



SENATE BILL 1773

By Massey

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 1, Part 1 and Title 68, Chapter 11, Part 2, relative to voluntary surrendering of an infant.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-255(a)(2), is amended by inserting the language ", ambulance station that has staff scheduled twenty-four (24) hours a day," immediately after "a fire department that is staffed twenty-four (24) hours a day".

SECTION 2. Tennessee Code Annotated, Section 68-11-255, is amended by deleting "is staffed" wherever it appears in subdivisions (a)(1), (a)(2), and (a)(5) and substituting "has staff scheduled".

SECTION 3. Tennessee Code Annotated, Section 68-11-255(a)(4)(C), is amended by deleting the subdivision and substituting:

(C) Approved by and located inside a participating hospital, fire station, ambulance station, police station, emergency communications center, or nursing home that:

- (i) Is licensed or otherwise legally operating in this state; and
- (ii) Has staff scheduled continuously on a twenty-four-hour basis every day by a licensed emergency medical services provider; and

SECTION 4. Tennessee Code Annotated, Section 68-11-255(h), is amended by deleting the second sentence.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to SB1773

Gardenhire
Signature of Sponsor

AMEND Senate Bill No. 1773*

House Bill No. 1844

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 68-11-255(a)(2), is amended by inserting the language ", ambulance station that has staff scheduled twenty-four (24) hours a day," immediately after "a fire department that is staffed twenty-four (24) hours a day".

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(C) Approved by and located inside a participating hospital, fire station, ambulance station, police station, emergency communications center, or nursing home that:

- (i) Is licensed or otherwise legally operating in this state; and
- (ii) Has staff scheduled continuously on a twenty-four-hour basis every day by a licensed emergency medical services provider;

SECTION 4. Tennessee Code Annotated, Section 68-11-255(a)(4)(D), is amended by deleting the subdivision and substituting:

(D) Located in an area that is conspicuous and visible to staff of the hospital, fire station, ambulance station, police station, emergency communications center, or nursing home where the newborn safety device is located; and

SECTION 5. Tennessee Code Annotated, Section 68-11-255(a)(4), is amended by adding the following as a new subdivision:

(E) Continuously monitored by a facility employee or member of the professional medical community at the facility.

SECTION 6. Tennessee Code Annotated, Section 68-11-255(f), is amended by deleting the subsection and substituting:

(f)

(1) If a facility employee or member of the professional medical community at the facility accepts physical custody of a newborn infant, then such employee or member shall immediately arrange for the newborn infant to be taken to the nearest hospital emergency room and shall have implied consent to any and all appropriate medical treatment. The hospital shall immediately notify the department of children's services that the surrendered newborn infant is at the hospital. Upon notification, the department shall immediately assume care, custody, and control of the newborn infant.

(2) If a facility employee or member of the professional medical community at the facility physically retrieves a newborn infant from a newborn safety device that meets the requirements of this section, then such employee or member shall immediately call for emergency services, arrange for the newborn infant to be taken to the nearest hospital emergency room, and have implied consent to any and all appropriate medical treatment. The hospital shall immediately notify the department of children's services that the surrendered newborn infant is at the hospital. Upon notification, the department shall immediately assume care, custody, and control of the newborn infant.

SECTION 7. Tennessee Code Annotated, Section 68-11-255(h), is amended by deleting the second sentence.

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.