

Statement of Consideration (SOC)

PPTL 24-09 [SOP 2.4 Non-Investigatory Response](#), [SOP 2.16 Safe Infant Act Assessments](#), [SOP 4.21 Safe Infant Acts](#), and [Safe Infant Vital Statistics Guidelines](#). The following comments were received in response to SOP drafts sent for field review. Thanks to those who reviewed and commented. Comments about typographical and grammatical errors are excluded; these errors have been corrected as appropriate.

SOP 2.4

No comments

SOP 2.16

1. **Comment:** The policy is confusing. It states that if a report is received that is not Safe Infant and then SSW discovers that it is Safe Infant, then we change it and the parent's information is removed from the case.

Response: Clarifying language has been added.

- If an intake is received within the first thirty (30) calendar days of the infant's life and is determined to be a Safe Infant, central intake (CI) will exclude all identifying information for the mother/household individuals. If the report includes any identifying information, the original report will need to be consulted with the Child Protection Branch to determine the next steps.
 - Once an intake/investigation has been determined to be Safe Infant, no one claiming to be a biological relative may be pursued or considered for placement.
- If a safe infant intake is received, however, abuse/neglect is later determined, a new intake would be sent to central intake (CI) reporting the abuse/neglect.
 - The new intake would include all identifying information known about the mother/parent.
 - If there is no known identifying information all individuals will be listed as unknown.
 - All procedures regarding filing an emergency custody order (ECO) and naming of the baby (as described below) will still apply if caregivers are unknown/unable to be located.

- The original safe infant intake would be closed with the new intake referenced.
2. **Comment:** We have always done Safe Infant in the past unless there were allegations of neglect or abuse- then we took it as that. This is saying the opposite. So, does that mean when we get NAS babies and go to the hospital and the mother wants to give the child up that we just change the case and do not substantiate on the mother? Staff can see this causing potential problems for TPR not for this child but when we have moms that have other children in care or in the process of TPR and we can't use this new NAS child as evidence of a pattern of conduct.

Response: This practice will not change, if a baby tests positive or allegations meet criteria for abuse/neglect, Safe Infant will not apply.

3. **Comment:** What happens when she has a new child and wants to keep it but she did Safe Infant on the last NAS baby? We won't have that past sub or history. Same if she has a fatality on a new child and gave up a previous safe infant. Staff don't agree with that. Staff think if a mother gives up a child, just should be documented with her name and the reason, and if there was abuse or neglect, that needs to be substantiated.

Response: If an individual has chosen Safe Infant for a child, there will not be a documented history for that individual, this is the protected right as described in [KRS 620.350](#). If this same individual gives birth to another child, and there are allegations that meet the criteria for abuse or neglect, a report will be taken and DPP will proceed as normal. There will be no documented history of the first individual. Even if the individual discloses the information, it cannot be utilized. If a parent leaves a child in a safe place as described in the policy under Safe Infant, and the child tests positive for substances, the report would be redetermined to be an investigation of abuse/neglect and Safe Infant would no longer apply.

4. **Comment:** It also says that we can't look for relatives when the parent chooses to Safe Infant a child to protect the parent's identity. What about the father's rights? What if the child has siblings- where is the right for the child to be placed with a sibling? None of that is addressed. Do we still do a sibling separation?

Response: Per [KRS 405.075](#), if the mother chooses Safe Infant then she is protected in that right. DCBS is unable to seek placement with anyone who claims to be a relative including the birth father. A person claiming to be the mother or father can petition the courts and claim parental rights (as described in Procedures #12). If an individual is determined by the court to be the parent, then the court may make decisions based on that finding, however, DCBS cannot make that determination.

5. **Comment:** It also says we don't even ask for parent DOB and SS#. The worker names the child first and middle name and then Doe on the petition. Staff see so many issues with this.

Response: This process was created because of vital statistics and the KRS specific to them. [KRS 405.075](#) states "A parent shall have the right to remain anonymous, shall not be pursued".

SOP 4.21

No comments

Safe Infant Vital Statistics Guidelines

No comments