

The Free Market  
Approach: Surrogacy  
in the United States

# The Personal Experience

Erika L. Fuchs, PhD, MPH  
University of Texas Medical Branch at Galveston

 @erikafuchs

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# Conflicts

Intellectual biases

Personal experience biases

Sponsored attendance





# Who am I?

ASSISTANT PROFESSOR

Social/behavioral epidemiologist,  
study maternal and child health

FORMER GESTATIONAL CARRIER (GC)

Delivered twins as a GC  
in June 2006





THE GOAL IS FOR ALL PARTIES TO BE

*Legally empowered  
and protected*



THE ULTIMATE GOAL IS TO HAVE

*A healthy outcome for  
the GC and  
resultant child(ren)*

# What are the steps and requirements?

## BASIC REQUIREMENTS

- 21-45 years
- At least one term, uncomplicated pregnancy
- Ideally done having own children
- Stable environment
  - Financially secure
  - Raising own child

## PSYCHOLOGICAL SCREENING

- Interview and testing
  - Qualified mental health professional

## MEDICAL SCREENING

- Medical evaluation cleared for pregnancy
- STI and other testing

## MATCHING PROCESS, LEGAL

- Agency or independently
- May be over the phone, online, in person, or some combination
- Separate legal representation for each party

# My Experience

- Fit the basic age, financial requirements
- Psychological screening with PhD, LMFT
  - Interview
  - MMPI
- Medical screening
  - Records review
  - Lab tests



ALL TO ENSURE THE

*Lowest risk of  
adverse events*

# Agency Benefits

In the US, private businesses can help facilitate the process, including:

- Schedule screening
- Facilitate the matching process
- Assist with legal representation for one party, generally intended parent(s) (IP(s))
- Coordinate travel and reimbursement
- Support GC/IP communication, mediation



In a previous study

71%

OF GESTATIONAL CARRIERS USED AN AGENCY

Fuchs & Berenson, 2016

# Agency Experience

It was easy!

Matching process was facilitated via phone meetings.

Screening, travel, hotels, and reimbursements all were handled.



# Matching Preferences - Basics

- Type of IP(s)
  - Couple, single, gay, other
  - Religious preferences
- Location
  - Domestic
  - International
- Compensation, escrow
- Relationship desired
- Termination



# Matching Preferences - Other

- Desired communication frequency
- Diet or exercise preferences
- Birth preferences
- Pumping/breastfeeding
- Single/dual embryo transfer
- Number of attempts



Agree on these?

CONGRATS! You're matched.



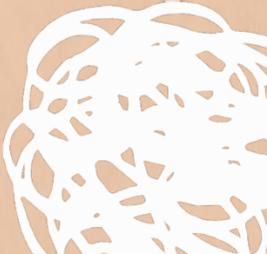


# Legal EXperiences

Varies widely by state from prohibition of compensated GC to pre-birth orders.

My state was in between.

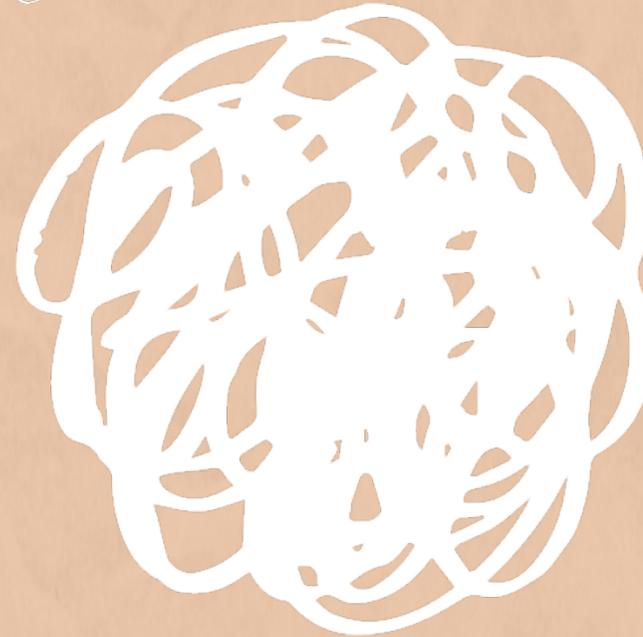
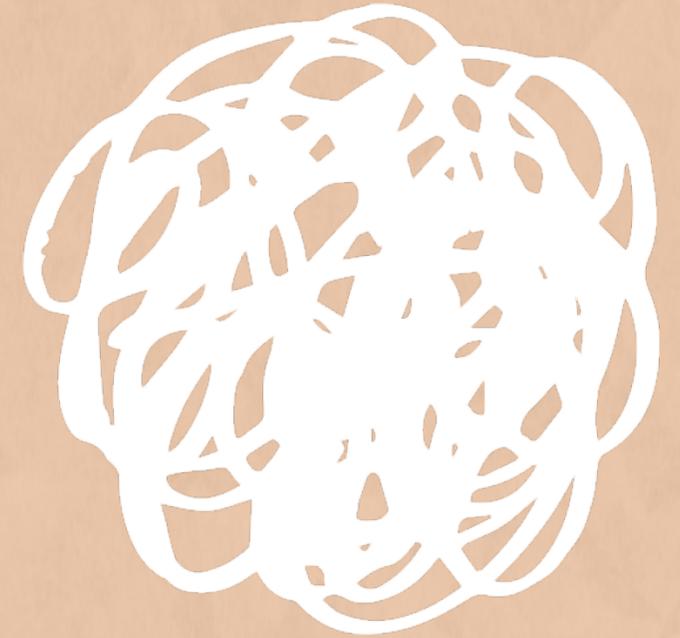
Creative Family Connections has excellent maps with categorization of laws and expanded information by state.



