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# **Committee on Health Innovation**

**Tuesday, December 11, 2007  
9:00 AM - 10:00 AM  
Morris Hall**

**Marco Rubio  
Speaker**

**Rene Garcia  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

Speaker Marco Rubio

### Committee on Health Innovation

**Start Date and Time:** Tuesday, December 11, 2007 09:00 am

**End Date and Time:** Tuesday, December 11, 2007 10:00 am

**Location:** Morris Hall (17 HOB)

**Duration:** 1.00 hrs

**Workshop on the following:**

Newborn Abandonment

**NOTICE FINALIZED on 12/04/2007 12:25 by CMA**



## *House of Representatives*

### Committee on Health Innovation

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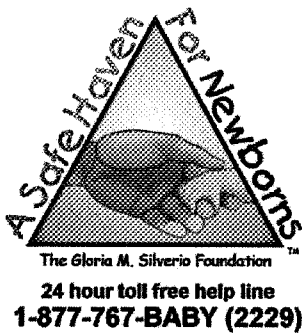
#### **AGENDA**

December 11, 2007  
9:00 AM - 10:00 AM  
Morris Hall

- I. Opening Remarks by Chair Garcia
  
- II. Workshop on Newborn Abandonment

Nick E. Silverio, Founder  
A Safe Haven For Newborns  
Gloria M. Silverio Foundation  
Miami, Florida

- III. Closing Remarks by Chair Garcia
  
- IV. Adjournment



### **Our Mission:**

To save the precious lives of newborns in danger of abandonment and to help preserve the health of their mothers and future of their mothers and fathers.

### **Vision:**

To eliminate infant abandonment in Florida thru education, prevention and community involvement and to assist pregnant girls/women to realize a productive future.

### **About A Safe Haven for Newborns:**

"A Safe Haven for Newborns" began in response to the tragedy of newborn abandonment in Florida. The Gloria M. Silverio Foundation a 501(C)3 Florida not for profit organization established a program in 2001, called "A Safe Haven for Newborns". We are not affiliated with any organizations but we "partner" with everyone. The Florida Safe Haven Law was enacted in 2000 in response to an increasing number of newborn infants left to die in dumpsters, garbage cans, ditches, along lakes, canals and other hazardous places...Desperate young mothers who in great fear and mental distress have too often chosen the frantic path of abandoning their newborns only to face charges in the legal system. The unthinkable act of these young mothers not only destroyed the lives of these babies, it made them criminals. Two lives lost unnecessarily.

The Safe Haven Law is a safety net for both the mother and the newborn infant. It allows mothers, fathers or whoever is in possession of an unharmed newborn, approximately three days old or less, to leave them at Safe Havens: any hospital, staffed fire rescue station, or staffed emergency medical service station, with no questions asked, totally anonymous, free from fear of prosecution. The Hospital will contact a participating private adoption agency who will then arrange placement of the newborn with a waiting family.

The hospitals, fire rescue stations and emergency medical service stations working to receive these babies coupled with the identity protection of the parent, make this law an effective tool in preventing unnecessary deaths of newborn citizens of the state of Florida.

The outreach to the communities in the state of Florida by The Gloria M. Silverio Foundation – "A Safe Haven for Newborns" organization is ongoing and provides the following:

- A comprehensive approach throughout each Florida community to promote and maintain awareness of the program.
- A toll free 24/7 multilingual-crisis referral help line.
- Public Service Announcements for: TV, Radio, Print media.
- Media events and interviews.
- Developing and distributing materials in English, Spanish and Creole.
- Developing Safe Haven for newborns awareness video(s).
- Public Access to our website as an information resource ([www.asafehavenfornewborns.com](http://www.asafehavenfornewborns.com)).
- Billboard Promotions.
- Establishing local "A Safe Haven for Newborns" chapters in the 67 counties in Florida – Please contact us for how you can help in your area.
- Coordinating with the department of health, all hospitals, fire rescue and EMS stations regarding procedures and policies.
- Work with professionals to address the issues that contribute to these tragic societal events.
- Compile and maintain information and statistics regarding the effectiveness of the law.
- Be the primary information resource in Florida relating to this complex societal problem which affects people of all races, cultures and economic backgrounds.

