

2016 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 107

BY REPRESENTATIVES WILLMOTT AND GLOVER

CHILDREN/DCFS: Establishes a consortium of emergency care facilities designated in the Safe Haven Law and provides for a registry of such facilities

1 A CONCURRENT RESOLUTION

2 To authorize and direct the Department of Children and Family Services to convene a
3 consortium of emergency care facilities designated in the Safe Haven Law and Safe
4 Haven stakeholder groups and to create and maintain a registry of Safe Haven
5 emergency care facilities.

6 WHEREAS, Louisiana established its Safe Haven Law, Children's Code Article 1149
7 et seq., through enactment of House Bill No. 223 of the 2000 First Extraordinary Session;
8 and

9 WHEREAS, the Safe Haven Law provides a mechanism whereby a parent may
10 relinquish the care of an infant who is not more than sixty days old to the state in safety and
11 anonymity and without fear of prosecution; and

12 WHEREAS, since Texas passed the first such infant relinquishment law in 1999,
13 laws of this type have been enacted in all U.S. states; and

14 WHEREAS, from the time that administrative rules of the Department of Children
15 and Family Services (then known as the Department of Social Services) to implement the
16 Safe Haven Law first took effect in 2004 through the end of 2015, forty-four infants in
17 Louisiana have been safely relinquished to the care of the state under this law; and

18 WHEREAS, pursuant to the Safe Haven Law, an infant who is not more than sixty
19 days old may be relinquished anonymously by a parent at a designated emergency care
20 facility; and

1 WHEREAS, designated emergency care facilities, as defined in the Safe Haven Law,
2 include hospitals, public health units, emergency medical service providers, medical clinics,
3 fire stations, police stations, crisis pregnancy centers, and child advocacy centers; and

4 WHEREAS, the Safe Haven Law requires each designated emergency care facility
5 to provide instruction regarding infant relinquishment procedures to all employees who work
6 in the facility on a periodic basis, and offers flexibility with respect to this requirement by
7 stipulating that such instruction may be provided in any manner that is deemed appropriate
8 and sufficient by the facility, and may vary depending on the type of facility and the job
9 duties of the employees being trained; and

10 WHEREAS, designated emergency care facilities and stakeholder groups in the
11 realm of public safety, child advocacy, and education play a vital role in the functioning of
12 the Safe Haven Law; and

13 WHEREAS, a forum in which designated emergency care facilities and key
14 stakeholders can convene to share best practices in Safe Haven training and preparedness
15 for infant relinquishments would serve the interests of this state in protecting the health and
16 safety of its most vulnerable newborns; and

17 WHEREAS, the interests of this state with respect to protection of newborns would
18 further be served through establishment and maintenance of a registry of all designated
19 emergency care facilities in the state.

20 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
21 authorize and direct the Department of Children and Family Services to convene a select
22 group of representatives of emergency care facilities designated in the Safe Haven Law and
23 key Safe Haven stakeholder groups to be known as the "Safe Haven consortium".

24 BE IT FURTHER RESOLVED that the secretary of the Department of Children and
25 Family Services shall appoint a representative of the child welfare division of the department
26 to facilitate the sharing of information and best practices among members of the Safe Haven
27 consortium.

28 BE IT FURTHER RESOLVED that the following entities shall appoint a
29 representative to actively participate in the sharing of information and best practices through
30 the Safe Haven consortium:

- 1 (1) The Department of Health and Hospitals.
- 2 (2) The Louisiana Hospital Association.
- 3 (3) The Louisiana Emergency Response Network.
- 4 (4) The Louisiana Ambulance Alliance.
- 5 (5) The Louisiana State Board of Medical Examiners.
- 6 (6) The Louisiana State Board of Nursing.
- 7 (7) The Professional Fire Fighters Association of Louisiana.
- 8 (8) The Louisiana Fire Chiefs Association.
- 9 (9) The Louisiana Sheriffs' Association.
- 10 (10) The Louisiana Association of Chiefs of Police.
- 11 (11) The Louisiana Peace Officers Association.
- 12 (12) The Louisiana State Troopers Association.
- 13 (13) The Magnolia State Peace Officers Association of Louisiana.
- 14 (14) Children's Advocacy Centers of Louisiana.
- 15 (15) The National Association of Social Workers, Louisiana Chapter.
- 16 (16) The Louisiana School Boards Association.
- 17 (17) The Louisiana Association of Public Charter Schools.
- 18 (18) The Louisiana Association of Educators.
- 19 (19) The Louisiana Federation of Teachers.
- 20 (20) The Louisiana Association of Student Councils.

