



TO: The Honorable Luke Clippinger, Chair
Members, House Judiciary Committee
The Honorable William J. Wivell

FROM: Pamela Metz Kasemeyer
J. Steven Wise
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DATE: February 28, 2024

RE: **LETTER OF INFORMATION** – House Bill 1323 – *Courts – Immunity From Liability*
– *Maryland Safe Haven Program*

On behalf of the Maryland Section of The American College of Obstetricians and Gynecologists and the Maryland Chapter of the American Academy of Pediatrics, we submit this **letter of information** for House Bill 1323.

House Bill 1323 proposes to modify the current liability immunity when a mother or person who has the mother’s permission leaves an unharmed newborn with a responsible adult within 10 days after birth and the responsible adult takes the newborn to an authorized facility as defined by the Department of Human Resources. The bill alters the timeframe to 60 days from birth and also authorizes the designated facility to accept the newborn in a “newborn safety device”, which reads as if it is some type of box that has certain capabilities to monitor the newborn. The bill includes requirements for funding of public education on the framework and legal requirements for surrendering a newborn.

While the safe and legal surrendering of a newborn by a mother who does not want to retain custody is important, there is no research or clinical evidence of the safety or appropriateness related to the device that is described in the legislation. Before advancing the legal framework provided in this bill, there should be clear and uncontroverted clinical evidence supporting the use of these devices.

For more information call:

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