

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, March 02, 2017

**TIME:** 3:00 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Heider, Senators Martin, Lee, Harris, Anthon, Agenbroad, Foreman, and Jordan

**ABSENT/ EXCUSED:** Vice Chairman Souza

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Heider** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:06 p.m.

**S 1126** **Relating to Safe Havens. Senator Davis** introduced himself to the Committee and provided background on the Idaho Safe Haven Act. In 2001, there had been a series of tragedies where newborn babies were left in dumpsters. **Senator Davis** said he was asked to do something to help prevent these occurrences, despite some controversy over the idea of a safe haven law. A reporter acquaintance, Suzanne Hobbs from Pocatello, was a strong proponent.

**Senator Davis** stated abandonment of a child is still a crime, but the Legislature agreed to trade the life of a child for a criminal proceeding. Idaho was among the first to adopt a safe haven law. While some states have not included a time period for the safe haven, Idaho chose 30 days as the time for a baby to be surrendered after its birth with no questions asked. **Senator Davis** provided the Committee with a photo of the original safe haven bill signing by Governor Kempthorne in 2001 (see Attachment 1). He informed the Committee since 2001, there have been 28 "safe haven" babies surrendered. Of that number, 25 were adopted, one passed away, and two are currently in foster care in pre-adoptive homes. **Senator Davis** reported that some time after Idaho's safe haven law was enacted, Ms. Hobbs and her husband, who were unable to have children, adopted a "safe haven" baby girl.

**Senator Davis** commented he subsequently heard from Ms. Hobbs that fire stations should be included in the law as places a baby could be dropped off. This language was inadvertently omitted from the original bill. Instead, the law says a fire department can accept a baby if responding to a 911 emergency call. **S 1126** adds "fire stations" and "tribal entities" as locations where a baby can be surrendered. **Senator Davis** obtained confirmation from the tribes they were supportive of the change, and David Gates of the Idaho Fire Chiefs Association and the Pocatello Fire Department advised these two groups also strongly support the bill (see Attachments 2 and 3). Mr. Gates also urged eliminating the requirement that a fire department be responding to a 911 emergency call in order to accept a child.

**Senator Davis** mentioned that, unfortunately, the problem is ongoing. In Twin Falls, on New Year's Eve 2016, a newborn was left on the side of the road in a diaper bag. The bill is a greater opportunity to do more good by: 1.) publicly reemphasizing the Safe Haven Act; 2.) aligning the law with what most fire departments' belief that the Safe Haven Act already applies; and 3.) using the opportunity to make additional changes to allow fire department personnel to accept a baby off premises without a 911 emergency call having been made. **Senator Davis** would agree with the Committee's decision to either recommend the bill as is, or send it to the Fourteenth Order for amendment to polish the language.

**TESTIMONY:** **Allana Hobbs** introduced herself to the Committee as Senator Martin's intern to speak in support of **S 1126**. Her research showed 26 states have included fire stations in their safe haven laws. It would also be a good idea to remind the public about the Safe Haven Act and let them know fire stations can accept newborns.

**Senator Jordan** mentioned she was surprised to learn fire stations were not safe havens under this law. She inquired of Senator Davis if he thinks the suggested change is a positive one, and further commented Ada County has several freestanding Emergency Medical Services stations which might also be included as safe havens. **Senator Davis** answered one thing lawyers don't get to do very often that is a fun thing to do is private adoption. It is a time when a courtroom is filled with joy and happiness, and that is how he feels about this bill. **Senator Davis** would welcome a motion to amend the bill to add Mr. Gates's suggestions.

**MOTION:** **Senator Jordan** moved to send **S 1126** to the Fourteenth Order for possible amendment. **Senator Martin** seconded the motion. The motion carried by **voice vote**.

**APPROVAL OF MINUTES:** **Senator Anthon** moved to approve the Minutes of the February 20, 2017 meeting. **Senator Martin** seconded the motion. The motion carried by **voice vote**.

**Senator Harris** moved to approve the Minutes of the February 21, 2017 meeting. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Heider** adjourned the meeting at 3:29 p.m.

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Senator Heider  
Chair

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Jeanne Jackson-Heim  
Secretary