

2016 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 107

BY REPRESENTATIVES WILLMOTT AND GLOVER

1 A CONCURRENT RESOLUTION

2 To urge and request the Department of Children and Family Services to convene a  
3 consortium of emergency care facilities designated in the Safe Haven Law and Safe  
4 Haven stakeholder groups and to create and maintain a registry of Safe Haven  
5 emergency care facilities.

6 WHEREAS, Louisiana established its Safe Haven Law, Children's Code Article 1149  
7 et seq., through enactment of House Bill No. 223 of the 2000 First Extraordinary Session;  
8 and

9 WHEREAS, the Safe Haven Law provides a mechanism whereby a parent may  
10 relinquish the care of an infant who is not more than sixty days old to the state in safety and  
11 anonymity and without fear of prosecution; and

12 WHEREAS, since Texas passed the first such infant relinquishment law in 1999,  
13 laws of this type have been enacted in all U.S. states; and

14 WHEREAS, from the time that administrative rules of the Department of Children  
15 and Family Services (then known as the Department of Social Services) to implement the  
16 Safe Haven Law first took effect in 2004 through the end of 2015, forty-four infants in  
17 Louisiana have been safely relinquished to the care of the state under this law; and

18 WHEREAS, pursuant to the Safe Haven Law, an infant who is not more than sixty  
19 days old may be relinquished anonymously by a parent at a designated emergency care  
20 facility; and

21 WHEREAS, designated emergency care facilities, as defined in the Safe Haven Law,  
22 include hospitals, public health units, emergency medical service providers, medical clinics,  
23 fire stations, police stations, crisis pregnancy centers, and child advocacy centers; and

1           WHEREAS, the Safe Haven Law requires each designated emergency care facility  
2           to provide instruction regarding infant relinquishment procedures to all employees who work  
3           in the facility on a periodic basis, and offers flexibility with respect to this requirement by  
4           stipulating that such instruction may be provided in any manner that is deemed appropriate  
5           and sufficient by the facility, and may vary depending on the type of facility and the job  
6           duties of the employees being trained; and

7           WHEREAS, designated emergency care facilities and stakeholder groups in the  
8           realm of public safety, child advocacy, and education play a vital role in the functioning of  
9           the Safe Haven Law; and

10          WHEREAS, a forum in which designated emergency care facilities and key  
11          stakeholders can convene to share best practices in Safe Haven training and preparedness  
12          for infant relinquishments would serve the interests of this state in protecting the health and  
13          safety of its most vulnerable newborns; and

14          WHEREAS, the interests of this state with respect to protection of newborns would  
15          further be served through establishment and maintenance of a registry of all designated  
16          emergency care facilities in the state.

17          THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
18          urge and request the Department of Children and Family Services to convene a select group  
19          of representatives of emergency care facilities designated in the Safe Haven Law and key  
20          Safe Haven stakeholder groups to be known as the "Safe Haven consortium".

21          BE IT FURTHER RESOLVED that the secretary of the Department of Children and  
22          Family Services shall appoint a representative of the child welfare division of the department  
23          to facilitate the sharing of information and best practices among members of the Safe Haven  
24          consortium.

25          BE IT FURTHER RESOLVED that the following entities shall appoint a  
26          representative to actively participate in the sharing of information and best practices through  
27          the Safe Haven consortium:

- 28               (1) The Department of Health and Hospitals.
- 29               (2) The Louisiana Hospital Association.
- 30               (3) The Louisiana Emergency Response Network.
- 31               (4) The Louisiana Ambulance Alliance.

- 1 (5) The Louisiana State Board of Medical Examiners.
- 2 (6) The Louisiana State Board of Nursing.
- 3 (7) The Professional Fire Fighters Association of Louisiana.
- 4 (8) The Louisiana Fire Chiefs Association.
- 5 (9) The Louisiana Sheriffs' Association.
- 6 (10) The Louisiana Association of Chiefs of Police.
- 7 (11) The Louisiana Peace Officers Association.
- 8 (12) The Louisiana State Troopers Association.
- 9 (13) The Magnolia State Peace Officers Association of Louisiana.
- 10 (14) Children's Advocacy Centers of Louisiana.
- 11 (15) The National Association of Social Workers, Louisiana Chapter.
- 12 (16) The Louisiana School Boards Association.
- 13 (17) The Louisiana Association of Public Charter Schools.
- 14 (18) The Louisiana Association of Educators.
- 15 (19) The Louisiana Federation of Teachers.
- 16 (20) The Louisiana Association of Student Councils.