21 BE IT FURTHER RESOLVED that the secretary of the Department of Children and
22 Family Services shall take such actions as are necessary to ensure that the Safe Haven
23 consortium convenes on or before December 1, 2016.

24 BE IT FURTHER RESOLVED that at its initial meeting, the consortium shall elect
25 a chairperson and adopt rules of procedure and any other policies it deems necessary to
26 facilitate its work.

27 BE IT FURTHER RESOLVED that the consortium shall meet at least annually on
28 dates and at times and places designated by the chairperson.

29 BE IT FURTHER RESOLVED that the initial meeting of the consortium shall be in
30 person, and that subsequent meetings may be conducted by phone, web, or video conference.

1 BE IT FURTHER RESOLVED that consortium members may communicate and
2 share information through the most efficient and effective means available, including by
3 phone, email, and other electronic means, consistent with members' needs.

4 BE IT FURTHER RESOLVED that the members of the consortium shall serve
5 without compensation, except per diem or expense reimbursement to which they may be
6 individually entitled by their respective employers.

7 BE IT FURTHER RESOLVED that the consortium shall submit a report of its
8 activities and any findings and recommendations concerning implementation of the Safe
9 Haven Law for inclusion in an annual Safe Haven report to be submitted by the Department
10 of Children and Family Services to the House Committee on Health and Welfare and the
11 Senate Committee on Health and Welfare prior to the convening of each Regular Session of
12 the legislature.

13 BE IT FURTHER RESOLVED that the legislature does hereby authorize and direct
14 the Department of Children and Family Services to create and maintain a registry of
15 designated emergency care facilities and does hereby authorize the Safe Haven consortium
16 to advise and assist the department in the endeavor to establish this registry by providing and
17 regularly updating lists of designated emergency care facilities which, at minimum, shall
18 include addresses and contact information of the facilities.

19 BE IT FURTHER RESOLVED that on or before December 31 annually, and more
20 frequently as may be needed to support maintenance of a current listing, the consortium
21 members that own, operate, or are directly affiliated with one or more types of designated
22 emergency care facilities shall submit a listing of these facilities with which they are
23 associated to the designated lead staff member of the Department of Children and Family
24 Services in an electronic format which facilitates efficient maintenance of the master registry
25 of designated emergency care facilities.

26 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
27 secretary of the Department of Children and Family Services, the secretary of the
28 Department of Health and Hospitals, the president of the Louisiana Hospital Association, the
29 executive director of the Louisiana Emergency Response Network, the chief executive
30 officer of the Louisiana Ambulance Alliance, the executive director of the Louisiana State

1 Board of Medical Examiners, the executive director of the Louisiana State Board of Nursing,
2 the president of the Professional Fire Fighters Association of Louisiana, the president of the
3 Louisiana Fire Chiefs Association, the executive director of the Louisiana Sheriffs'
4 Association, the president of the Louisiana Association of Chiefs of Police, the president of
5 the Louisiana Peace Officers Association, the president of the Louisiana State Troopers
6 Association, the president of the Magnolia State Peace Officers Association of Louisiana,
7 the president of LouisianaChildren.org, the executive director of the National Association
8 of Social Workers, Louisiana Chapter, the executive director of the Louisiana School Boards
9 Association, the executive director of the Louisiana Association of Public Charter Schools,
10 the executive director of the Louisiana Association of Educators, the president of the
11 Louisiana Federation of Teachers, and the president of the Louisiana Association of Student
12 Councils.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 107 Original

2016 Regular Session

Willmott

Authorizes and directs the Dept. of Children and Family Services to convene a consortium of emergency care facilities designated in the Safe Haven Law (Ch.C. Art. 1149 et seq.) and to create and maintain a registry of such facilities.