



**House
Legislative
Analysis
Section**

House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

SAFE DELIVERY OF NEWBORN LAW

House Bill 5995

**Sponsor: Rep. Patricia Birkholz
Committee: Family and Children
Services**

Complete to 5-3-02

A SUMMARY OF HOUSE BILL 5995 AS INTRODUCED 5-2-02

The bill would amend the Safe Delivery of Newborns Law (Chapter XII of the Probate Code of 1939, Public Act 288 of 1939). Under the bill, a newborn born alive as a result of an attempted abortion, as described in the Born Alive Infant Protection Act (proposed House Bill 5994), would be considered a newborn under the provisions of Chapter XII of the code.

Under the Safe Delivery of Newborns Law, an emergency service provider receiving a newborn is required to inform the parent of the processes leading to the termination of parental rights, adoption of the child, and what the parent can do to regain custody of the child. In addition, the emergency service provider is required to attempt to obtain relevant family and medical information and the identity of the parents (neither of which is made public). The bill states that, in cases under the Born Alive Infant Protection Act, in order for an emergency service provider to provide and obtain the information required under the safe delivery law, the emergency service provider would have to request the required information from, and provide the required information to, the attending physician who delivered the newborn.

In addition, the emergency service provider would provide the child with humane care if it is determined that there is no chance of survival due to the fact that the child was born prematurely. The emergency service provider would be prohibited from attempting to directly contact the parents of the newborn.

The bill is tied-barred to House Bill 5994.

MCL 712.3

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.