SLS 24RS-597 ORIGINAL

2024 Regular Session

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SENATE BILL NO. 414

BY SENATORS BASS AND TALBOT

CHILDREN. Authorizes the installation and use of newborn safety devices at infant relinquishment sites designated in the Safe Haven Law. (8/1/24)

AN ACT

2 To amend and reenact Children's Code Art. 1151(A)(1) and 1152(A)(2), relative to the installation and use of newborn safety devices at infant relinquishment sites; to 3 authorize the installation of the devices at certain sites; to provide for requirements 4 5 for use of the devices; and to provide for related matters. 6 Be it enacted by the Legislature of Louisiana: 7 Section 1. Children's Code Art. 1151(A)(1) and 1152(A)(2) are hereby amended and 8 reenacted to read as follows: 9 Art. 1151. Relinquishment of infants; defense to prosecution 10 A.(1) If a parent wishes to relinquish his infant, he may leave the infant in the 11 care of any employee of a designated emergency care facility or in a newborn safety device that is located in a designated emergency care facility that is staffed 12 13 continuously on a twenty-four hour basis, seven days a week, and three hundred sixty-five days a year and meets the specifications provided in Subparagraph (2) of 14 this Paragraph and is physically located inside of a facility which is licensed as a 15 hospital in accordance with the Hospital Licensing Law, R.S. 40:2100 et seq., and 16 17 has an emergency department that is staffed twenty-four hours per day.

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2	Art. 1152. Designated emergency care facility, emergency medical service provider,
3	firefighter, and law enforcement officer responsibilities; newborn safety
4	devices authorized
5	A. * * *
6	* * *
7	(2)(a) A designated emergency care facility that is a hospital licensed in
8	accordance with the Hospital Licensing Law, R.S. 40:2100 et seq., which has an
9	emergency department that is staffed twenty-four hours per day may install on its
10	premises a newborn safety device in accordance with the requirements and
11	specifications of Article 1151(A).
12	(b) A Each designated emergency care facility that installs a newborn safety
13	device as authorized by this Subparagraph shall be:
14	(a) Be responsible for the cost of the installation.
15	(b)(c) Each designated emergency care facility that installs a newborn safety
16	device as authorized by this Subparagraph shall install Install an adequate dual alarm
17	system connected to the physical location of the newborn safety device. The facility
18	shall ensure all of the following with respect to the alarm system:
19	(i) The system generates an audible alarm at a central location within the
20	facility sixty seconds after the opening of the access door to the newborn safety
21	device.
22	(ii) The system generates an automatic call to 911 if the alarm is activated
23	and not turned off from within the facility less than sixty seconds after the
24	commencement of the initial alarm.
25	(iii) The alarm system is tested at least one time per week to ensure that it is
26	in working order.
27	(iv) The alarm system is visually checked at least two times per day to ensure
28	that it is in working order.
29	(c)(d) Each designated emergency care facility that installs a newborn safety

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device as authorized by this Subparagraph shall ensure **Ensure** that the device is checked at least daily for debris and is cleaned and sanitized with a hospital-quality disinfectant at least weekly and after any newborn relinquishment into the device.

(d)(e) Each designated emergency care facility that installs a newborn safety device as authorized by this Subparagraph shall maintain Maintain documentation of the testing of the alarm system required by Subsubparagraph (c) of this Subparagraph and the cleaning and sanitation of the device required by Subsubparagraph (d) of this Subparagraph.

(e)(f) Each designated emergency care facility that installs a newborn safety device as authorized by this Subparagraph shall install Install adjacent to the device a card holder and shall keep the card holder stocked with safe haven informational cards supplied by the department pursuant to Paragraph D of this Article and other safe haven informational materials produced in accordance with Article 1160.

(f)(g) Each designated emergency care facility that installs a newborn safety device as authorized by this Subparagraph shall adopt Adopt written policies for receiving, in accordance with the applicable requirements of this Chapter and applicable licensing rules, a newborn who has been relinquished into the newborn safety device.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Amanda Trapp.

## DIGEST 2024 Regular Session

SB 414 Original

Bass

<u>Present law</u> authorizes the installation of a newborn safety device in a designated emergency care facility that is physically located inside of a licensed hospital and has an emergency department that is staffed 24 hours per day.

<u>Proposed law</u> authorizes the installation of the device in any designated emergency care facility that is staffed continuously on a 24 hour basis, seven days a week, and 365 days a year.

Effective August 1, 2024.

(Amends Ch.C. Art. 1151(A)(1) and 1152(A)(2))