# Important Legal Considerations

## Highlights:

Reimbursement/Compensation  
Insurance coverage (health and life)  
Establishment of parentage  
Multiple embryo transfer, gestation  
Termination/Reduction



# Risks of Multiple Gestation

- Pre-term birth
- Low birth weight
- Pre-eclampsia
- Gestational diabetes
- Cesarean section



Percentage of carriers with multiple births:

35%

Fuchs & Berenson, 2018

This is **10x higher** than the population overall.

Multiple birth was much higher in GC pregnancies  
in the early 2000s.

Termination  
agreements cannot be  
enforced.



# My Experience

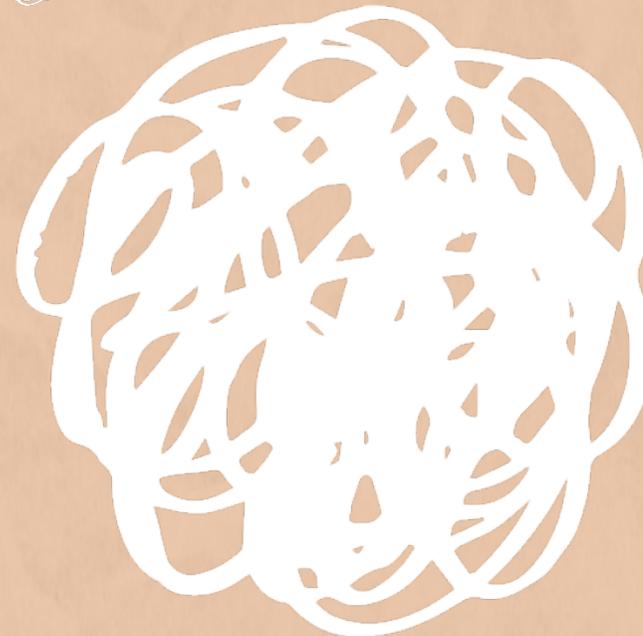
## Highlights:

22 years old

GC for a single IP

Frozen dual embryo transfer, failed

Dual fresh embryo transfer, twins!



# Delivery Experience

- Twins were born at 34 weeks after PPRM
- Easy delivery
- Babies were healthy at about 5 lbs. (2.3 kg) each
- IP was able to attend their birth
- Large metro area, but at the time this was unusual for the hospital



# Three Major Necessities



Supportive Family

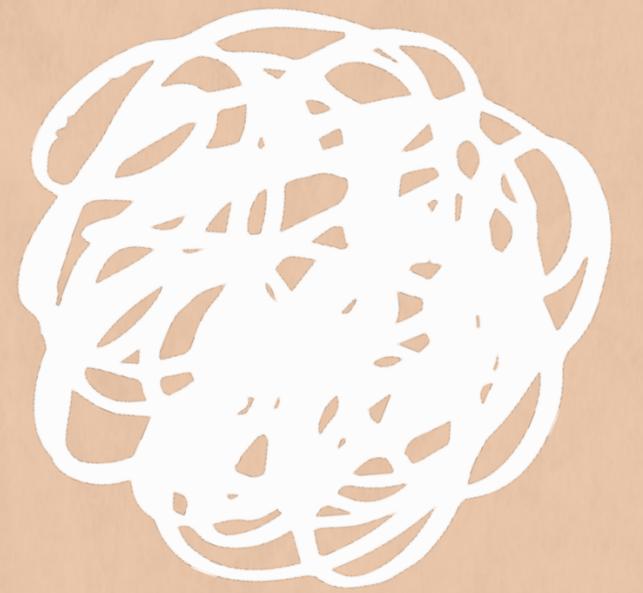


Financial Security



Back-up Child Care

# Difficulties



Life keeps happening, so things come up.

