

FINAL BILL REPORT

SSB 5433

C 13 L 02
Synopsis as Enacted

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).

Senate Committee on Health & Long-Term Care
House Committee on Health Care

Background: In 1975 the Legislature passed the uniform parentage act, which contained a provision regarding artificial insemination. Unless a contract specifies that he is to be the father, a sperm donor is not treated as the father in cases of artificial insemination. The past legislation did not address egg donors, as that technology was not yet as well developed or utilized.

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.

Summary: A parent may be established by an affidavit and a physician's certificate in cases where a child is born through alternative reproductive medical 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 ten 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.

Votes on Final Passage:

Senate	48 0
House	97 0

Effective: June 13, 2002