

Safe Delivery Emergency Service Provider

PRACTICAL GUIDE



Safe Delivery is a law which allows a parent(s) to surrender their newborn safely and legally, no more than 3 days old. A newborn may be given to a uniformed employee who is inside and on duty at any hospital, fire department, police station, or to an emergency medical technician or paramedic by calling 9-1-1. The newborn will be placed for adoption. This program is safe, legal, and confidential.

Below is an outline to make sure all required steps are taken and the surrendering parent(s) receive appropriate materials and information, while ensuring the successful adoption of the infant.

When a parent wants to surrender their baby, follow these steps:

1. Accept the infant; protecting the health and safety of the newborn is the top priority.
2. Inform parent(s) that the newborn will be placed for adoption.
3. Inform parent(s) they have 28 days to petition the court for custody.
4. Provide Safe Delivery approved written information, give parent(s) the [Safe Delivery FACT SHEET](#)
5. Encourage parent(s) to provide family medical background - use Confidential Voluntary Medical Background [form DHS Publication 4819](#). They may provide information or decline.
6. Inform parent(s) of counseling and/or medical care available. Counseling can be provided by the adoption agency who receives the referral, and medical care may be received at the hospital where the newborn is transferred.
7. Ask parent(s) to identify himself/herself and the non-surrendering parent. They may choose to remain anonymous.
8. Inform parent(s) they may sign a voluntary release of parental rights, [DHS Publication 4820](#). They may sign their full names, first name only, X on the line or decline to sign. If both parents are present, ask both to complete the medical information and have each sign a voluntary surrender.
9. Inform parent(s) that information shared will be kept confidential and shared only with the court.

To complete the paperwork and meet legal requirements the following **must** occur:

- Provider who receives the baby and speaks with the parent(s), must witness the signature on [DHS Publication 4820](#), complete with baby's birthdate, name (usually Baby Doe), and where baby was born. No need for notary.
- Offer the Voluntary Medical Background form [DHS Publication 4819](#) to parent(s). They may choose to complete this themselves, or you may ask the questions and fill out for them. They may decline to complete this form.
- Complete the Emergency Service Provider Section at the bottom of [DHS Publication 4819](#). You **MUST** document:
 1. Parent(s) understood they are releasing parental rights and the baby will be adopted.
 2. Parent(s) either completed the medical forms themselves, provided information verbally, or declined.
 3. Parent(s) signed the voluntary release or declined after asked.
 4. Parent was asked to identify the non-surrendering parent and provided information or declined.

Most Safe Delivery surrenders are done by the birth mother; this question usually regards the birth father. She may provide information which will be given to the adoption agency for their efforts to locate the non-surrendering parent. She may decline to provide the information or state that she does not know who the father is. These are all acceptable options. Document the information.
 5. Sign the form. Indicate your name, contact information, and where/when baby was surrendered.
- Keep a copy of the completed forms and document the above information in the electronic patient care record.

Example: upload the completed PDFs into the patient care record.

All forms must go along with the baby when transferred to the hospital.