Attending court during recovery from birth can be tough.



# After Delivery

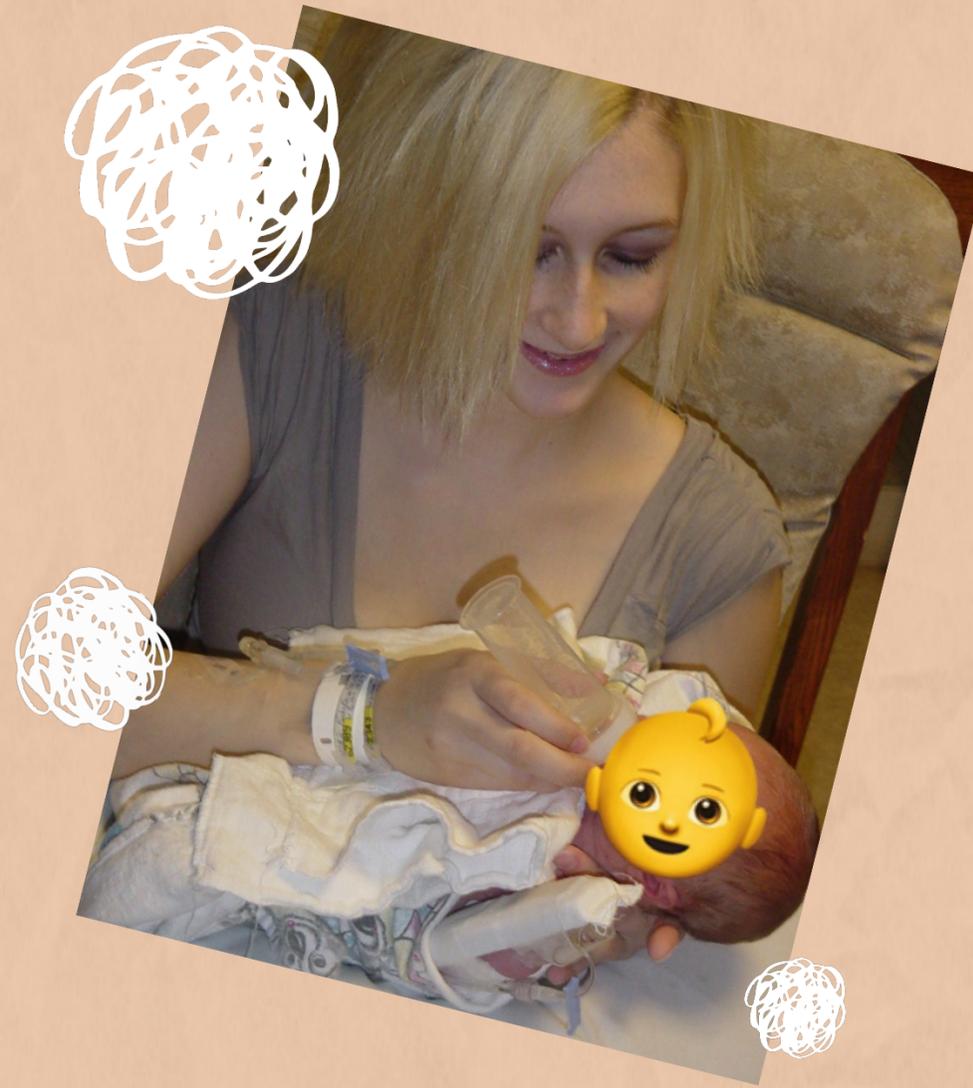


Photo of me and one of the babies at  
18 hours post-partum.

## Babies

Spent a few days in the  
nursery and went home!

## Me

Got back to my usual life,  
continued my schooling and  
parenting my child.

## SCREENING

Important for everyone's basic protection  
and well-being.

## AGENCY SUPPORT

Makes the process easy.

## LEGAL CONTRACTS

For when things go right or wrong.

## FAMILY, FRIENDS, FINANCIALS

Without interpersonal support and  
financial stability, the process may be  
stressful.

*13 Years of  
Hindsight*



*Any questions?*



Thank you!

