

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

Committee/Subcommittee hearing bill: Health & Human Services
Committee

Representative Harding offered the following:

Amendment (with title amendment)

Remove lines 40-115 and insert:

(2) (a) A hospital, an emergency medical services station, or a fire station that is staffed 24 hours per day may use a newborn infant safety device to accept surrendered newborn infants under this section if the device is:

1. Physically part of the hospital, emergency medical services station, or fire station;

2. Temperature-controlled and ventilated for the safety of newborns;

3. Equipped with an alarm system connected to the physical location of the device which automatically triggers an alarm

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17 inside the building when a newborn infant is placed in the
18 device;

19 4. Equipped with a surveillance system that allows
20 employees of the hospital, emergency medical services station,
21 or fire station to monitor the inside of the device 24 hours per
22 day; and

23 5. Located such that the interior point of access is in an
24 area that is conspicuous and visible to the employees of the
25 hospital, emergency medical services station, or fire station.

26 6. Approved by the department.

27 (b) A hospital, an emergency medical services station, or
28 a fire station that uses a newborn infant safety device to
29 accept surrendered newborn infants shall use the device's
30 surveillance system to monitor the inside of the newborn infant
31 safety device 24 hours per day and shall physically check the
32 device at least twice daily and test the device at least weekly
33 to ensure that the alarm system is in working order.

34 (4)(3) Each emergency medical services station or fire
35 station that is staffed 24 hours per day with full-time
36 firefighters, emergency medical technicians, or paramedics shall
37 accept any newborn infant left with a firefighter, an emergency
38 medical technician, or a paramedic or in a newborn infant safety
39 device that is physically part of the emergency medical services
40 station or fire station. The firefighter, emergency medical

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41 technician, or paramedic shall consider these actions as implied
42 consent to and shall:

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

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

49

50 A licensee as defined in s. 401.23, a fire department, or an
51 employee or agent of a licensee or fire department may treat and
52 transport a newborn infant pursuant to this section. If a
53 newborn infant is placed in the physical custody of an employee
54 or agent of a licensee or fire department or is placed in a
55 newborn infant safety device that is physically part of an
56 emergency medical services station or a fire station, such
57 placement is ~~shall be~~ considered implied consent for treatment
58 and transport. A licensee, a fire department, or an employee or
59 agent of a licensee or fire department is immune from criminal
60 or civil liability for acting in good faith pursuant to this
61 section. Nothing in this subsection limits liability for
62 negligence.

63 (6) ~~(5)~~ Except when there is actual or suspected child
64 abuse or neglect, any parent who leaves a newborn infant in a
65 newborn infant safety device or with a firefighter, an emergency

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66 medical technician, or a paramedic at a fire station or an
 67 emergency medical services station, leaves a newborn infant in a
 68 newborn infant safety device at a hospital, or brings a newborn
 69 infant to an emergency room of a hospital and expresses an
 70 intent to leave the newborn infant and not return, has the
 71 absolute right to remain anonymous and to leave at any time and
 72 may not be pursued or followed unless the parent seeks to
 73 reclaim the newborn infant. When an infant is born in a hospital
 74 and the mother expresses intent to leave the infant and not
 75 return, upon the mother's request, the hospital or registrar
 76 shall complete the infant's birth certificate without naming the
 77 mother thereon.

78 (11)-(10) A criminal investigation may ~~shall~~ not be
 79 initiated solely because a newborn infant is left at a hospital,
 80 an emergency medical services station, or a fire station under
 81 this section unless there is actual or suspected child abuse or
 82 neglect.

83 (12) The department shall review and approve newborn
 84 infant safety devices for use under this section. The department
 85 may adopt rules necessary to implement the review and approval
 86 process.

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88 **T I T L E A M E N D M E N T**

89 Remove lines 4-17 and insert:

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90 authorizing certain hospitals, emergency medical services
91 stations, and fire stations to use, newborn infant safety
92 devices to accept surrendered newborn infants under certain
93 circumstances; requiring such hospitals, emergency medical
94 services stations, or fire stations to physically check and
95 test the devices at specified intervals; conforming
96 provisions to changes made by the act; providing additional
97 locations to which the prohibition on the initiation of
98 criminal investigations based solely on the surrendering of
99 a newborn infant applies; authorizing the department to
100 review and approve newborn infant safety devices; amending
101 s. 63.0423, F.S.; conforming a cross-reference; making
102 conforming and technical changes; providing an effective
103 date.