Obviously these bills are not the final answer to the societal problems contributing to the cause of infant abandonment but they provide a compassionate approach to saving the lives of innocent and helpless babies. This law is a positive outcome for all involved: a child's life is saved; a mother or father is saved from a lifetime of guilt and anguish; the hopes of a family waiting to adopt a child are fulfilled.

**We believed from the beginning, if only one life is saved, all our efforts are truly worthwhile!**



## A SAFE HAVEN FOR NEWBORNS FREQUENTLY ASKED QUESTIONS

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- 1- Why is there a need for Safe Haven?
- 2- Why does this happen?
- 3- What is the stereotype of a person that abandons their baby?
- 4- Where can someone leave his or her baby under the "Safe Haven" program?
- 5- Must the baby be taken to the closest hospital, fire rescue station or Emergency Medical Service station?
- 6- What happens if a baby is left in an unsafe place instead of a designated "Safe Haven location"?
- 7- Why must the baby be 3 days old or less?
- 8- How can the "Safe Haven" location be sure that the baby is three days old or less?
- 9- What will they ask the person leaving the baby?
- 10- Is it true that the police will not be called?
- 11- What happens to the baby?
- 12- What about father's rights?
- 13- What if the parents change their mind and want their baby back?
- 14- I would like to adopt a baby left at a "Safe Haven". Who do I contact?
- 15- Can't we help girls/women before they get to this stage?
- 16- Who pays for the medical cost of the newborn?
- 17- Does such legislation encourage abandonment?
- 18- Is "A Safe Haven for Newborns" and "Safe Place" the same program?
- 19- Do other States have similar legislation?
- 20- What is the Helpline all about?
- 21- Who is the Gloria M. Silverio Foundation – "A Safe Haven for Newborns"?
- 22- What if I have questions not addressed here?
- 23- How can I help?

### **1-Why is there a need for Safe Haven?**

- There is an escalating crisis in the United States. Mothers are keeping their pregnancy a secret, then disposing of the child after the birth. Safe Haven provides an alternative to a frightened girl/woman, who, in a moment of desperation, may do something drastic, destroying two lives, hers and her babies.
- It is now a Florida Law which allows a mother/ father an alternative to infant abandonment with your confidentiality protected. Resulting in:

- A child's life is saved.
- A mother/father is saved from a lifetime of guilt and criminal prosecution.
- The hopes and dreams of parents waiting to adopt are fulfilled.

Note:

Many Hospitals and all staffed 24/7 Fire and Emergency Medical Service stations have signs with our logo and helpline # posted outside of their facility.

### **2-Why does this happen?**

- Newborn babies are being left to die by mothers who believe, for whatever reason, that they have no other alternative. While no one can fully understand why a person would endanger a vulnerable child, two common denominators present themselves – isolation and denial. Mothers (and fathers) who abandon a newborn child often believe that they have no alternative. They often believe that they are, and in fact they

## **A SAFE HAVEN FOR NEWBORNS FREQUENTLY ASKED QUESTIONS**

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may be, utterly and completely alone. Living in this isolation, they are left to wrestle with problems that they are not psychologically or emotionally equipped to handle.

### **3-What is the stereotype of a person that abandons their baby?**

- The generally accepted stereotype of a person who abandons a newborn child is that of a teenage, underprivileged mother. However, our research indicates that this is a tragedy that crosses all categories of age, ethnicity, and socioeconomic status.

