First, be sure the baby qualifies under the Safe Haven Law. All three of these must be met:

- The infant must appear to be under age one-year old, or the parent/agent must state the infant is under age one.
- The infant must appear unharmed (this is not a medical judgement).
- The infant must be left with an on-duty staff member at an approved location.

Use the following protocol when an infant is brought to a hospital, but wasn’t born there:

- Provide the infant and the parent/agent with a numbered identification bracelet to link the parent/agent to the infant (a standard hospital bracelet is sufficient).
  - The bracelet creates a presumption that the individual has “standing” to participate in court hearings concerning the infant, if desired. It does not entitle the holder custody of the infant on demand; it does not indicate maternity/paternity.

- Give the parent/agent the Medical History form along with an envelope (postage paid recommended).
  - The parent/agent is not required to answer the questions or complete the form. The parent/agent may choose to complete any of the questions voluntarily. If/when the medical form is returned, it must be forwarded to Human Services. The form can be found on: [www.health.nd.gov/safehaven](http://www.health.nd.gov/safehaven)

- Ask the parent/agent:
  - The city/State/time/place of the birth of the infant
  - Does either parent have an Indian tribal affiliation? If yes, what tribe? (If the infant’s tribal affiliation is known, the Indian Child Welfare Act will apply and the tribe will be contacted about possible tribal membership)
  - Whether a birth certificate was issued and the first name on the birth certificate

- Provide medical and legal information to the birth parent or their agent. The Baby Safe Haven Pamphlet can be found on: [https://www.health.nd.gov/safehaven](https://www.health.nd.gov/safehaven)

- Once the parent/agent has left the location, call the Human Service Zone to care for the infant. A list of Human Service Zone locations can be found here: [https://www.nd.gov/dhs/locations/countysocialserv/](https://www.nd.gov/dhs/locations/countysocialserv/)

- Conduct or arrange for an examination of the infant with the nearest Medicaid provider, to make sure the infant is unharmed and healthy.

- Provide the Human Service Zone with the infant’s birth and medical record (if available) in order to establish evidence that the infant is in unharmed condition.
Using the following protocol when an infant is born in a hospital and is abandoned without leaving the hospital:

Provide the infant and the parent/agent with a numbered identification bracelet to link the parent/agent to the infant (a standard hospital bracelet is sufficient).

- The bracelet creates a presumption that the individual has “standing” to participate in court hearings concerning the infant, if desired. It does not entitle the holder custody of the infant on demand; it does not indicate maternity/paternity.

Give the parent/agent the Medical History form along with an envelope (postage paid recommended).

- The parent/agent is not required to answer the questions or complete the form, and may choose to complete any questions on the form voluntarily. The form can be found on: www.health.nd.gov/safehaven If/when the medical form is returned, it must be forwarded to Human Services.

Ask the parent/agent:

- The city/State/time/place of the birth of the infant
- Does either parent have an Indian tribal affiliation? If yes, what tribe? (If the infant’s tribal affiliation is known, the Indian Child Welfare Act will apply and the tribe will be contacted about possible tribal membership)
- Whether a birth certificate was issued and the first name on the birth certificate

Provide medical and legal information to the birth parent or their agent. The Baby Safe Haven Pamphlet can be found on: https://www.health.nd.gov/safehaven

Once the parent/agent has left the location, call the Human Service Zone and notify them that an infant has been abandoned at the location. Human Service Zone locations can be found here: https://www.nd.gov/dhs/locations/countysocialserv/

Provide the Human Service Zone with the infant’s birth and medical record in order to establish evidence that the infant is in unharmed condition.

- The information is also used to obtain a birth certificate for the infant, which is necessary for enrollment in Medicaid, foster care programs, etc.
- If the hospital has already registered the birth with Vital Records, this also prevents dual birth registrations.
- When a birth registration has already taken place, a court order is obtained by CPS for a new birth certificate to be issued without the parent’s name.

For more specific information on the North Dakota Baby Safe Haven Law please visit our resource page at www.health.nd.gov/safehaven and the Baby Safe Haven Training at: https://babysafehaven.pcand.org/nd-safe-haven-law/

For questions or more information about the NDDoH Baby Safe Haven Training Program and Baby Safe Haven educational materials, contact Alicia Belay at: abelay@nd.gov