

### 233.1 Newborn safe haven Act — definitions.

1. **This chapter** may be cited as the “*Newborn Safe Haven Act*”.
  2. For the purposes of **this chapter**, unless the context otherwise requires:
    - a. “*Adoption service provider*” means a state-licensed private agency which is recognized as exempt under section 501(c)(3) of the Internal Revenue Code and which represents itself as placing children permanently or temporarily in private family homes, receiving children for placement in private family homes, and actually engaging in placement of children in private family homes for adoption.
    - b. “*Certified adoption investigator*” means the same as defined in [section 600A.2](#).
    - c. “*Department*” means the department of health and human services.
    - d. “*Emergency medical care provider location*” means the physical business location of an emergency medical care provider.
    - e. “*Fire department*” means a paid or volunteer fire protection service provided by a benefited fire district under [chapter 357B](#) or by a county, municipality or township, or a private corporate organization that has a valid contract to provide fire protection service for a benefited fire district, county, municipality, township, or governmental agency.
    - f. “*Fire station*” means the physical business location of a fire department.
    - g. “*First responder*” means an emergency medical care provider as defined in [section 147A.1](#), a registered nurse staffing an authorized service program under [section 147A.12](#), a physician assistant staffing an authorized service program under [section 147A.13](#), a fire fighter, or a peace officer as defined in [section 801.4](#).
    - h. “*Institutional health facility*” means a hospital as defined in [section 135B.1](#), a facility providing medical or health services that is open twenty-four hours per day, seven days per week, and including a hospital emergency room or a health care facility as defined in [section 135C.1](#).
    - i. “*Newborn infant*” means a child who is, or who appears to be, ninety days of age or younger.
    - j. “*Newborn safety device*” means a padded and climate-controlled receptacle that meets one of the following requirements:
      - (1) If the receptacle is located at a hospital, the receptacle is conspicuous and visible to hospital staff.
      - (2) If the receptacle is located at a fire station or an emergency medical care provider location:
        - (a) The fire station or emergency medical care provider location is staffed by a first responder twenty-four hours per day, seven days per week, notwithstanding the time staff is dispatched for an emergency.
        - (b) The receptacle is located in an area that is conspicuous and visible to staff, or the receptacle is located in an area that is not visible to staff but is equipped with a motion sensor and a dual alarm system. The dual alarm system shall be programmed to sound first when the receptacle is opened, immediately placing a telephone call to a 911 service and dispatching an emergency medical care provider or a fire fighter to the location of the receptacle, and to sound a second time, immediately placing a telephone call to a 911 service after movement is detected inside the receptacle.
- [2001 Acts, ch 67, §1, 13; 2002 Acts, ch 1119, §33; 2018 Acts, ch 1050, §1, 2; 2022 Acts, ch 1115, §1; 2023 Acts, ch 46, §6; 2023 Acts, ch 136, §1](#)  
 Referred to in [§232.2, 232.78](#)  
 See Code editor’s note on simple harmonization at the beginning of this Code volume  
 Section amended