### **4-Where can someone leave his or her baby under the “Safe Haven” program?**

- The baby may be taken to any hospital emergency room, staffed fire rescue station, or staffed emergency medical service station in the state of Florida.
- Please remember that it is mandatory to give the baby to a person working at one of these facilities. That is the best way to ensure that the baby will be well taken care of.
- People working at these facilities usually have some form of visible identification.
- Tell the person that you want to leave your baby with “Safe Haven”.

### **5-Must the baby be taken to the closest hospital, fire rescue station or Emergency Medical Service station?**

- No, the baby may be left at any hospital, staffed fire rescue station or staffed Emergency Medical Service station in the state of Florida.

### **6-What happens if a baby is left in an unsafe place instead of a designated “Safe haven location”?**

- The person will face criminal charges.

### **7-Why must the baby be 3 days old or less?**

- Because the first hours of a newborn’s life are the most vulnerable, therefore, more urgent.
- The option of directly placing the baby with an adoption Agency is always available.

### **8-How can the “Safe Haven” location be sure that the baby is three days old or less?**

- The law actually states, “A newborn that a licensed physician reasonably believes to be approximately 3 days old or less.”

### **9-What will they ask the person leaving the baby?**

- Be assured – No one is going to try to find out who you are - The person leaving the baby is not required to answer any questions.
- A Safe Haven for Newborns or the people at the facility where the baby is left may ask some medical history questions that will be placed in the baby’s records, which may help answer future health questions. Also, referral information from “Safe Haven” is available for the parent to speak with someone about what they have been through and / or to receive medical attention.
- The purpose of this program is to save the lives of newborns. Therefore, the premise is that a newborn left in safety without medical records is preferable to an unsafe abandonment resulting in an almost sure death.

### **10-Is it true that the police will not be called?**

- The Police and the Department of Children and Families will not be called if the unharmed baby (approximately 3 days old or less) is taken to a hospital, fire rescue station or Emergency Medical Service station and given to a person who works there. If the parents follow these guidelines they will not be prosecuted for abandonment or neglect.

### **11-What happens to the baby?**

## **A SAFE HAVEN FOR NEWBORNS FREQUENTLY ASKED QUESTIONS**

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- If the baby is left at a fire rescue or Emergency Medical Service station they will give the baby emergency medical services to the extent of their knowledge and then transport the baby to the closest hospital.
- The hospital will take care of any emergency medical services the baby may require.
- The hospital will contact on a rotating basis, a licensed child-placing agency from a list produced by the Florida Adoption Information Center (see Safe Haven Website). The baby will then be placed with parents who have been waiting to adopt a child.

### **12-What about father's rights?**

- This program does not change any present laws regarding father's rights.

### **13-What if the parents change their mind and want their baby back?**

- A parent of a newborn infant left at a hospital, emergency medical services station, or fire station under the "Safe Haven" law may claim his or her newborn infant up until the court enters a judgment terminating his or her parental rights which is approximately 30 days. A claim for the newborn infant must be made to the entity having physical or legal custody of the newborn infant or to the circuit court before whom proceedings involving the newborn infant are pending.

### **14-I would like to adopt a baby left at a "Safe Haven". Who do I contact?**

- Safe Haven's mission is to save the lives of infants in danger of being abandoned. We do not receive physical custody of the babies or are involved in any way with the adoption process.
- If you are interested in adoption call the Florida adoption information center at 1-800/96-Adopt and please visit our website at [www.asafehavenfornewborns.com](http://www.asafehavenfornewborns.com) to:
  - Learn more about the adoption process.
  - View a list of "Safe Haven" licensed child placing agencies in Florida.
  - See other helpful links.

### **15-Can't we help girls/women before they get to this stage?**

- That is one of the hopes of Safe Haven for Newborns. We emphasize "Please don't wait until your baby is born." They can call our 24/7 multilingual referral helpline number (1-877-767-BABY(2229)). We hope that girls/women will call this number before they have their babies-effectively thwarting a crisis before it begins. We also hope that our message is reaching young mothers to realize that they are not alone.
  - The community cares about them.
  - There is confidential help available.

