

# Surrogacy in Minnesota:

## The Reality you can't ignore.



For years, commercial surrogacy has been a complex issue in the state of Minnesota. Many well-meaning people seek out commercial surrogacy as an option for infertility struggles. However, attempts to regulate commercial surrogacy in Minnesota have consisted mostly of legislation that ensures the most protection and benefit for the growing and lucrative commercial surrogacy industry. Proponents of commercial surrogacy perpetuate misconceptions about the harmful practice and industry, portraying a simple, joy-filled process while leaving out the harsh and shocking reality.

**1. Misconception:** Surrogacy is legal in Minnesota.

**Reality:** Then why are surrogacy brokers, family lawyers, and the fertility industry asking legislators to regulate them? Surrogacy is a global business often involving intended parents from other countries, and Minnesota cannot become a part of the global surrogacy industry until a legal framework is in place to ensure judges enforce surrogacy contracts—which they have no duty to do right now because, historically, there was no legal mechanism to sell your baby. People around the globe (where surrogacy is mostly banned) won't invest in six-figure surrogacy arrangements with Minnesota clinics, brokers, and surrogates (including the IVF procedure and embryo transplant) until they know the child will be turned over to them after birth.



**2. Misconception:** Surrogacy in Minnesota works well, and everyone is happy.

**Reality:** Too often, surrogacy arrangements don't end well for the surrogate, child, or intended parents. If surrogacy arrangements always turn out as beautifully as the commercial surrogacy industry wants us to believe, they wouldn't keep pushing for an enabling statute that will protect their investments when the arrangement goes awry. A quick google search can lead one to many stories about the problems with commercial surrogacy arrangements.



**3. Misconception:** HF 1140 is the common ground regulatory framework that everyone agrees about. Surrogacy opponents just want more regulations.

**Reality:** False. HF 1140 (Lesch) is an enabling act for a surrogacy market in Minnesota. It is not a consumer protection statute. NO legislation would be better than this legislation. By contrast, the Surrogacy Abuse Prevention Act, HF 1000 (Zerwas), establishes protections for all parties and recognizes the ethical concerns many people have with commercial surrogacy. HF 1000 authorizes payment to the surrogate for reasonable expenses related to the pregnancy, but prohibits wages being paid to the surrogate and for-profit surrogacy brokers, as well as "traditional" surrogacy arrangements where the surrogate supplies the egg.



**4. Misconception:** Surrogates are heavily screened for their own protection.

**Reality:** The selection process for surrogates is stringent because brokers need to ensure the woman will turn the baby over after birth. According to surrogacy proponents' testimony, only 1 in 20 surrogate applicants are selected. Surrogacy is a process fraught with complications and potential hazards—emotional, psychological, physical, for surrogate mother and baby—that few women actually are a "good investment" for brokers and intended parents. And it is not because brokers want to protect surrogates. It's because in Minnesota, judges have no duty to enforce surrogacy contracts and the various parties of the arrangement need to be sure that the surrogate will produce the baby—in every sense of the term—upon birth. We need a regulatory framework, but not one that merely protects the consumers of surrogacy services. It would be better to have no new legislation than to pass HF 1140/SF 1533, which enables Minnesota's entrance into the global surrogacy market.

# 5.

**Misconception:** Surrogates are not solicited; women come to the agency volunteering their services as a surrogate.

**Reality:** Surrogacy agencies seek out women with advertising.

Ads to be a surrogate and earn tens-of thousands of dollars appear anywhere and everywhere, including social media.

Google search for "minnesota surrogacy" results:

- Minnesota Surrogacy | Help a Family & Earn 39k-52k  
www.conceiveabilities.com/
- IARC Surrogacy | Minnesota Surrogacy Agency | iarcsurrogacy.com  
www.iaresurrogacy.com/surrogate
- Minnesota Surrogacy | Hope Surrogacy  
www.hopesurrogacy.com/

Google search for "can i pay for school as a surrogate" results:

- IARC Surrogacy | Help Make Dreams Come True | iarcsurrogacy.com  
www.iaresurrogacy.com/surrogate
- Affordable Surrogacy Programs | All Inclusive Packages  
www.surrogacyglobal.com/
- Become A Surrogate Mother | Earn \$42,000 to \$75,000  
www.growinggenerations.com/
- Learn More About Surrogate Pay | Make Up To \$60,000 With Circle  
www.circlesurrogacy.com/

Facebook ad: Surrogate Minnesota Sponsored

Surrogates Needed in Minnesota...  
Become a surrogate mother and help build a family. Earn up to \$40,000 while giving the precious gift of parenthood to a loving couple. As a Surrogate, you will be carefully matched with the "right" intended parents and guided legally and supported financially throughout the entire journey. You can earn up to \$40,000 if you qualify a surrogate mother now. ...



MINNESOTASURROGACY.ORG  
Accepting Surrogate Applications Now! Learn More  
Accepting Applications Now! Do you qualify? Earn up to...

Facebook ad: IARC Surrogacy Sponsored

Ever think about becoming a surrogate? Fast & Easy Screening Process with excellent communication and guidance along the way



IARCSURROGACY.COM  
Join our Minnesota based surrogacy family and learn more today. Learn More

# 6.

**Misconception:** Without compensation, there will not be surrogates.

**Reality:** Some surrogates have testified that their motive for being a surrogate is not based on for-profit compensation, and that they will serve as surrogates without compensation.

Compensation for reasonable expenses (similar to adoption law), is appropriate. But proponents' new point that surrogates won't come forward without being paid underscores the way in which commercial surrogacy brokers will prey upon socioeconomically vulnerable women to serve as surrogates. Some surrogacy brokers do want to help people while earning a profit, but others will be unscrupulous, as has been the case in other states. HF 1140 does nothing to license commercial surrogacy practitioners, while HF 1000 ensures that they are non-profits and must be licensed.

**Minnesotans for Surrogacy Awareness**, encourages our public officials to adopt common sense legislation and public policies that protect women and children from being bought and sold.

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