
**Early Learning & Children's Services
Committee**

SSB 5318

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

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Kauffman, Kohl-Welles, Keiser, Jarrett and Franklin).

Brief Summary of Substitute Bill

- Expands the permissible locations for the transfer of a newborn child without incurring criminal liability.
- Requires all permissible locations for the transfer of a newborn to post a sign so indicating.
- Directs the Department of Social and Health Services to report annually to the Legislature beginning January 2011, on the number and medical condition of newborns transferred at permissible locations and newborns abandoned.

Hearing Date: 3/26/09

Staff: Sydney Forrester (786-7120)

Background:

State law allows the parent of a newborn child under 72 hours old to leave the newborn with a qualified person in appropriate locations without incurring criminal liability. Qualified persons include any person the parent reasonably believes is a bona fide employee, volunteer, or medical staff person or firefighter at the locations who represent to the parent he or she will summon appropriate assistance or medical treatment for the child. An appropriate location is limited to the emergency room of a hospital during operating hours or in a fire station during operating hours and while fire personnel are present. Qualified persons at appropriate locations who receive a newborn under these circumstances are immune from criminal or civil liability for accepting or receiving a newborn under the act.

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.

Summary of Bill:

The appropriate locations where a parent may transfer a newborn are expanded to include medical clinics, which are defined as either a federally-designated rural health clinic or a federally-qualified health center. The immunity provisions also will apply to the medical clinic and its employees and volunteers. The medical clinic need not provide ongoing medical care to a transferred newborn and may transfer the newborn to a hospital.

Beginning July 1, 2011, appropriate locations for the transfer of newborns must post an external sign explaining that the parent may transfer a newborn at the location and describing how the parent may obtain further information.

The Department of Social and Health Services is required to collect and compile information, and report annually to the Legislature beginning January 1, 2011, regarding the number and medical condition of newborns transferred at appropriate locations and newborns who are abandoned.

Appropriation: None.

Fiscal Note: Requested on March 18, 2009.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.