### **16-Who pays for the medical cost of the newborn?**

- Medicaid pays the cost of medical care for an unharmed relinquished newborn by virtue of the same laws that existed prior to passage of the "Safe Haven Law".

### **17-Does such legislation encourage abandonment?**

- No – leaving a baby at a "Safe Haven" is the last option and is a compassionate alternative to abandoning a baby to an almost sure death. The mother is encouraged to talk to someone even before the baby is born and is encouraged to either keep the baby or to go through the normal channels of the adoption process. She also is encouraged to seek prenatal care.
- Obviously this Law is not the final answer to the societal problems contributing to the cause of infant abandonment but it provides a compassionate approach to saving the lives of innocent and helpless babies. This law is a positive outcome for all involved: a child's life is saved; a mother or father is saved from lifetime of guilt, anguish and criminal prosecution; the hopes of a family waiting to adopt a child are fulfilled. We

## **A SAFE HAVEN FOR NEWBORNS FREQUENTLY ASKED QUESTIONS**

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believe - If one life is saved, all our efforts are truly worthwhile!

### **18-Is "A Safe Haven for Newborns" and "Safe Place" the same program?**

- No – Two totally different programs - The "A Safe Haven for Newborns" is a Florida Law.
- The Safe Place program is an excellent program for youth (under age 18) having problems of abuse, neglect, lost or in some dangerous situation with a drunk or unsafe driver or just wanting to talk to someone about a problem.
- The Safe haven for Newborns allows mothers, fathers or whoever is in possession of an unharmed newborn, approximately, three days old or less (to be determined by a (Licensed Physician) to leave them at Safe Havens: any hospital, staffed fire station, or staffed emergency medical service station, with no questions asked, totally anonymous, free from fear of prosecution. These "Safe Havens" working to receive these babies coupled with the identity protection of the parent, make this Law an effective tool in preventing unnecessary deaths of newborns in the state of Florida.

### **19-Do other States have similar legislation?**

- As of January 2007, 48 states have enacted "Safe Haven" legislation. The two states that have not passed legislation are: Alaska and Nebraska.

### **20-What is the Helpline all about?**

- First of all it is absolutely confidential.
- Our helpline is staffed by caring individuals who will assist you in your time of need and will never judge you.
- It is a state wide, toll free, multilingual, referral helpline and available 24/7 (1-877-767-2229).

### **21-Who is the Gloria M. Silverio Foundation – "A Safe Haven for Newborns"?**

- We are a Florida non-profit 501(c) 3 organization dedicated to eliminating infant abandonment in the state of Florida, through education, prevention and community involvement. Through our "partnering efforts" in all 67 Florida Counties, our public awareness efforts and the availability of our statewide multilingual 24/7 helpline, we are saving lives.

### **22-What if I have questions not addressed here?**

- If it is a crisis, call the 24/7 referral helpline: 1-877-767-2229.
- All other questions, visit our website at [www.asafehavenfornewborns.com](http://www.asafehavenfornewborns.com), email us at [safehaven@asafehavenfornewborns.com](mailto:safehaven@asafehavenfornewborns.com) or call us at our administrative office: 305-882-1304, ext 103.

### **23-How can I help?**

- Volunteer your time – there are many ways: Please email us at [safehaven@asafehavenfornewborns.com](mailto:safehaven@asafehavenfornewborns.com) or call us at our administrative office: 305/882-1304, ext: 103.
- Donations: We are private, nonprofit, 501(c)3 Florida organization and your donations will help us continue to save little lives:

Mail to: Gloria M. Silverio Foundation. "A Safe Haven for Newborns"

6801 NW 77th ave. Suite 404

Miami, FL 33166

Or go on line and donate thru our secured donation process (see our website at [www.asafehavenfornewborns.com](http://www.asafehavenfornewborns.com)).



