

RESOLVE Letter of Support for SB 215.pdf

Uploaded by: Campbell, Betsy

Position: FAV



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January 26, 2021

The Honorable Delores Kelley
Chair, Senate Finance Committee
Maryland General Assembly
Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

RE: Support for SB 215

Dear Senator Kelley:

On behalf of RESOLVE: The National Infertility Association, I am writing to express our strong support for Senate Bill 215, an Act concerning Maryland Department of Health – Birth Registration – Gestational Carriers.

SB 215 codifies the birth certificate process in cases involving gestational carrier births. Establishing a clear and simplified administrative process benefits all parties involved, including the Department of Health, the parents, and especially the children, whose privacy would also be better protected.

RESOLVE represents the millions of women and men in the U.S. with the disease of infertility and all those struggling to build a family. One in eight individuals or couples have trouble getting pregnant or sustaining a pregnancy. Infertility cuts across socioeconomic levels, and all racial, ethnic and religious lines. RESOLVE helps people with infertility pursue medical treatment, adoption, third party reproduction, and all other family building options. Maryland has served as a leader in this field and we view this bill as an extension of that leadership.

We respectfully ask that you favorably pass SB 215 out of Committee and help ensure it has a pathway to law on behalf of all Marylanders struggling to build their families. We are happy to provide you additional information on this issue as RESOLVE has been providing support, information, and advocacy for the infertility community since 1974. I can be reached at bcollura@resolve.org and our website is www.resolve.org.

Sincerely,

A handwritten signature in black ink that reads "Barbara Collura". The signature is written in a cursive, flowing style with a long horizontal tail on the final letter.

Barbara L. Collura
President/CEO

SB 215 Kelley Testimony.pdf

Uploaded by: Kelley, Delores

Position: FAV

SENATOR DELORES G. KELLEY
Legislative District 10
Baltimore County

—
Chair
Finance Committee

—
Executive Nominations Committee
Rules Committee
Legislative Policy Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Delores G. Kelley

Regarding Senate Bill 215- Maryland Department of Health- Birth Registration-Gestational Carriers

Before the Senate Finance Committee

January 28, 2021

Mr. Vice-Chair and Members:

**Senate Bill 215 has been requested by the Vital Statistics
Division of the Maryland Department of Health in order to
systematize the preparation of birth certificates for newborns who
were carried by gestational carriers.**

**While Maryland is one of 15 states which mandate that certain
insurers cover infertility treatments, Maryland has not standardized
by statute, any protocols for preparation of birth certificates for the**

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children born of gestational carriers, to whom the children are genetically unrelated.

In these cases, the intended parents are required to get an order of parentage by applying to a Maryland Court of proper jurisdiction. Following birth, these families need birth certificates for these children. It is the purpose of Senate Bill 215 to establish the information which the intended parents and the attending obstetricians or midwives must submit to Vital Records for preparation of such a child's official birth certificate.

SB 215 requires that when submitting information required by Vital Records for preparation of the birth certificate for a child delivered from a gestational carrier, the intended parents shall also include a copy of the order of the Court establishing parentage.

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SB 215 also designates the categories of information to be submitted to Vital Records for preparation of the child's birth certificate, including:

- 1) The delivery was by a gestational carrier;**
- 2) The identity of the gestational carrier;**
- 3) Relevant medical information regarding the gestational carrier, as well as regarding the delivery; and**
- 4) Information regarding the intended parents.**

The Health Department is required to adopt regulations to standardize all of these requirements, including the sealing of the forms, and the registration of the certificate of birth in accordance with the order of the Court.

Senate Bill 215 sets no new policy regarding whether gestational surrogacy should be permitted in Maryland. Governor Schaeffer vetoed Bills which would have outlawed gestational surrogacy (SB 251 in 1992, and SB 171 in 1994). In each case, the General

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Assembly failed to override either veto, and therefore our silence had the effect of endorsing collaborative reproduction.

Senate Bill 215 brings needed standardization regarding post-birth paperwork needed to seal certain documents, and to provide birth certificates for the children born in Maryland as a result of gestational surrogacy.

I therefore urge your favorable report of Senate Bill 215.

SB0215 MD NARAL SUPPORT.pdf

Uploaded by: Philip, Diana

Position: FAV



SB215 - Maryland Department of Health – Birth Registration – Gestational Carriers
Presented to the Honorable Dolores Kelley and Members of the Senate Finance Committee
January 28, 2021 1:00 p.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland urges the Senate Finance Committee to issue **a favorable report on SB215 - Maryland Department of Health – Birth Registration – Gestational Carriers**, sponsored by Senator Dolores Kelley.

Our organization is an advocate for reproductive health, rights, and justice. We honor pregnancy in all its complexity. We support the use of reproductive technology in all its forms, and we have deep respect for the individuals who help others achieve their desired family. Just as we fully expect and support surrogates to be financially compensated for carrying a pregnancy, our organization wants to make sure that those looking to add to their families are protected in their right to parentage.

SB0205 aims to create more uniformity, documentation, and security for those who are starting or adding to their families with the help of a gestational surrogate. Individuals who enter into an agreement with a gestational carrier fully expect to become parents, but many carry concerns that their legal right to parenthood may be challenged or questioned in the case that the gestational carrier changes her mind once the baby is born. SB0205 puts more protections in place for those individuals by ensuring that, immediately upon the birth, the Vital Records department has documentation from a court of the gestational carrier as well as the intended parents. Such documentation limits the possibility for confusion and controversy surrounding parentage.

All people are deserving of the right to determine if, when, and how they form their families, and this includes those who have experienced issues with infertility. For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB215**. Thank you for your time and consideration.