



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 6

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: January 17, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 6 enacts the Nebraska Safe Haven Act.

The Nebraska Safe Haven Act contains the following elements:

1. The Department of Health and Human Services shall accept any newborn infant thirty days of age or younger that is voluntarily placed with a hospital, police station, or manned fire station for placement in foster care.

The child may be placed by the parent or by a person the parent designates to place the child.

The placement shall not constitute an automatic termination of parental rights, but after 90 days the process of termination may begin while the department works on appropriate placement of the child.

2. Placement shall not constitute a finding of abuse or neglect.

If child abuse or neglect is suspected, the receiving facility shall report it to proper authorities.

3. The receiving facility shall notify HHS immediately. HHS shall take custody and initiate a placement consistent with the best interest of the child.

4. Any person receiving placement shall make every effort to solicit the following information:

- a. The infant's birthplace;
- b. The infant's medical history, and biological family medical history, if available;
- c. Any other information that would be helpful in the process of appropriate placement, including whether the parent intends to return for the child.

5. Any person receiving placement shall make every effort to inform the parent or designated representative of the 90 day period that takes place before the termination process begins.
6. Any person receiving placement shall make note of the name and address, if offered, but they are not to solicit such information.
7. HHS shall develop a public information program that will use various media to educate the public on this act. As a part of the information program they will develop a medical history form that can be filled out ahead of time and left with the receiving facility.
8. The department should seek to offset the costs of the program by seeking funds from the U.S. HHS under the Promoting Safe and Stable Families Program.
9. HHS in conjunction with various state and non-state agencies shall submit a report to the legislature on the overall effectiveness of this act.
10. The bill sunsets September 1, 2011.

The purpose of this bill is to provide distressed parents a way to anonymously leave a child in a safe place, rather than abandoning the child in a place that could lead to the harm or death of the child. The child can be 30 days of age or younger. This time frame allows the parents to evaluate all options and avenues available to them before they leave a child at a designated facility. LB 6 allows for a 90 day period before the request for termination of parental rights can be submitted to allow a distressed parent to seek the counseling they may need or time to consider options to ensure they do, in fact, want the child to be up for adoption.

Principal Introducer:

_____ **Senator Rich Pahls**