17 BE IT FURTHER RESOLVED that the secretary of the Department of Children and  
18 Family Services shall take such actions as are necessary to ensure that the Safe Haven  
19 consortium convenes on or before December 1, 2016.

20 BE IT FURTHER RESOLVED that at its initial meeting, the consortium shall elect  
21 a chairperson and adopt rules of procedure and any other policies it deems necessary to  
22 facilitate its work.

23 BE IT FURTHER RESOLVED that the consortium shall meet at least annually on  
24 dates and at times and places designated by the chairperson.

25 BE IT FURTHER RESOLVED that the initial meeting of the consortium shall be in  
26 person, and that subsequent meetings may be conducted by phone, web, or video conference.

27 BE IT FURTHER RESOLVED that consortium members may communicate and  
28 share information through the most efficient and effective means available, including by  
29 phone, email, and other electronic means, consistent with members' needs.

1 BE IT FURTHER RESOLVED that the members of the consortium shall serve  
2 without compensation, except per diem or expense reimbursement to which they may be  
3 individually entitled by their respective employers.

4 BE IT FURTHER RESOLVED that the consortium shall submit a report of its  
5 activities and any findings and recommendations concerning implementation of the Safe  
6 Haven Law for inclusion in an annual Safe Haven report to be submitted by the Department  
7 of Children and Family Services to the House Committee on Health and Welfare and the  
8 Senate Committee on Health and Welfare prior to the convening of each Regular Session of  
9 the legislature.

10 BE IT FURTHER RESOLVED that the legislature does hereby urge and request the  
11 Department of Children and Family Services to create and maintain a registry of designated  
12 emergency care facilities and does hereby authorize the Safe Haven consortium to advise  
13 and assist the department in the endeavor to establish this registry by providing and regularly  
14 updating lists of designated emergency care facilities which, at minimum, shall include  
15 addresses and contact information of the facilities.

16 BE IT FURTHER RESOLVED that on or before December 31 annually, and more  
17 frequently as may be needed to support maintenance of a current listing, the consortium  
18 members that own, operate, or are directly affiliated with one or more types of designated  
19 emergency care facilities shall submit a listing of these facilities with which they are  
20 associated to the designated lead staff member of the Department of Children and Family  
21 Services in an electronic format which facilitates efficient maintenance of the master registry  
22 of designated emergency care facilities.

23 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
24 secretary of the Department of Children and Family Services, the secretary of the  
25 Department of Health and Hospitals, the president of the Louisiana Hospital Association, the  
26 executive director of the Louisiana Emergency Response Network, the chief executive  
27 officer of the Louisiana Ambulance Alliance, the executive director of the Louisiana State  
28 Board of Medical Examiners, the executive director of the Louisiana State Board of Nursing,  
29 the president of the Professional Fire Fighters Association of Louisiana, the president of the  
30 Louisiana Fire Chiefs Association, the executive director of the Louisiana Sheriffs'  
31 Association, the president of the Louisiana Association of Chiefs of Police, the president of

1 the Louisiana Peace Officers Association, the president of the Louisiana State Troopers  
2 Association, the president of the Magnolia State Peace Officers Association of Louisiana,  
3 the president of LouisianaChildren.org, the executive director of the National Association  
4 of Social Workers, Louisiana Chapter, the executive director of the Louisiana School Boards  
5 Association, the executive director of the Louisiana Association of Public Charter Schools,  
6 the executive director of the Louisiana Association of Educators, the president of the  
7 Louisiana Federation of Teachers, and the president of the Louisiana Association of Student  
8 Councils.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE