

SENATE BILL REPORT

ESB 5425

As Passed Senate, February 12, 2008

Title: An act relating to adding additional appropriate locations for the transfer of newborn children.

Brief Description: Adding additional appropriate locations for the transfer of newborn children.

Sponsors: Senators Kohl-Welles, Hargrove, Stevens and Regala.

Brief History:

Committee Activity: Human Services & Corrections: 1/30/07, 2/16/07 [DP, w/oRec].
Passed Senate: 2/12/08, 45-1.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland and McAuliffe.

Minority Report: That it be referred without recommendation.

Signed by Senator Carrell.

Staff: Kevin Black (786-7747)

Background: Legislation was passed in 2001, allowing a parent to avoid criminal liability for abandoning a child if they leave a newborn infant with a qualified person at a hospital emergency room or occupied fire station. Unless a person leaves a newborn at one of the locations allowed under the 2001 law within 72 hours of birth, the person who abandons a newborn can be criminally charged with abandonment of a dependent person, family abandonment, or family non-support.

Summary of Engrossed Bill: A parent may transfer a newborn to a federally designated rural health clinic or federally qualified health center, in addition to a hospital emergency room or occupied fire station. If the newborn is transferred to a designated location, the parent is immune from criminal liability. Likewise, the employees, volunteers, and staff members of the designated location are immune from criminal and civil liability for accepting the newborn.

The Department of Social and Health Services (DSHS) is required to gather information concerning the number and medical condition of newborns transferred under the act, and report its findings to the Legislature annually, beginning on January 1, 2010.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill would increase the number of locations where a young pregnant woman can leave her newborn child without fear of prosecution for abandonment. There is education and outreach information on both the Department of Health and the Department of Social and Health Services website, however, there are recommendations from the 2002 Report to the Legislature of the Safety of Newborn Children Task Force which should also be considered and added to this bill. Outreach to high schools, churches, and youth groups will help to eradicate this problem. Medical facilities would be a broader term and would provide for additional locations for the safe transfer of these children.

Persons Testifying: PRO: Senator Kohl-Welles, prime sponsor; Joan Dedman, Virginia Pfalzer, SafePlace for Newborns.