

## Appendix A: NRS establishing “Safe Haven”

### **NRS 432B.630 Delivery of newborn child to provider of emergency services.**

1. A provider of emergency services shall take immediate possession of a child who is or appears to be not more than 30 days old:

(a) When:

- (1) The child is voluntarily delivered to the provider by a parent of the child; and
- (2) The parent does not express an intent to return for the child; or

(b) When the child is delivered to the provider by another provider of emergency services pursuant to paragraph (b) of subsection 2.

2. A provider of emergency services who takes possession of a child pursuant to subsection 1 shall:

(a) Whenever possible, inform the parent of the child that:

(1) By allowing the provider to take possession of the child, the parent is presumed to have abandoned the child;

(2) By failing or refusing to provide an address where the parent can be located, the parent waives any notice of the hearing to be conducted pursuant to [NRS 432B.470](#); and

(3) Unless the parent contacts the local agency which provides child welfare services, action will be taken to terminate his or her parental rights regarding the child.

(b) Perform any act necessary to maintain and protect the physical health and safety of the child. If the provider is a public fire-fighting agency, volunteer fire department, a law enforcement agency, or an ambulance service, the provider shall immediately cause the safe delivery of the child to a hospital, an obstetric center or an independent center for emergency medical care licensed pursuant to [chapter 449](#) of NRS.

(c) As soon as reasonably practicable but not later than 24 hours after the provider takes possession of the child, report that possession to an agency which provides child welfare services and, if the provider is not a law enforcement agency, to a law enforcement agency. The law enforcement agency shall notify the Clearinghouse and investigate further, if necessary, using any other resources to determine whether the child has been reported as a missing child. Upon conclusion of the investigation, the law

enforcement agency shall inform the agency which provides child welfare services of its determination. The agency which provides child welfare services shall maintain that information for statistical and research purposes.

3. A parent who delivers a child to a provider of emergency services pursuant to paragraph (a) of subsection 1:

(a) Shall leave the child:

(1) In the physical possession of a person who the parent has reasonable cause to believe is an employee of the provider; or

(2) On the property of the provider in a manner and location that the parent has reasonable cause to believe will not threaten the physical health or safety of the child, and immediately contact the provider, through the local emergency telephone number or otherwise, and inform the provider of the delivery and location of the child. A provider of emergency services is not liable for any civil damages as a result of any harm or injury sustained by a child after the child is left on the property of the provider pursuant to this subparagraph and before the provider is informed of the delivery and location of the child pursuant to this subparagraph or the provider takes physical possession of the child, whichever occurs first.

(b) Shall be deemed to have given consent to the performance of all necessary emergency services and care for the child.

(c) Must not be required to provide any background or medical information regarding the child, but may voluntarily do so.

(d) Unless there is reasonable cause to believe that the child has been abused or neglected, excluding the mere fact that the parent has delivered the child to the provider pursuant to subsection 1:

(1) Must not be required to disclose any identifying information, but may voluntarily do so;

(2) Must be allowed to leave at any time; and

(3) Must not be pursued or followed.

4. As used in this section:

(a) "Clearinghouse" has the meaning ascribed to it in [NRS 432.150](#).

(b) "Provider of emergency services" means:

(1) A hospital, an obstetric center or an independent center for emergency medical care licensed pursuant to [chapter 449](#) of NRS;

(2) A public fire-fighting agency; including without limitation a volunteer fire department

(3) A law enforcement agency or

(4) An ambulance service that holds a permit issued pursuant to the provisions of chapter 450B of NRS.

(Added to NRS by [2001, 1254](#); A [2001 Special Session, 56](#); [2003, 236](#); [2011, 1932](#), 2013)