

~~Article Family Law~~

~~SUBTITLE 7B. SAFE HAVENS FOR NEWBORNS.~~

~~5-7B-01.~~

~~(A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "LOCAL DEPARTMENT" MEANS THE DEPARTMENT OF SOCIAL SERVICES THAT HAS JURISDICTION IN THE COUNTY WHERE A NEWBORN IS RELINQUISHED.~~

~~(3) "NEWBORN" MEANS A CHILD THAT A PHYSICIAN REASONABLY BELIEVES TO BE APPROXIMATELY 3 DAYS OLD OR YOUNGER.~~

~~(B) IF AN UNHARMED NEWBORN IS VOLUNTARILY DELIVERED TO THE CARE OF AN INDIVIDUAL AT A SAFE LOCATION IN A HOSPITAL BY A PARENT OF THE NEWBORN AND THE PARENT DOES NOT EXPRESS AN INTENT TO RETURN FOR THE NEWBORN, THE ACT SHALL BE CONSIDERED RELINQUISHMENT OF A NEWBORN.~~

~~(C) (1) A PARENT WHO RELINQUISHES AN UNHARMED NEWBORN IN ACCORDANCE WITH THIS SECTION SHALL BE IMMUNE FROM CIVIL LIABILITY OR CRIMINAL PROSECUTION FOR THE ACT.~~

~~(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE RELINQUISHMENT OF A NEWBORN MAY BE GROUNDS FOR TERMINATION OF PARENTAL RIGHTS UNDER § 5-213 OF THIS TITLE.~~

~~(3) EXCEPT WHERE THERE IS ACTUAL OR SUSPECTED CHILD ABUSE, A PARENT WHO RELINQUISHES A NEWBORN AT A HOSPITAL AND EXPRESSES AN INTENT TO LEAVE THE NEWBORN AND NOT RETURN HAS THE ABSOLUTE RIGHT TO REMAIN ANONYMOUS AND TO LEAVE AT ANY TIME AND MAY NOT BE PURSUED OR FOLLOWED.~~

~~5-7B-02.~~

~~(A) A HOSPITAL THAT ACCEPTS A NEWBORN UNDER § 5-7B-01 OF THIS SUBTITLE SHALL:~~

~~(1) PROVIDE THE NEWBORN WITH ANY NECESSARY CARE, INCLUDING EMERGENCY MEDICAL CARE, TO PROTECT THE PHYSICAL HEALTH OR SAFETY OF THE NEWBORN, AND~~

~~(2) NOTIFY THE LOCAL DEPARTMENT WITHIN 24 HOURS AFTER ACCEPTING THE NEWBORN.~~

~~(B) AFTER NOTIFICATION UNDER SUBSECTION (A)(2) OF THIS SECTION, THE LOCAL DEPARTMENT SHALL:~~

~~(1) TAKE CUSTODY AND CONTROL OF THE RELINQUISHED NEWBORN WITHIN 24 HOURS, AND~~