



ANN ARBOR FIRE DEPARTMENT

Standard Operating Procedures - 5.03 Safe Delivery of Newborns



SAFE DELIVERY OF NEWBORNS

Effective: August 30, 2024
 Scheduled Review: August 30, 2027
 Approved: Fire Chief Mike Kennedy

I. PURPOSE

To provide procedures for care and safety of surrendered newborns as established by Michigan’s Safe Delivery of Newborns Law. On June 26, 2000, Michigan enacted the Safe Delivery of Newborns law with an effective date of January 1, 2001. The law was amended in 2002, 2003, 2006, and 2010.

II. DEFINITIONS

Newborn - A child who a physician reasonably believes to be not more than 72 hours old.
 Emergency Service Provider (ESP): a uniformed or otherwise identified employee or contractor of a fire department, hospital, or police station when that individual is inside the premises and on duty. Emergency service provider also includes a paramedic or an emergency medical technician when either of those individuals is responding to a 9-1-1 emergency call. MCL 712.1(f).

Hospital - A hospital that is licensed under article 17 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260.

Fire department - An organized fire department as that term is defined in Section 1 of the Fire Prevention Code 1941 PA 207, MCL 29.1.

Police station - A police station as that term is defined in section 43 of the Michigan Vehicle Code, 1949 PA 300 MCL 257.43.

Surrender - To leave a newborn with an emergency service provider, without expressing an intent to return.

III. BACKGROUND

Safe Delivery of Newborns is a law which allows a parent or parents to safely and legally surrender their newborn, no more than three (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.

The Michigan Legislature passed Acts 232, 233, 234 and 235 in June of 2000, with an effective date of January 1, 2001. Public Act 488 of 2006 amended certain sections of the Safe Delivery of Newborns law and became effective January 1, 2007. Public Act 348 and 349 amended additional sections in 2010 of the Safe Delivery of Newborns law and become effective December 22, 2010.



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IV. PROCEDURES

A baby, up to three (3) days old, can be taken to a fire department, hospital or police station and surrendered to any staff person working inside the building. A baby, up to three days old, can also be given up to a paramedic or Emergency Medical Technician (EMT) by calling 9-1-1. The ESP must immediately accept the surrendered newborn, taking the newborn into temporary protective custody.

The ESP must make reasonable effort to do the following:

- Protect the health and safety of the newborn.
- Inform the parent that the newborn will be placed for adoption.
- They have twenty-eight (28) days to petition the court for custody.
- After the twenty-eight (28) days, there will be a hearing to terminate parental rights.
- There will be a public notice of the hearing, but the notice will not show your name, even if it is known.
- You will not receive personal notice of this hearing, even if you have provided a name and address to the emergency service provider.
- Counseling and medical care are available for them if needed.
- They may sign a voluntary release of parental rights.
- Information shared will not be made public.
- Provide Michigan Department of Health and Human Services (MDHHS) [Safe Delivery approved written information](#).
- Encourage the parent(s) to provide [family/medical background information](#).
- Ask parent to identify himself/herself.

An ESP that is not a hospital must transfer the newborn to a hospital.

- The hospital will take the newborn into temporary protective custody.
- A physician will examine the newborn.
- If the newborn is unharmed and is determined to be seventy-two (72) hours old or less, the hospital will notify a child placing agency.
- If the child is not a newborn, or is the victim of abuse/neglect, the physician must immediately make a report to Child Protective Services.