



Surrogacy or Adoption for Birth Information Specialists

Birth Information Specialists may get questions about the birth certificate from surrogate or adoptive parents. These questions often involve who gets listed as parents on the birth record and how quickly they can receive a birth certificate.

Oregon law requires that the woman who gave birth is listed as the mother on the birth record. ORS 432.088 (8) states:

For purposes of making a report of live birth and live birth registration, the woman who gives live birth is the birth mother. If a court of competent jurisdiction determines that a woman other than the birth mother is the biological or genetic mother, the court may order the state registrar to amend the record of live birth. The record of live birth shall then be placed under seal.

Things to remember when entering a birth record where adoption/surrogacy is involved:

- Only the person that gave birth can be listed as the **Mother** on the record in OVERS.
- If the mother is married or in an Oregon Registered Domestic Partnership, then only the mother's spouse/domestic partner can be listed as the **Father/Second Parent** on the record.
- If the mother is unmarried then the biological father can be added to the record by completing the Acknowledgment of Paternity. However, adding the biological father using an AOP may slow the process if adoption paperwork with the father's information has been submitted by an attorney.
- If you know that an adoption will be taking place, select "Yes" for the **Is Adoption/Legal proceeding expected?** question on the Child page in OVERS.

Most surrogate births and adoptions have attorneys that complete the paperwork which is sent to the Center for Health Statistics Vital Records office. After the paperwork is reviewed and processed a new birth record will be created with the adoptive parents' information listed in place of the birth parents. Parents that need a certificate quickly can include a \$30 expedite fee to process their request within 3 business days.

If parents have questions about this process refer them to their adoption agency or attorney. If they have questions about if the State has received their adoption paperwork, they can contact the amendments unit at CHS.Amendments@oha.oregon.gov.