

# HOUSE BILL REPORT

## SSB 5433

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### As Reported by House Committee On:

Health Care

**Title:** An act relating to establishment of parent and child relationship for children born through alternative reproductive medical technology.

**Brief Description:** Providing for establishment of parent and child relationship for children born through alternative reproductive medical technology.

**Sponsors:** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Regala, Winsley and Thibaudeau).

### Brief History:

#### Committee Activity:

Health Care: 2/21/02, 2/22/02 [DP].

#### Brief Summary of Substitute Bill

- Egg donors will be treated the same as sperm donors when determining parental status.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass. Signed by 6 members: Representatives Cody, Chair; Schual-Berke, Vice Chair; Conway, Darneille, Ruderman and Skinner.

**Staff:** Dave Knutson (786-7146).

### Background:

Under the uniform parentage act, a sperm donor is not treated as the father in cases of artificial insemination. Current law does not address egg donors, as that technology was not yet as well developed or utilized, when the uniform parentage act was enacted.

Under current law, the legal status of a child born from assisted reproductive technology may not be determined at the time of the child's birth. The egg donor, surrogate mother, or spouse of either may need to file a legal action to establish a legal relationship with his or her child.

The Department of Health issues birth certificates through vital statistics.

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**Summary of Substitute Bill:**

A parent may be established by an affidavit and a physician's certificate in cases where a child is born through alternative medical reproductive technology pursuant to the terms of a contractual agreement. The affidavit is filed with the registrar of vital statistics at the Department of Health. The affidavit and physician's certificate must be filed within 10 days of the date of the child's birth.

An egg donor is treated in law as if she were not the natural mother, unless a contract specifies that she intended to be a parent. The contract must be in writing and a physician must certify the parties' signatures and other procedural matters. The contract must be filed with the registrar of vital statistics at the Department of Health. The department must keep the agreement confidential.

The Department of Health is authorized to issue a birth certificate based upon the filed agreement.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This change is needed so egg donors will be treated the same as sperm donors. This will allow the Uniform Parentage Act to reflect the state of assisted reproductive technology.

**Testimony Against:** None.

**Testified:** Senator Regala, prime sponsor; and Mark Demoray, Washington State Adoption Council.