in December 2006.

**Act No. 488, PA 2006 (SB 1292, 2005-2006) Included in the *Response and Resource Handbook***  
Amends Sections 1, 3, 7, 10, 11, 15 and 17 of the Safe Delivery of Newborns Law.

**Act No. 232, PA 2000 (SB 1052, 1999-2000) Included in the *Response and Resource Handbook*.**  
Added the Safe Delivery of Newborns Law, Chapter XII to the Probate Code and amended the Juvenile Code, Chapter XIIIA of the Probate Code.

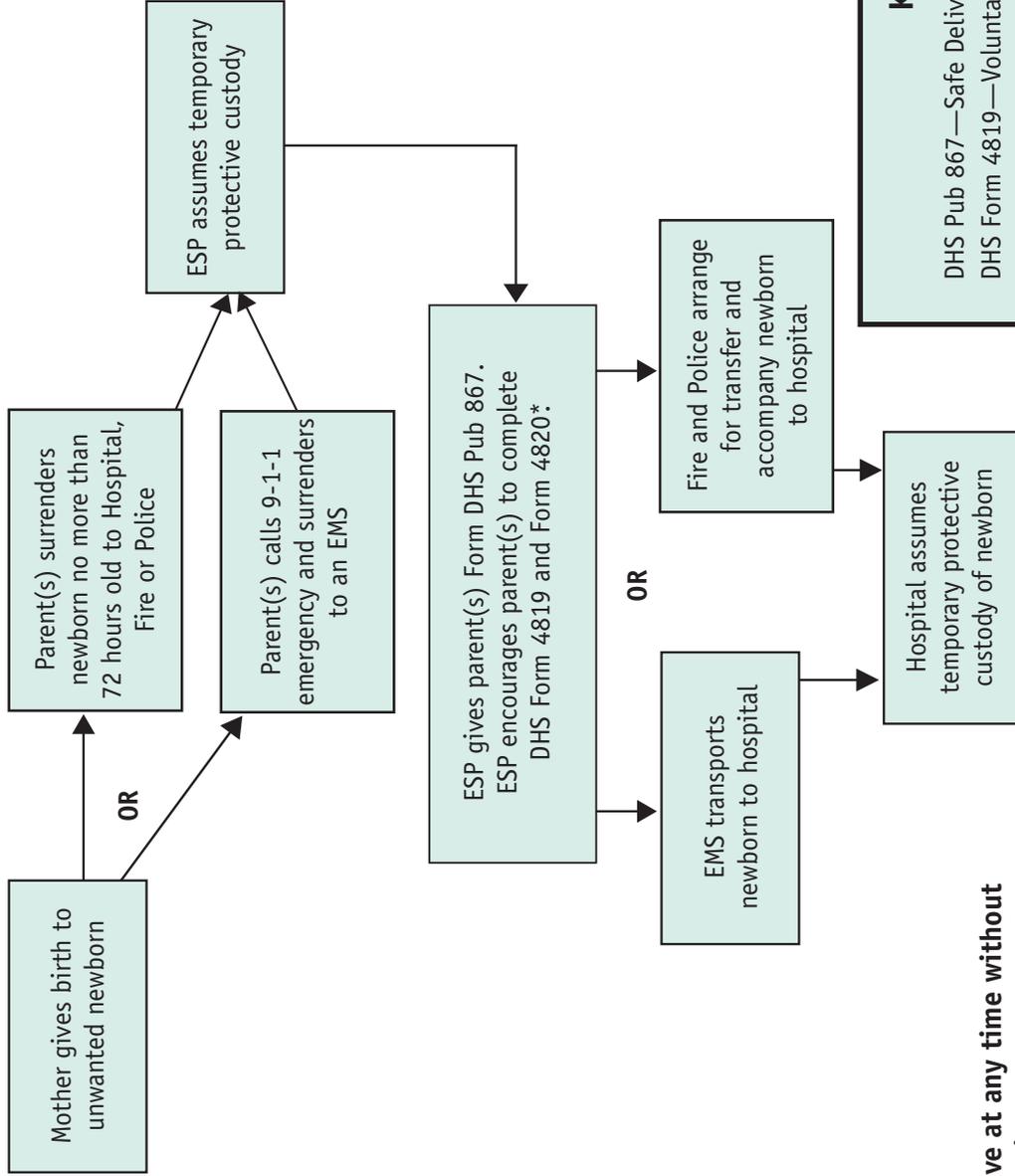
**Act No. 233, PA 2000 (SB 1053, 1999-2000)**  
Amended the Penal Code to provide an affirmative defense to a child abandonment prosecution if the child is not more than 72 hours old and was surrendered to an emergency service provider.

