

Safe Haven for Newborns Act

Department of Human Services Responsibilities



Introduction The Safe Haven Act requires the Iowa Department of Health and Human Services (HHS) to assume the care, control and custody of an infant from the individual on duty at a hospital or health care facility where physical custody of the infant was relinquished.

Role of the Department The Safe Haven Act requires HHS to comply with the following steps.

Step	Action						
1	The hospital or health care facility or first responder notifies HHS they have taken physical custody of an infant by calling the Child Abuse Hotline at 1-800-362-2178.						
2	<p data-bbox="558 953 1430 1024">Hotline personnel will immediately notify a child protective worker of the situation.</p> <table border="1" data-bbox="581 1058 1401 1467"> <thead> <tr> <th data-bbox="581 1058 992 1096">If....</th> <th data-bbox="992 1058 1401 1096">Then....</th> </tr> </thead> <tbody> <tr> <td data-bbox="581 1096 992 1356">The call is received during regular office hours.</td> <td data-bbox="992 1096 1401 1356">The child protective worker should notify the foster care service unit in the county where the Safe Haven is located and direct them to locate a foster home for the infant.</td> </tr> <tr> <td data-bbox="581 1356 992 1467">The call is received after hours.</td> <td data-bbox="992 1356 1401 1467">Local protocol for placement of children after hours should be followed.</td> </tr> </tbody> </table>	If....	Then....	The call is received during regular office hours.	The child protective worker should notify the foster care service unit in the county where the Safe Haven is located and direct them to locate a foster home for the infant.	The call is received after hours.	Local protocol for placement of children after hours should be followed.
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3	<p data-bbox="558 1514 704 1541">HHS must:</p> <ul data-bbox="558 1549 1422 1768" style="list-style-type: none"> <li data-bbox="558 1549 1422 1654">• Immediately notify the Juvenile Court and the County Attorney of the action taken and the circumstances surrounding the action. <li data-bbox="558 1663 1422 1768">• Request an Ex Parte Order from the Juvenile Court ordering HHS to take custody of the infant in accordance with the requirements of Iowa Code section 232.78. 						
4	Upon receiving the order, HHS shall take physical custody of the infant.						

5	HHS must seek a medical determination that the infant is healthy and able to be placed in a home setting.	
	If...	Then...
	The infant has not been examined by a medical professional at the Safe Haven.	The infant should receive a medical exam prior to placement in a foster care setting.
6	<p>Within 24 hours of taking custody of the infant, HHS must notify the Juvenile Court and County Attorney in the county where the infant was relinquished in writing of:</p> <ul style="list-style-type: none"> • The action taken by HHS. • The circumstances surrounding the action. 	

**Role of the
County
Attorney**

Upon written notification the County Attorney will:

Step	Action
1	File a Child in Need of Assistance (CINA) petition and a petition for Termination of Parental Rights with respect to the infant in accordance with Iowa Code section 232.111(2)(a).
2	A hearing on the CINA petition filed pursuant to this subsection shall be held at the earliest practicable time.
3	A hearing on the Termination of Parental Rights petition shall be held no later than thirty days after the day the physical custody of the infant was relinquished unless the Juvenile Court continues the hearing beyond the thirty days for good cause.
4	<p>Notice of a petition shall be provided to:</p> <ul style="list-style-type: none"> • Any known parent. • Person authorized to relinquish custody of the infant. • The employee of the Safe Haven who took custody of the child. • Any putative father registered with the state registry. • Others in accordance with the provisions of Iowa Code Chapter 233.
5	If there is any reason to believe the infant may be a Native American, the appropriate officials should also be notified pursuant to the federal Indian Child Welfare Act, 25 U.S.C. §§ 1905-1963.
6	Prior to holding a Termination of Parental Rights hearing, notice shall be provided as described in Iowa Code section 600A.6.
7	Reasonable efforts that are made in regard to the infant shall be limited to the efforts made in a timely manner to finalize a permanency plan.