

Vital Record Data on Surrogacies

The Office of Vital Records collects data about surrogacies two ways:

1. During the birth registration process

The vital records system allows birth registrars to enter data as they create a birth record. The system has an indicator (check here if gestational agreement (surrogacy) court order is present). This applies to births where a pre-birth court order is presented to the hospital ordering the birth record to be created using the adoptive parents names rather than the surrogate.

2011	9 (partial data year due to new electronic system)
2012	12
2013	17
2014	22
2015	12
2016	3 (as of today)

2. Replacing the birth record after it is registered

This process involves a certified court order being presented to the Office of Vital Records after a child's birth record is created. The order requires the original record to be "replaced" which amends and seals the original record. A replacement is not noted when a certificate is issued.

The Office of Vital Records does not collect data about what the nature of the court order is requiring replacement of the birth record. The replacements include court orders for child name changes when the judge specifies a replacement not an amendment, gender reassignment replacements, and surrogacies.

The Registration and Amendments supervisor estimates that the Office of Vital Records receives about 100 surrogacy-related court orders per year.