**Act No. 234, PA 2000 (SB 1187, 1999-2000) Included in the *Response and Resource Handbook*.**  
Amends the Child Protection Law specifying that the act of surrendering a child to an emergency service provider is not a reasonable cause to suspect child abuse and/or neglect and the physician is not required to report the surrender unless there are actual signs of abuse and/or neglect. New Section 8 (16) on page 3.

**Act No. 235, PA 2000 (HB 5543, 1999-2000)**  
Added provisions to Chapter XII of the Probate Code to establish a Safe Delivery program, which must include a toll free number and a pamphlet about the program.



# Safe Delivery Fire, Police and EMS\*\* Flowchart (Emergency Service Provider (ESP) Responsibilities)



### Key

DHS Pub 867—Safe Delivery Program FACT Sheet  
 DHS Form 4819—Voluntary Medical Background Form  
 DHS Form 4820—Voluntary Release for Adoption  
 All documents are available in the handbook and are on the Web site [www.michigan.gov/dhs](http://www.michigan.gov/dhs).

\* Parent may leave at any time without sharing information

\*\* For Safe Delivery purposes EMS is defined as a paramedic or an emergency medical technician when either of these individuals is responding to a 9-1-1 emergency call



# SAFE DELIVERY SURRENDER CHECKLIST



## FOR PARAMEDICS AND EMERGENCY MEDICAL TECHNICIANS (EMERGENCY SERVICE PROVIDERS)

- Assume child is a newborn no more than 72 hours old and accept temporary protective custody.
  - 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.
  - Make a reasonable effort to give the surrendering parent(s):
    - Safe Delivery Program FACT Sheet (DHS Pub 867)
    - What Am I Going To Do? (DHS Pub 864) Optional
  - Make a reasonable attempt to obtain the following:
    - Voluntary Medical Background Form for a Surrendered Newborn (DHS Form 4819)
    - Voluntary Release for Adoption of a Surrendered Newborn by Parent (DHS Form 4820)
- NOTE:** The parent(s) does not have to complete these forms.
- If parent does not volunteer to share information, the ESP should document observations.
  - Transport newborn to a hospital and provide hospital with any forms completed by the parent(s), and transfer temporary protective custody to hospital staff.
  - Complete an incident report as required by agency policy.

**NOTE:** Sample 'Parent Packets' are located in the back of the *Portable Response Packet* for Paramedics and EMTs. More information on Safe Delivery resources can be found in the Public Awareness section of the *Response and Resource Handbook*.



# SAFE DELIVERY OF NEWBORNS

## PARENT PACKETS



It is important that the emergency service providers (ESP) make a reasonable effort to give the surrendering parent(s) at least one, preferably both, of these publications:

- Safe Delivery Program FACT Sheet, DHS Pub 867
- What am I Going to Do?, DHS Pub 864 Optional

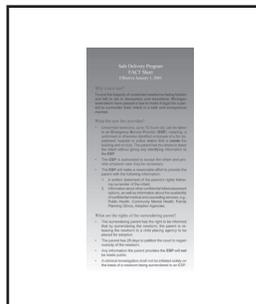
The ESP must make a reasonable attempt to obtain the child's family medical history with the understanding that the surrendering parent(s) may still remain anonymous. Completion of the family medical history is very important for the current and future health needs of the child. The voluntary release form is used in court proceedings to verify the parent's intent to release parental rights. The following forms may be used to gather this information:

- Voluntary Medical Background Form for a Surrendered Newborn, DHS Form 4819
- Voluntary Release For Adoption of a Surrendered Newborn by Parent, DHS Form 4820

Prepared parent information documents used in the event of a safe delivery can be found in the back of this packet. Additional copies may be ordered or downloaded at [www.michigan.gov/dhs](http://www.michigan.gov/dhs).



Pub 864  
(Optional)



Pub 867

Form 4819

Form 4820

