405.075 Anonymity of parent who places newborn infant with emergency provider, police station, fire station, or hospital -- Transport to emergency room -- Implied consent to treatment -- Waiver by parent -- Short title.

(1) As used in this section, "newborn infant" means an infant who is medically determined to be less than seventy-two (72) hours old.

(2) A parent who places a newborn infant with an emergency medical services provider, police station, fire station, or hospital and expresses no intent to return for the infant shall have the right to remain anonymous and not be pursued and shall not be considered to have abandoned or endangered the newborn infant under KRS Chapters 508 and 530.

(3) Any emergency medical services provider, police officer, or firefighter who accepts physical custody of a newborn infant in accordance with this section shall immediately arrange for the infant to be taken to the nearest hospital emergency room and shall have implied consent to any and all appropriate medical treatment.

(4) By placing a newborn infant in the manner described in this section, the parent:

(a) Waives the right to notification required by subsequent court proceedings conducted under KRS Chapter 620 until such time as a claim of parental rights is made; and

(b) Waives legal standing to make a claim of action against any person who accepts physical custody of the newborn infant.

(5) The provisions of subsection (2) of this section shall not apply when indicators of child physical abuse or child neglect are present.

(6) KRS 211.951, 216B.190, 311.6526, 405.075, 620.350, and 620.355 shall be known as "The Representative Thomas J. Burch Safe Infants Act."

Effective: April 9, 2002

History: Created 2002 Ky. Acts ch. 303, sec. 4, effective April 9, 2002.