



REPLACES:

SECTION:
PAGE NO.: 1
ISSUED/REVISED:

SAFELY SURRENDERED BABIES

SECTION: 45-303
PAGE NO.: 1
EFFECTIVE: 01-02-18

I. GENERAL

A. Background

On January 1, 2001, California enacted the Safe Arms for Newborns Law, Senate Bill 1368, Chapter 824, Statutes of 2000. This law states that any child surrendered pursuant to Section 1255.7 of the Health and Safety Code, shall be determined eligible for Medi-Cal under Section 14005.24 of the Welfare & Institutions Code. This law is specific to children under 72 hours old who are voluntarily surrendered to any employee on duty at a public or private hospital emergency room or any other location designated by the local Board of Supervisors.

B. Safely Surrendered Baby Law Definition

The Safely Surrendered Baby (SSB) law (Health and Safety Code, section 1255.7) provides a safe alternative for the surrender of a newborn baby in specified circumstances. The intent of the law is to encourage safe and healthy births, provide freedom from prosecution, and maintain confidentiality for the surrendering individual. Further, the law was intended to prevent newborn harm and avoid infant deaths resulting from abandonment in unsafe locations.

C. Safe Surrender Sites

The Contra Costa County Board of Supervisors has designated locations to serve as safe surrender sites. A safe surrender site will display the safe surrender logo. An employee of the safe surrender site will ask the surrendering person to complete a medical questionnaire to assist with providing the baby with proper care. Completion of the questionnaire is voluntary. The baby will be given a confidentially coded ankle bracelet. A copy of the coded bracelet will be given to the surrendering person. The safe surrender site is required to notify Child & Family Services (CFS) no later than 48 hours after surrender.

D. Safely Surrendered Baby

An infant is considered to be safely surrendered if all the following apply when the child:

1. Is 72 hours old or younger;
2. Is voluntarily surrendered by a parent or an individual with lawful custody,
3. Is surrendered to personnel on duty at a designated safe surrender site; and

DMCL # 18-01



REPLACES:

SECTION:
PAGE NO.: 1
ISSUED/REVISED:

SAFELY SURRENDERED BABIES

SECTION: 45-303
PAGE NO.: 2
EFFECTIVE: 01-02-18

4. Has not suffered abuse and/or neglect.

E. Surrendering Person

A baby may be surrendered by a parent or another person with permission from the parent. The surrendering person has 14 days to reclaim the baby. If they wish to reclaim the baby they should bring the coded bracelet back to the safe surrender site. (See II. A, page 4, for further information about the coded bracelet). The parent or surrendering person will not be prosecuted for child abandonment.

F. 14-Day Consideration Period

Under the SSB law, the surrendering individual has 14 days from the date of the surrender to reconsider the decision and resume care and custody of the child, following an assessment and dismissal of the petition by dependency court.

G. Children and Family Services Responsibilities

CFS is responsible for taking temporary custody of the child immediately upon receiving notification that a baby has been surrendered. CFS must investigate the details of the case and file a petition for dependency with the juvenile court. CFS will be responsible for notifying the California Department of Social Services (CDSS) and any other required agencies. CFS will submit an application packet to the appropriate Foster Care Unit based on the district in which the baby was surrendered.

II. MEDI-CAL AND FOSTER CARE ELIGIBILITY

A. Medi-Cal Eligibility Determination

1. Medi-Cal eligibility for SSB children is guaranteed and will begin effective with the date the child is surrendered.
2. When the child has not yet been found eligible to Foster Care, Medi-Cal may be issued under '2A' aid code for the month of surrender and the following month.
3. If the child is surrendered on the last day of the month, the '2A' aid code may be extended for a third month.
4. A SAWS 1 and MC 250 will be used for the Medi-Cal application.



REPLACES:

SECTION:
PAGE NO.: 1
ISSUED/REVISED:

SAFELY SURRENDERED BABIES

SECTION: 45-303
PAGE NO.: 3
EFFECTIVE: 01-02-18

- 5. The EW will complete the ‘Collect Safe Arms for Newborns’ Detail Window in CalWIN if there is no eligibility to Foster Care.
- 6. Medi-Cal eligibility will be granted on an immediate need basis.

B. Foster Care Eligibility Determination

- 1. When the child has been put into an approved placement, the Eligibility Worker (EW) will process the application using the following information:
 - a. Citizenship—babies that are surrendered within 72 hours of birth are presumed to be United States citizens.
 - b. Determination—when the child is in an approved foster care placement, and all other eligibility criteria are met, the case will be determined non-federal.
 - c. Child Support—There will be no absent parent referral for SSB for Foster Care.
 - d. Parent(s) names should not be entered into CalWIN under the ‘Absent Parent’ information, even when the names are known.

C. Naming the Baby

- 1. When the child has not been given another name, a unique name will be established for identification purposes. The first name of the child will be ‘BabyBoy’ or ‘BabyGirl’ depending on the child’s gender. The last name will be ‘Doe’.
 - a. In the event of multiple births a roman numeric designation will be used after the first name.

Example: twins would be named ‘BabyGirlII Doe’ and ‘BabyGirlIII Doe’
 - b. The Social Worker will notify the EW when the child has been given a new name.

REPLACES:

SECTION:

PAGE NO.: 1

ISSUED/REVISED:

SAFELY SURRENDERED BABIES

SECTION: 45-303

PAGE NO.: 4

EFFECTIVE: 01-02-18

III. MEDICAL QUESTIONNAIRE

- A. The health facility representative, or other individual accepting the surrendered child, must place a coded ankle bracelet on the child and make a good faith effort to provide the person surrendering the child with a copy of the bracelet and a MC 356, '*Safe Arms for Newborns*' Medical Questionnaire.
- B. The questionnaire does not require any identifying information other than an identification code provided on the ankle bracelet placed on the child. Even when a parent reveals their name on this form, the name should not be entered into CalWIN.
- C. The questionnaire may be voluntarily completed and left with the facility, completed later and mailed back to the facility, or may be declined.
- D. The purpose of the questionnaire is solely to assist in providing the best health care for the child.
- E. The identification code from the ankle bracelet will be entered on the top right corner of the questionnaire.

IV. REFERENCES

DM 64-039, Abandoned Baby Program
 ACL 02-01, Safe Arms for Newborns Law
 ACIN I-16-04, Safely Surrendered Baby Law Updates
 ACIN I-63-16, Safely Surrendered Baby Best Practices and Clarification Regarding Site Approval

V. FORMS

MC 250, Application and Statement of Facts for Child Not Living with a Parent or Relative and For Whom a Public Assistance Agency is Assuming Some Financial Responsibility
 MC 356, "Safe Arms for Newborns" Medical Questionnaire
 SAWS1, Initial Application for CalFresh, Cash Aid, And/Or Medi-Cal/Health Care Programs