

2024 Regular Session

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)

1 AN ACT

2 To amend and reenact Children's Code Art. 1151(A)(1) and 1152(A)(2), relative to the
3 installation and use of newborn safety devices at infant relinquishment sites; to
4 authorize the installation of the devices at certain sites; to provide for requirements
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
12 device that **is located in a designated emergency care facility that is manned**
13 **continuously on a twenty-four hour basis, seven days a week, and three hundred**
14 **sixty-five days a year and** meets the specifications provided in Subparagraph (2) of
15 this Paragraph ~~and is physically located inside of a facility which is licensed as a~~
16 ~~hospital in accordance with the Hospital Licensing Law, R.S. 40:2100 et seq., and~~
17 ~~has an emergency department that is staffed twenty-four hours per day.~~ **The**

1 employee who mans the newborn safety device shall be an emergency response
2 provider, as defined in 6 U.S.C. 101, who is certified in neonatal resuscitation
3 and pediatric advanced life support.

4 * * *

5 Art. 1152. Designated emergency care facility, emergency medical service provider,
6 firefighter, and law enforcement officer responsibilities; newborn
7 safety devices authorized

8 A. * * *

9 * * *

10 ~~(2)(a) A designated emergency care facility that is a hospital licensed in~~
11 ~~accordance with the Hospital Licensing Law, R.S. 40:2100 et seq., which has an~~
12 ~~emergency department that is staffed twenty-four hours per day may install on its~~
13 ~~premises a newborn safety device in accordance with the requirements and~~
14 ~~specifications of Article 1151(A).~~

15 ~~(b) A~~ **Each** designated emergency care facility that installs a newborn safety
16 device as authorized by ~~this Subparagraph~~ **Article 1151(A)** shall be:

17 **(a) Be** responsible for the cost of the installation.

18 ~~(b)(c) Each designated emergency care facility that installs a newborn safety~~
19 ~~device as authorized by this Subparagraph shall install~~ **Install** an adequate dual alarm
20 system connected to the physical location of the newborn safety device. The facility
21 shall ensure all of the following with respect to the alarm system:

22 (i) The system generates an audible alarm at a central location within the
23 facility sixty seconds after the opening of the access door to the newborn safety
24 device.

25 (ii) The system generates an automatic call to 911 if the alarm is activated
26 and not turned off from within the facility less than sixty seconds after the
27 commencement of the initial alarm.

28 (iii) The alarm system is tested at least one time per week to ensure that it is
29 in working order.

1 (iv) The alarm system is visually checked at least two times per day to ensure
2 that it is in working order.

3 ~~(c)(d) Each designated emergency care facility that installs a newborn safety~~
4 ~~device as authorized by this Subparagraph shall ensure~~ **Ensure** that the device is
5 checked at least daily for debris and is cleaned and sanitized with a hospital-quality
6 disinfectant at least weekly and after any newborn relinquishment into the device.

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

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

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

22 **(g) Maintain neonatal and pediatric resuscitation supplies.**

23 * * *

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

SB 414 Engrossed DIGEST 2024 Regular Session Bass

Present law 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.

Proposed law authorizes the installation of the device in any designated emergency care

facility that is manned continuously on a 24 hour basis, seven days a week, and 365 days a year by an emergency response provider who is certified in neonatal resuscitation and pediatric advanced life support.

Effective August 1, 2024.

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to
the original bill

1. Adds requirements for facilities that install a device.