# The 2007 Florida Statutes

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## **383.50 Treatment of abandoned newborn infant.--**

(1) As used in this section, the term "newborn infant" means a child that a licensed physician reasonably believes to be approximately 3 days old or younger at the time the child is left at a hospital, emergency medical services station, or fire station.

(2) There is a presumption that the parent who leaves the newborn infant in accordance with this section intended to leave the newborn infant and consented to termination of parental rights.

(3) Each emergency medical services station or fire station staffed with full-time firefighters, emergency medical technicians, or paramedics shall accept any newborn infant left with a firefighter, emergency medical technician, or paramedic. The firefighter, emergency medical technician, or paramedic shall consider these actions as implied consent to and shall:

(a) Provide emergency medical services to the newborn infant to the extent he or she is trained to provide those services, and

(b) Arrange for the immediate transportation of the newborn infant to the nearest hospital having emergency services.

A licensee as defined in s. 401.23, a fire department, or an employee or agent of a licensee or fire department may treat and transport a newborn infant pursuant to this section. If a newborn infant is placed in the physical custody of an employee or agent of a licensee or fire department, such placement shall be considered implied consent for treatment and transport. A licensee, a fire department, or an employee or agent of a licensee or fire department is immune from criminal or civil liability for acting in good faith pursuant to this section. Nothing in this subsection limits liability for negligence.

(4) Each hospital of this state subject to s. 395.1041 shall, and any other hospital may, admit and provide all necessary emergency services and care, as defined in s. 395.002(9), to any newborn infant left with the hospital in accordance with this section. The hospital or any of its licensed health care professionals shall consider these actions as implied consent for treatment, and a hospital accepting physical custody of a newborn infant has implied consent to perform all necessary emergency services and care. The hospital or any of its licensed health care professionals is immune from criminal or civil liability for acting in good faith in accordance with this section. Nothing in this subsection limits liability for negligence.

(5) Except where there is actual or suspected child abuse or neglect, any parent who leaves a newborn infant with a firefighter, emergency medical technician, or paramedic at a fire station or emergency medical services station, or brings a newborn infant to an emergency room of a hospital and expresses an intent to leave the newborn infant and not

# The 2007 Florida Statutes

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return, has the absolute right to remain anonymous and to leave at any time and may not be pursued or followed unless the parent seeks to reclaim the newborn infant.

(6) A parent of a newborn infant left at a hospital, emergency medical services station, or fire station under this section may claim his or her newborn infant up until the court enters a judgment terminating his or her parental rights. A claim to the newborn infant must be made to the entity having physical or legal custody of the newborn infant or to the circuit court before whom proceedings involving the newborn infant are pending.

(7) Upon admitting a newborn infant under this section, the hospital shall immediately contact a local licensed child-placing agency or alternatively contact the statewide central abuse hotline for the name of a licensed child-placing agency for purposes of transferring physical custody of the newborn infant. The hospital shall notify the licensed child-placing agency that a newborn infant has been left with the hospital and approximately when the licensed child-placing agency can take physical custody of the child. In cases where there is actual or suspected child abuse or neglect, the hospital or any of its licensed health care professionals shall report the actual or suspected child abuse or neglect in accordance with ss. 39.201 and 395.1023 in lieu of contacting a licensed child-placing agency.

(8) Any newborn infant admitted to a hospital in accordance with this section is presumed eligible for coverage under Medicaid, subject to federal rules.

(9) A newborn infant left at a hospital, emergency medical services station, or fire station in accordance with this section shall not be deemed abandoned and subject to reporting and investigation requirements under s. 39.201 unless there is actual or suspected child abuse or until the department takes physical custody of the child.

(10) A criminal investigation shall not be initiated solely because a newborn infant is left at a hospital under this section unless there is actual or suspected child abuse or neglect.

