

IC 16-35-9

Chapter 9. Newborn Safety Incubators Recommendations

IC 16-35-9-1

"Emergency medical services provider"

Sec. 1. As used in this chapter, "emergency medical services provider" has the meaning set forth in IC 16-41-10-1.

As added by P.L.61-2015, SEC.7.

IC 16-35-9-2

"Facility"

Sec. 2. As used in this chapter, "facility" means a building in which one (1) or more of the following are located:

- (1) A hospital licensed under IC 16-21.
- (2) A fire department or volunteer fire department of a unit (as defined in IC 36-1-2-23), staffed twenty-four (24) hours a day by an emergency medical services provider.
- (3) A law enforcement agency (as defined in IC 35-47-15-2), staffed twenty-four (24) hours a day by an emergency medical services provider.

As added by P.L.61-2015, SEC.7.

IC 16-35-9-3

"Newborn"

Sec. 3. As used in this chapter, "newborn" means a child who is less than thirty-one (31) days of age.

As added by P.L.61-2015, SEC.7.

IC 16-35-9-4

"Newborn safety incubator"

Sec. 4. As used in this chapter, "newborn safety incubator" means a device that is designed to permit:

- (1) a person to anonymously place a newborn in the device with the intent to leave the newborn; and
- (2) another person to remove the newborn from the device and take custody of the newborn.

As added by P.L.61-2015, SEC.7.

IC 16-35-9-5

"Qualified service provider"

Sec. 5. As used in this chapter, "qualified service provider" means any of the following:

- (1) A hospital licensed under IC 16-21.
- (2) A fire department or volunteer fire department of a unit (as defined in IC 36-1-2-23), staffed twenty-four (24) hours a day by an emergency medical services provider.
- (3) A law enforcement agency (as defined in IC 35-47-15-2), staffed twenty-four (24) hours a day by an emergency medical

services provider.
As added by P.L.61-2015, SEC.7.

IC 16-35-9-6

Submit recommendations before January 1, 2016; standards and protocols for newborn safety incubators

Sec. 6. The state department shall, before January 1, 2016, prepare and submit to the general assembly in an electronic format under IC 5-14-6 and the governor's office recommendations concerning standards and protocols for the installation and operation of newborn safety incubators. In preparing the recommendations under this section, the state department shall consider the following:

- (1) Sanitation standards for newborn safety incubators.
- (2) Procedures to provide emergency care for a newborn left in a newborn safety incubator.
- (3) Manufacturing and manufacturer standards for newborn safety incubators.
- (4) Design and function requirements, including that a newborn safety incubator satisfies all the following:
 - (A) Is accessible from the exterior of a facility.
 - (B) Allows a newborn to be placed anonymously in the newborn safety incubator from outside the facility.
 - (C) The door or window of the newborn safety incubator that allows access outside the facility automatically locks after a newborn is placed in the newborn safety incubator.
 - (D) A person outside the facility is unable to access the newborn safety incubator after a newborn has been placed in the newborn safety incubator.
 - (E) Provides a controlled environment for the care and protection of the newborn.
 - (F) Has a signal that notifies an emergency medical services provider within thirty (30) seconds of a newborn being placed in the newborn safety incubator.
 - (G) Is accessible to an emergency medical services provider inside the facility.
- (5) The operating policies, supervision, and maintenance of a newborn safety incubator, including requiring that only an emergency medical services provider supervise the newborn safety incubator and take custody of a newborn.
- (6) Procedures and forms for the registering of qualified service providers that install newborn safety incubators.
- (7) Procedures and standards for inspections of newborn safety incubators.
- (8) Costs concerning the registration and regulation of newborn safety incubators and fees for registration to offset the costs.
- (9) Preparation and posting of signs near or on newborn safety incubators.
- (10) Enforcement actions and remedies for violations concerning newborn safety incubators.

(11) Any other criteria the state department considers necessary to ensure the safety and welfare of a newborn placed in a newborn safety incubator.

As added by P.L.61-2015, SEC.7.

IC 16-35-9-7

Expiration

Sec. 7. This chapter expires July 1, 2016.

As added by P.L.61-2015, SEC.7.