

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 4: Assessment Section 49: Safe Haven Infants	
	Effective Date: January 1, 2026	Version: 3

POLICY OVERVIEW

Indiana law requires the Indiana Department of Child Services (DCS) to assume the care, control, and custody of a safe haven infant if contacted.

POLICY STATEMENT

The Indiana Safe Haven Law lets a parent surrender their newborn to an emergency medical services provider or place the child in a newborn safety device (e.g. a Safe Haven Baby Box).

The law allows the emergency medical services provider to contact a licensed child placing agency (LCPA) or DCS. The parent's identity is protected; and the parent will not receive a substantiation for abandonment or neglect if the parent acts within 60 calendar days of the child's birth, and the child is not harmed.

Note: If there are other allegations of child abuse or neglect (CA/N), those allegations must be assessed on their merits. Even if there are other allegations, an infant who has been surrendered will still be treated as a safe haven infant.

When contacted by an emergency medical services provider, DCS will assume the care, control, and custody immediately after receiving notice that:

1. A parent knowingly or intentionally leaves the infant with an emergency medical services provider;
2. Someone leaves the infant with medical staff after delivery and the parent notified staff of the surrender;
3. Someone calls 911 due to extenuating circumstances and stays with the infant until an emergency medical services provider arrives; or
4. Someone places the infant in a newborn safety device and the parent does not plan to return for the infant.

Note: Unless prohibited by federal law, a safe haven infant in the custody of DCS is presumed eligible for Medicaid until a court grants a petition for adoption of the safe haven infant.

LEGAL REFERENCES

- [IC 10-13-5: Chapter 5. Indiana Clearinghouse for Information on Missing Children and Missing Endangered Adults](#)
- [IC 16-41-10-1: "Emergency medical services provider" defined](#)
- [IC 31-9-2-113.1: "Safe haven infant"](#)
- [IC 31-14-7-1: Presumptions; child's biological father](#)

- [IC 31-19-2.5-6: Provision of notice of petition for adoption or petition for termination of parent-child relationship of safe haven infant](#)
- [IC 31-21-2-2: "Abandoned"](#)
- [IC 31-25-3-2: Duties of bureau; access to information](#)
- [IC 31-34-2.5: Chapter 2.5. Emergency Custody of Certain Abandoned Children](#)
- [IC 31-34-21-5.6\(b\)\(6\): Exceptions to requirement to make reasonable efforts to preserve and reunify families](#)
- [IC 31-35-1.5: Chapter 1.5. Termination of Parent-Child Relationship Involving Safe Haven Infants](#)
- [45 CFR 1356.21 Foster care maintenance payments program implementation requirements](#)