

House Research Act Summary

CHAPTER: 421

SESSION: 2000 Regular Session

TOPIC: Child Protection

Date: May 25, 2000

Analyst: Joe Cox, 651-296-5044

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

This act provides immunity and anonymity to a person leaving a newborn at a hospital emergency room. It also provides immunity to hospitals for accepting newborns.

- 1 **Safe place for newborns; hospital duties and immunity from liability.** Adds new § 145.902.
Subd. 1. General. (a) Requires hospitals to receive unharmed newborns that are up to three days old.
(b) Provides that the hospital may not ask the identity of the mother or person leaving the newborn. Permits the hospital to ask for medical information. Permits the hospital to give information about contacting relevant social service agencies.
Subd. 2. Reporting. Requires the hospital to inform the local welfare agency about the newborn, but not before the mother or other person leaving the newborn leaves the hospital.
Subd. 3. Immunity. (a) Provides immunity to hospitals, employees, and other medical professionals working at the hospital for receiving a newborn.
(b) Provides immunity for a failure to make a report under the child abuse reporting act when acting in good faith in complying with this act.
- 2 **Safe place for newborns.** Adds new § 260C.217.
Subd. 1. Duty to attempt reunification, duty to search for relatives, and preferences not applicable. Provides that local social service agencies need not attempt to reunify a newborn left under this act with its parents. Additionally, the agency does not have to search for relatives or give preference to relatives when placing a child.
Subd. 2. Status of child. Provides that a newborn left under this act is considered an abandoned child.
- 3 **Unharmed newborns left at hospitals; avoidance of prosecution.** Adds new § 609.3785.

Provides that a person may leave an unharmed newborn up to three days old with a hospital employee without being subjected to prosecution. If the person leaving the newborn is not the mother, the person must have the mother's permission.

4 **Effective date.** Provides an immediate effective date.