

## KANSAS LAW

### **Article 22: Revised Kansas Code For Care Of Children**

**Statute 38-2282: Newborn infant protection act.** (a) This section shall be known and may be cited as the newborn infant protection act.

(b) A parent or other person having lawful custody of an infant which is 45 days old or younger and which has not suffered bodily harm may surrender physical custody of the infant to any employee who is on duty at a fire station, city or county health department or medical care facility as defined by K.S.A. 65-425, and amendments thereto. Such employee shall take physical custody of an infant surrendered pursuant to this section.

(c) As soon as possible after a person takes physical custody of an infant under this section, such person shall notify a local law enforcement agency that the person has taken physical custody of an infant pursuant to this section. Upon receipt of such notice a law enforcement officer from such law enforcement agency shall take custody of the infant as an abandoned child. The law enforcement agency shall deliver the infant to a facility or person designated by the secretary pursuant to K.S.A. 2008 Supp. 38-2232, and amendments thereto.

(d) Any person, city or county or agency thereof or medical care facility taking physical custody of an infant surrendered pursuant to this section shall perform any act necessary to protect the physical health or safety of the infant, and shall be immune from liability for any injury to the infant that may result therefrom.

(e) Upon request, all medical records of the infant shall be made available to the department of social and rehabilitation services and given to the person awarded custody of such infant. The medical facility providing such records shall be immune from liability for such records release.

**21-3604. Abandonment of a child.** (a) Abandonment of a child is the leaving of a child under the age of 16 years, in a place where such child may suffer because of neglect, by the parent, guardian or other person to whom the care and custody of such child shall have been entrusted, when done with intent to abandon such child.

Abandonment of a child is a severity level 8, person felony.

(b) No parent or other person having lawful custody of an infant shall be prosecuted for a violation of this section, if such parent or person surrenders custody of an infant in the manner provided by K.S.A. 38-15,100, and amendments thereto, and if such infant has not suffered bodily harm.