

The Idaho Safe Haven Act





As of July 1, 2001, the Idaho Safe Haven Act was put into place to protect abandoned infants with the intent to provide a safe alternative for custodial parents who otherwise might abandon their babies.

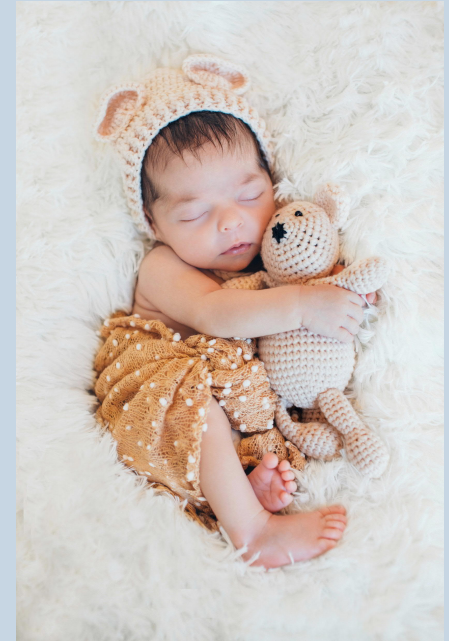
Identified Safe Havens



- 1) Hospitals licensed in the state of Idaho.
- 2) Licensed physicians in the state of Idaho and staff working at their offices and clinics.
- 3) Advanced practice professional nurses, including certified nurse-midwives, clinical nurse specialists, nurse practitioners and certified registered nurse anesthetists licensed or registered pursuant to Idaho Code.
- 4) Physician assistants licensed pursuant to Idaho Code.
- 5) Medical personnel acting or serving in the capacity as a licensed provider, affiliated with a recognized Idaho EMS agency. For purposes of this act, "medical personnel" shall include those individuals certified by the department of health and welfare as:
 - (i) First responders;
 - (ii) Emergency medical technicians – basic;
 - (iii) Advanced emergency medical technicians – ambulance;
 - (iv) Emergency medical technicians – intermediate; and
 - (v) Emergency medical technicians – paramedic.
- 6) A fire station operated by a city, a county, a tribal entity, a fire protection district or a volunteer fire department if there are personnel on duty.

A safe haven can take temporary custody (without a court order) if:

- 1) The baby is no more than 30 days of age.
- 2) The custodial parent delivers the baby to the safe haven.
- 3) The custodial parent does not express intent to return for the baby.



Note:

By law, a custodial parent may leave a child with a safe haven without being subjected to prosecution for abandonment provided that the child was no more than 30 days of age when it was delivered to the safe haven.





Responsibilities of the Safe Haven

- Accept the baby from the parent.



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- A newborn baby is sleeping peacefully on a light-colored, textured surface. The baby is holding a small, white, fluffy stuffed dog with a dark brown nose and eyes. The baby's face is in profile, showing closed eyes and a calm expression. A semi-transparent white circle is overlaid on the left side of the image, containing a bullet point.
- Protect, preserve or aid the physical health and safety of the baby and ensure necessary medical treatment is received.



- Do not inquire about the parent's identity, but the parent may voluntarily provide medical history of the parent or baby.
- If the parent's identity is known to the safe haven, it must be kept confidential.



- Immediately notify a peace officer of abandonment. The peace officer will take protective custody of the baby and directly deliver the baby to the care and custody of the Idaho Department of Health & Welfare who will then follow the necessary court procedures.

Note:

A peace officer who takes a child into custody will not be held liable either criminally or civilly unless the action of taking the child was exercised in bad faith or in violation of the law.



Note:

A safe haven and any employee, doctor, or other personnel working at the safe haven, are immune from any civil or criminal liability if they are acting in good faith in receiving a child and performing duties under the law.



Test Your Knowledge!

- The baby must be under what age to be accepted at a safe haven?
- Are the parents required to give their personal information to the safe haven?
- Can you identify who is considered a safe haven?
- When do safe haven's contact a peace officer after accepting a baby?
- Is it appropriate for the safe haven to ask the parent if they wish to provide medical history about the baby?





For More Information:

- Idaho Careline, 2-1-1 or 1-800-926-2588
- Health and Welfare child protection, (208) 334-5700
- Click on the link to read the law:
<https://legislature.idaho.gov/statutesrules/idstat/Title39/T39CH82/>
- You may also call the Legislative Services Office, Room 106, State Capital, Boise, Idaho 83720-6054 at (208) 334-2475 for copies.