

January 28, 2021

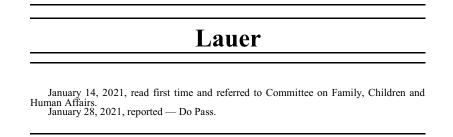
HOUSE BILL No. 1230

DIGEST OF HB 1230 (Updated January 27, 2021 8:58 am - DI 140)

Citations Affected: IC 31-34.

Synopsis: Safe haven 911. Provides that due to extenuating circumstances, if a child's parent or a person is unable to give up custody of a child under the procedure set forth in Indiana's safe haven law, the child's parent or the person may request that an emergency medical services provider (provider) take custody of the child by: (1) dialing the 911 emergency call number; and (2) staying with the child until a provider arrives to take custody of the child. Provides that the emergency medical dispatch agency or the provider shall inform the child's parent or the person giving up custody of the child concerning the ability to remain anonymous.

Effective: July 1, 2021.





HB 1230-LS 7095/DI 131

January 28, 2021

First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1230

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [E	EFFECTIVE
3 JULY 1, 2021]: Sec. 1. (a) An emergency medical services	provider (as
4 defined in IC 16-41-10-1) shall, without a court order, take	e custody of
5 a child who is, or who appears to be, not more than thirty ((30) days of
6 age if:	
7 (1) except as provided in subsection (g), the child is	s voluntarily
8 left:	
9 (A) with the provider by the child's parent;	
10 (B) in a newborn safety device that:	
11 (i) has been approved by a hospital licensed under	er IC 16-21;
12 (ii) is physically located inside a hospital that	at is staffed
13 continuously on a twenty-four (24) hour basis e	every day to
14 provide care to patients in an emergency; and	
15 (iii) is located in an area that is conspicuous an	nd visible to
16 hospital staff;	
17 (C) in a newborn safety device that was installed of	on or before

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1	January 1, 2017, and is located at a site that is staffed by an
2	emergency medical services provider (as defined in
3	IC 16-41-10-1); or
4	(D) in a newborn safety device that:
5	(i) is located at a fire department, including a volunteer fire
6	department, that is staffed by an emergency medical services
7	provider (as defined in IC 16-41-10-1) on a twenty-four (24)
8	hour seven (7) day a week basis;
9	(ii) is located in an area that is conspicuous and visible to
10	staff; and
11	(iii) includes an adequate dual alarm system connected to
12	the site that is tested at least one (1) time per month to
13	ensure the alarm system is in working order; and
14	(2) the parent does not express an intent to return for the child.
15	(b) An emergency medical services provider who takes custody of
16	a child under this section shall perform any act necessary to protect the
17	child's physical health or safety.
18	(c) Any person who in good faith voluntarily leaves a child:
19	(1) with an emergency medical services provider; or
20	(2) in a newborn safety device described in subsection $\frac{(a)(1)(B)}{(a)(a)(a)(a)(a)(a)(a)(a)(a)(a)(a)(a)(a)($
21	(a)(1);
22	is not obligated to disclose the parent's name or the person's name.
23	(d) A hospital that approves the operation of a newborn safety
24	device that meets the requirements set forth in subsection $(a)(1)(B)$ is
25	immune from civil liability for an act or omission relating to the
26	operation of the newborn safety device unless the act or omission
27	constitutes gross negligence or willful or wanton misconduct.
28	(e) A newborn safety device described in subsection (a)(1)(C) may
29	continue to operate without meeting the conditions set forth in
30	subsection (a)(1)(B).
31	(f) A fire department, including a volunteer fire department, that
32	meets the requirements set forth in subsection (a)(1)(D) is immune
33	from civil liability for an act or omission relating to the operation of the
34	newborn safety device unless the act or omission constitutes gross
35	negligence or willful or wanton misconduct.
36	(g) Due to extenuating circumstances, if a child's parent or a
37	person is unable to give up custody of the child as described in
38	subsection (a)(1), the child's parent or the person may request that
39	an emergency medical services provider (as defined in
40	IC 16-41-10-1) take custody of the child by:
41	(1) dialing the 911 emergency call number; and
42	(2) staying with the child until an emergency medical services

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1	provider (as defined in IC 16-41-10-1) arrives to take custody
2	of the child.
3	The emergency medical dispatch agency (as defined in
4	IC 16-31-3.5-1) or the emergency medical services provider (as
5	defined in IC 16-41-10-1) shall inform the child's parent or the
6	person described in this subsection concerning the ability to remain
7	anonymous as described in subsection (c).



COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1230, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1230 as introduced.)

DEVON

Committee Vote: Yeas 12, Nays 0



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