

Safe Haven for Newborns

Information for Hospitals and Health Care Facilities



What is the Safe Haven Act?

The Safe Haven Act is an Iowa law that allows parents – or another person who has the parent’s authorization – to leave an infant up to 90 days old at a hospital, health care facility, or with a first responder who responds to a 911 call without fear of arrest or going to court.

Who Is a Safe Haven ?

A Safe Haven is an institutional health facility – such as a hospital or health care facility. According to the law - an ‘**institutional health facility**’ means:

- A ‘**hospital**’ as defined in Iowa Code section 135B.1, including a facility providing medical or health services that is open twenty-four hours per day, seven days per week and is a hospital emergency room, or
 - A ‘**health care facility**’ as defined in Iowa Code section 135C.1 means a residential care facility, a nursing facility, an intermediate care facility for persons with mental illness, or an intermediate care facility for persons with an intellectual disability.
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Safe Haven Logo

All hospitals and health care facilities in Iowa should prominently display the Safe Haven logo to identify the facility as the place where an infant may be safely relinquished.



- A large, printable version of the Safe Haven logo is available.
 - It is suggested that the logo be printed in color and laminated, if possible.
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Immunity from Liability

The hospital, health care facility and individuals which they employ are immune from criminal or civil liability for any acts or omissions made in good faith to comply with the Safe Haven Act.

Individuals may perform reasonable acts necessary to protect the physical health and safety of the infant.

Taking Physical Custody of an Infant

A hospital or health care facility may be made aware that an infant is being placed in their custody in one of several ways – such as:

- A parent or another person authorized to relinquish physical custody of an infant who appears to be 90 days of age or younger comes in person to the facility – **or** -
 - A phone call is received informing the facility of the location where an infant has been left - **or**
 - An infant is brought to the facility by a first responder.
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Requesting Information

The hospital or health care facility **MAY (but is not required to)** request the following information from a parent or authorized individual when an infant is relinquished:

- Name of the parent or parents.
 - Medical history of the infant.
 - Medical history of the infant’s parents.
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Contacting DHS

When an employee of a hospital or health care facility takes physical custody of an infant:

- Call **1-800-362-2178** to notify the Department of Health and Human Services (HHS) as soon as possible that you have taken custody of an infant released under the Safe Haven Act.
 - HHS will take necessary action to assume the care, control and custody of the infant.
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**Birth
Certificate
Report**

The person designated by the hospital or health care facility shall submit the certificate of birth report as required pursuant to Iowa Code section 144.14 which states:

144.14 FOUNDLINGS

A person who assumes the custody of a living infant of unknown parentage shall report on a form and in the manner prescribed by the state registrar within five days to the county registrar of the county in which the child was found, the following information:

1. The date and place of finding.
2. The sex, color or race and approximate age of the child.
3. The name and address of the person or institution which has assumed custody of the child.
4. The name given to the child by the custodian.
5. Other data required by the state registrar.

The place where the child was found shall be entered as the place of birth and the date of birth shall be determined by approximation. A report registered under this section shall constitute the certificate of birth for the infant. If the child is identified and a certificate of birth is found or obtained, any report registered under this section shall be sealed and filed and may be opened only by order of a court of competent jurisdiction as provided by regulation.

**Notice of
Hearing**

The hospital or health care facility will receive notice of any hearing held concerning the infant and may provide testimony at the hearing.

**Confidentiality
Requirement**

Any person who knowingly discloses, receives, or makes use or permits the use of information derived directly or indirectly from such a record (under the Safe Haven Act) or discloses identifying information concerning such individual, except as provided by Iowa Code Chapter 233 commits a serious misdemeanor.