



## Minnesota Department of **Human Services**

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# Safe Place for Newborns law keeps infants safe

The Safe Place for Newborns law provides safe and anonymous alternative places for mothers to leave their newborn children. Enacted in 2000 and amended in 2012, the law allows a mother, or a person who has her permission, to anonymously leave her newborn at a safe place, including hospitals, health care facilities that provide urgent care medical services or an ambulance that is dispatched in response to a 911 call, without fear of prosecution.

### Minnesota law

A person may anonymously leave a newborn with an employee of a hospital or medical facility during its hours of operation or with ambulance service personnel responding to a 911 call, provided the newborn baby:

- Was born within seven days of being left at the safe place, as determined with a reasonable degree of certainty
- Is unharmed
- Is left by the mother or a person who has the mother's approval to do so.

If these conditions are met, staff at the safe place must not try to determine the identity of the mother or the person leaving the baby, or call the police.

### Immediate care

Upon receiving a baby, safe place staff will contact the local social services agency, which shall:

- Verify the circumstances of the baby's arrival and assess their health and safety needs.
- Offer services to protect the safety of the child .
- Make arrangements for the temporary care of the child.
- Begin permanency planning, which may include adoption proceedings.

If there is reason to believe the newborn is American Indian, provisions of the Indian Child Welfare Act may apply. If, prior to finalization of an adoption, a person presents herself as the mother of a newborn left under the Safe Place for Newborns law and wants the child returned to her care, the local social services agency will conduct a child maltreatment assessment according to the requirements of Minnesota law.

### Situations not covered by the law

The Safe Place for Newborns law does not apply if a mother admits herself to the hospital for the birth and provides identifying information, even if she wants to place her child under the Safe Place for Newborns law. Once a delivery occurs at a hospital, it creates a vital record and anonymity is no longer possible.

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