**History.**--s. 1, ch. 2000-188; s. 15, ch. 2001-53; s. 23, ch. 2001-62; s. 13, ch. 2007-230.



## A Safe Haven for Newborns

Gloria M. Silverio  
Foundation

[www.asafehavenfornewborns.com](http://www.asafehavenfornewborns.com)

### Babies Statistics

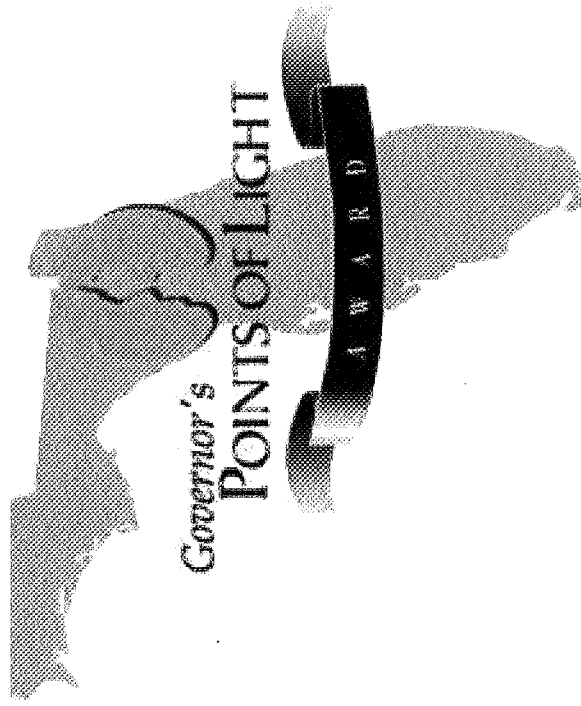
#### Babies Left at:

By Year	Safe Haven	Unsafe Places	Total
2000	1	3	4
2001	4	3	7
2002	10	6	16
2003	13	9	22
2004	7	3	10
2005	21	3	24
2006	11	7	18
2007	20	3	23
<b>Totals:</b>	<b>87</b>	<b>37</b>	<b>124</b>

(Alive:14 Dead:23)

By County	Safe Haven	Unsafe Places	Total
Brevard	1	2	3
Broward	14	4	18
Charlotte	1	0	1
Clay	1	0	1
Collier	0	1	1
Columbia	4	0	4
Davie	1	0	1
Duval	7	1	8
Escambia	1	0	1
Flagler	1	0	1
Hernando	1	0	1
Highlands	2	1	3
Hillsborough	2	2	4
Indian River	1	1	2
Lake County	3	0	3
Lee	2	1	3
Manatee	4	0	4
Marion	4	0	4
Martin	1	0	1
Miami-Dade	8	6	14
Monroe	0	2	2
Orange	8	4	12
Palm Beach	6	4	10
Pasco	2	1	3
Pinellas	1	2	3
Polk	5	2	7
Putnam	1	1	2
Seminole	2	0	2
St. Lucie	1	0	1
Sumter	0	1	1
Taylor	1	0	1
Volusia	1	1	2
<b>Totals:</b>	<b>87</b>	<b>37</b>	<b>124</b>

By Location	Total
Fire Rescue & EMS	34
Hospitals	48
Police Station	1
Safe Haven for Newborns	2
Sheriff's Station	2
<b>Total Saved:</b>	<b>87</b>



*This certificate is presented to*

**Nick Silverio**

*In recognition of exemplary efforts that not only benefit your local community but also lend truth to the belief  
that all citizens of Florida can make a difference in the lives of those they serve.*

This 25<sup>th</sup> day of June in the year 2002.

Sponsored by



*John Ash*  
John Ash, Governor

*Bob Gooden*  
Robert K. Gooden  
The Point of Light Foundation

*Frank E. Ross*  
Frank E. Ross, Lieutenant Governor

*Roberta E. Zipporin*  
Roberta Zipporin  
Florida Commissioner on Community Service

