

**OLIVE VIEW-UCLA MEDICAL CENTER
POLICY & PROCEDURE**

NUMBER: 17

VERSION: 4

SUBJECT/TITLE: ABANDONMENT OF NEWBORNS/SAFE SURRENDER LAW

POLICY: Any parent or other person with lawful custody may legally and confidentially surrender a newborn less than 72 hours old to any employee at Olive View-UCLA Medical Center. As long as the baby has not been abused or neglected, and the child is surrendered to an employee on duty, the person may surrender the baby without fear of arrest or prosecution for child abandonment.

PURPOSE: To expedite process of admission/transfer and possible return of newborn. To encourage parents who would otherwise abandon their newborn baby in unsafe environments, (e.g., trash bins, empty fields, shopping malls, etc.) to leave their newborn in a safe environment, without criminal prosecution.

DEPARTMENTS: All

DEFINITIONS: On January 1, 2001, SB 1368 went into effect in California to provide criminal immunity for any person with lawful custody of a newborn, who has not been abused or neglected and is less than 72 hours old, to voluntarily surrender physical custody of the child to an employee at a designated Safely Surrendered Baby site. On August 1, 2003 SB139 was enacted to strengthen the existing Surrendered Baby Law. SB 139 states the criteria for safe surrender personnel authorized to accept physical custody of a surrendered baby as “any personnel on duty at a safe surrender site.” The person surrendering newborn must be given a Medical Information Questionnaire to complete. The infant should be tagged with a confidential ID bracelet, plus an identical ID bracelet should be given to the parents, in the event they wish to reclaim the infant. (Reclaiming an infant may be done within fourteen days of surrendering newborn.) The receiving employee must provide a medical screening exam and any medical care needed to the newborn. The person surrendering the child may decline to complete the form, complete it immediately, or may take it and complete it at a later date. In such a case, an envelope should be provided to return the questionnaire.

PROCEDURE:

1. Olive View-UCLA Medical Center will prominently post the State-approved “Safely Surrendered Baby” logo to notify the public that it is a designated location where a newborn may be safely surrendered. Infants less than 72 hours old may be safely surrendered at Olive View-UCLA Medical Center.
2. When a parent or legal guardian presents at Olive View-UCLA Medical Center and wants to surrender their infant (up to 72 hours old), any employee is to

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accept the baby. The baby should be brought immediately to the DEM. If the parent is willing, they should accompany the infant to the DEM. The individual surrendering the infant should have lawful custody of the infant.

3. The Pediatric-On-Call staff should be immediately notified of the infant's surrender and provide a medical screening exam and any medical care the infant may require.
4. The infant will be immediately placed on a radiant warmer.
5. Coded confidential identification bands will be immediately issued. These coded bands will be kept on all units.
 - a. The Ident-A-Band insert will contain the following info:
 - b. Sex of infant and date and time of birth, if given by parent.
 - c. One band will be placed on infant's ankle.
 - d. Every effort will be made to give an identical band to the surrendering parent(s), in case they want to reclaim the infant at a later time.
6. Registration staff, (Ext. 65228), should be immediately informed.
 - a. A Baby Doe registration packet will be initiated (located in DEM Registration).
 - b. The infant will be registered following the Trauma Patient Procedure.
 - c. Nursing will need to request for admission once the baby has been issued a MRUN and the appropriate Service/Ward has been determined.
7. Designated staff must make a "good faith" attempt to give the person surrendering the infant the Confidential Newborn Family Medical History questionnaire to complete (Attachment 1). This family medical history questionnaire WILL NOT require any identifying information about the infant or parent, other than the coded, confidential identification number which is on the identification bands.
 - a. An attempt should be made to complete the questionnaire at the time of surrender.
 - b. Assistance should be provided, if needed.
 - c. If person surrendering infant requests to complete questionnaire at a later date, the department will provide an envelope that can be used to mail the questionnaire back to the hospital at a later time.
8. After the infant is surrendered to the hospital, the patient will be registered, using the identification numbers provided.

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- a. The patient will be registered per the DOE procedure. This will allow for easier identification should the parent's return to take custody of the infant. The infant will be referred to as Baby Girl Doe or Baby Boy Doe.
 - b. Please refer to Admitting Policy: *Processing Infants Voluntarily Abandoned*. The "Guarantor" is to be:
Los Angeles County Department of Children and Family Services
425 Shatto Place
Los Angeles, CA 90020
213-351-5602
 - c. Babies given to hospitals under the Newborn Abandonment Law are eligible for Medi-Cal.
9. The pediatrician will provide a medical screening evaluation and any medical care will be given to the infant, as indicated. The consent of the parent or other person surrendering the baby is not required to perform such care.
10. Infant will be processed as follows:
- a. Normal Healthy Newborn – Pediatric Ward, as a hold
 - b. Newborn not acutely ill, but requiring admission – Newborn Nursery, as a Hold
 - c. Newborn, acutely ill – admit to Neonatal Intensive Care Unit, as a hold.
11. The Department of Children and Family Services should be immediately notified at 1-800-540-4000.
- a. SB 1368 requires the hospital to notify the Department of Children and Family Services as soon as possible, but no later than 48 hours after taking custody of the infant.
 - b. Social Work Department will be notified at ext. 74236, to follow-up with DCFS.
 - c. Child Protective Services will begin the process of declaring the infant as a dependent of Juvenile Court.
 - d. If a health practitioner at the hospital reasonably suspects that the child has been the victim of child abuse or neglect, he or she must notify a child protective agency.
12. In the event the surrendering person wishes to leave immediately, all steps should be followed and documented in the Progress Notes.
13. A brief description of the parent should be included in the medical record (Progress Notes), stating gender and ethnicity, just in case the surrendering parent returns to claim the infant.

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If a person surrendering a newborn requests that the hospital return the newborn to her/him, the hospital must do so if it still has custody and if the dependency petition has not yet been filed. The person requesting the return of the infant must produce the matching band that was given to them at the time the infant was surrendered. If a hospital has any doubt as to whether the person attempting to reclaim a newborn is indeed the person who surrendered the newborn, DHS County Council should be immediately consulted. **This is especially true of any recent postpartum women who may have experienced a fetal demise and has delivered within 72 hours.**

If the dependency petition has already been filed, the person surrendering the newborn may reclaim the child within 14 days of the surrender. The child welfare agency must verify the identity of the person and conduct an assessment of the person’s circumstances and ability to parent.

DOCUMENTATION: DEM Admission Notes
Newborn Family Medical History
Progress Notes

References: Senate Bill 1368, Chapter 824 County of Los Angeles: Office of County Counsel, 10/14/00 Departmental Memo California Healthcare Association, Minors & Health Care Law, 2001 California Healthcare Association, Form 4-15, <i>Newborn Family Medical History</i>	
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