

# Child Protective Services: Investigation

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## 2104.4b "Safe Place for Newborns" Infants

### Discussion

The 2002 Georgia General Assembly passed legislation known as the Safe Place for Newborns Act. The intent of this legislation is to allow a mother to voluntarily relinquish her newborn, under certain circumstances, without being prosecuted for this action. It is anticipated that the availability of this option will prevent the injuries to and the deaths of newborn children that might result if the infant is abandoned.

To meet the requirements of this legislation:

- The newborn must be left in the physical custody of an on-duty employee, agent or member of the staff of a medical facility. This person may be either in a paid or a volunteer position with the facility.
- The medical facility may be any licensed general or specialized hospital, institutional infirmary, health center operated by a county board of health or a facility where human births occur on a regular and ongoing basis (classified by DHR as a birthing center). A medical facility does not include the private office of a physician or a dentist.
- The newborn may be no more than one week old.
- The mother is required to provide her name and address to the person receiving the child. She is also asked to provide proof of identity, if available.
- The department is responsible for reimbursing the medical facility for all reasonable medical and other reasonable costs associated with the child prior to the child's placement in the care of the department.
- The department is responsible for maintaining a count of children who are left at a medical facility under the provisions of this Act.

### Requirement

Take the following steps, in accordance with the Safe Place for Newborns Act, when a the mother of a newborn leaves the infant at a medical facility:

- **Immediately**, upon notification from a medical facility that it has accepted a newborn in accordance with the Safe Place for Newborns Act, contact the Juvenile Court and file for transfer of the child's custody to the department.
- Take physical custody of a newborn within six hours of notification from a medical facility that the child is medically ready for discharge.

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- Request and get a copy of **all** information the medical facility obtained from the newborn's mother (i.e. mother's name and proof of identify, address, name of father, medical information on the infant, names of other family members, any family history, etc.).
- Assign the request from the medical facility for an immediate response.
- Determine the child's Medicaid status and any insurance coverage.
- Notify the state's Protective Services Unit of a newborn who comes into care in accordance with the Safe Place for Newborns Act.

## Procedures/Practice Issues

When a county DFCS office receives notice that a mother has left her newborn at a medical facility, that office immediately notifies the court of the situation and files for a transfer of the child's custody to the department. Also immediately notify the SAAG and request the SAAG's involvement. [If this notification is received on a weekend or holiday, and if the infant is ready for release, request from the court an order, signed by the judge, that gives the department the authority to provide for the child's needs. If it is not possible to get this order, follow the steps outlined in 2102.12 to obtain a verbal order.]

Any medical expenses incurred by a medical facility for a newborn should be covered by Medicaid. Refer to the Foster Care Manual (Section 1003) for steps to make a referral to the ESS worker for a determination of the infant's Medicaid classification.

Take immediate action to locate and to meet with the infant's mother. Request background information on the mother, the father and the extended family. Quick action to find the mother may provide the only opportunity to talk with her and to acquire family history needed for placement and future adoption of the infant. Use Form 419 (Background Information for State Agency Child) to record collected background information. Meeting with the mother also gives her an opportunity to sign forms for voluntary release of her baby to the department for placement and adoption.

The Safe Place for Newborns Act protects the mother from prosecution for the crimes of cruelty to a child, contributing to the delinquency, unruliness or deprivation of a child or abandonment of a child. A full CPS investigation is not required; however:

- The report is recorded on Form 453 (Child Abuse/Neglect Intake Worksheet).
- A Safety Assessment (Form 455A) is completed. Check # 6 (Other) and note "Safe Place for Newborns Act". Check # 7 to indicate that court action is necessary.

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- To meet state reporting and data needs, code the Form 431 (Child Abuse and Neglect Report), to show that N2 (Abandonment and Rejection) is "reported" and "substantiated".
- Other CPS are not required.

Notify the state Protective Services Unit by fax (404-657-3486) when a newborn comes into care as a result of the Safe Place for Newborns Act. Write a short paragraph summarizing the circumstances and include the name and a telephone number of the unit supervisor as a contact resource, should additional information be needed.