

From: mailinglist@capitol.hawaii.gov  
Sent: Monday, February 27, 2017 2:33 PM  
To: HLTtestimony  
Cc: mito@awlaw.com  
Subject: Submitted testimony for HCR56 on Feb 28, 2017 10:00AM

**HCR56**

Submitted on: 2/27/2017

Testimony for HLT on Feb 28, 2017 10:00AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mihoko Ito	Individual	Support	No

Comments: I personally support this resolution because it allows for the State of Hawaii to consider revising its current position on surrogacy. Currently, Hawaii law is silent on surrogacy, and women and families who have a child via a surrogate or gestational carrier must wait until after a baby is born to get an order from the court declaring them to be parents. In several other states, however, laws have been enacted that allow for intended parents to obtain a pre-birth order through a court procedure. This ensures that, when a baby is born using surrogacy, the baby is automatically deemed to be the child of the intended parents. Women and families who go through the surrogacy process have already invested a lot emotionally and financially in the journey to parenthood. This resolution is a step towards removing some of the barriers for Hawaii families in using a surrogate, and gives them some assurance as intended parents that the surrogacy process will work. Thank you for the opportunity to support this resolution.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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February 28, 2017

The Honorable Della Au Belatti  
Chair, House Health Committee  
Hawaii State Capitol, Room 402  
Honolulu, HI 96813

Re: HCR 56

Dear Chairwoman Belatti and Members of the Health Committee:

I am writing on behalf of RESOLVE: The National Infertility Association to provide the Committee with important information on surrogacy, as it considers whether to conduct a study on surrogacy and gestational carrier arrangements. RESOLVE is a non-profit charitable organization dedicated to helping the 1 in 8 women and men in America – more than 28,000 Hawaiians – who are struggling with infertility.

There are a variety of medical advancements that are providing opportunities and hope to infertile families. One of the family building options available is gestational surrogacy, which occurs when a woman is unable to carry a pregnancy to term because of a medical condition, such as heart disease, cancer, lupus, and type 1 diabetes. Some women may not have a uterus or they suffer from recurrent miscarriages. In these circumstances, an embryo can be carried to term by another woman, the gestational carrier, who has no genetic link to the child.

While most states have state requirements for gestational carrier surrogates and intended parents, Hawaii has no laws in place to protect gestational carriers, the intended parents or the babies born from gestational surrogacy.

RESOLVE strongly supports the guidelines recommended by the American Society for Reproductive Medicine that ensure that gestational surrogacy remains a safe option for infertile families. These national standards provide that the carrier not be the genetic mother of the child she is carrying; independent legal representation of all parties is provided; mental health evaluation of all parties is provided; the gestational surrogacy candidate is medically capable of carrying a child to term; reasonable economic compensation to the gestational carrier is ethical; and the intended parents are considered to be the psychosocial parents of any children born by a gestational carrier.

As the Committee considers whether to request a study on surrogacy and gestational carrier agreements by the Department of the Attorney General, please be mindful of the challenges facing infertile Hawaiians seeking to have a child and ensure that access to this important family building option remains available to Hawaii families.

Good statutes exist and RESOLVE is available to work with the Attorney General and lawmakers on legislation that will keep gestational carrier surrogacy available and legal, with protection for the intended parents, gestational carrier, and resulting child.

Sincerely,

A handwritten signature in black ink that reads "Barbara Collura". The signature is written in a cursive, flowing style.

Barbara Collura  
President/CEO