

# Surrogacy Regulatory Practice

## Surrogacy Agency Legal Counsel in New York



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### Surrogate Agency Legal Representation Overview

Abrams Fensterman LLP is a New York law firm that serves as [regulatory counsel to surrogacy agencies and Assisted Reproductive Technology service providers](#). Our experienced legal team guides clients through [Child-Parent Security Act](#) requirements, licensing and advertising compliance, escrow and financial oversight, healthcare compliance systems, and government investigations. From agency formation to multi-location expansion, Abrams Fensterman helps surrogacy programs operate lawfully, respond to audits, and sustain long-term regulatory stability across New York State.

### A Dedicated Law Firm for the Business Side of Surrogacy

Surrogacy agencies and fertility-adjacent clinics face intense regulatory scrutiny in New York. Abrams Fensterman's team of [surrogacy attorneys](#) functions as **Legal Counsel for:**

- Surrogacy Agency operators
- Surrogacy Clinics
- Surrogacy Agencies during audits and inquiries
- Surrogacy Clinics, navigating healthcare regulations

### Legal Strategy for Opening Agencies & Clinics

For entrepreneurs and healthcare organizations planning to enter the surrogacy space, Abrams Fensterman provides representation for:

- regulatory feasibility reviews
- business-entity structuring
- licensing roadmaps
- staffing compliance systems
- referral-relationship analysis
- operational policy frameworks

## **Ongoing Compliance Programs for Established Agencies**

Once operational, agencies benefit from retaining Abrams Fensterman as outside regulatory counsel. Services include:

- internal compliance audits
- file-retention systems
- advertising and website review
- intake-process vetting
- referral-fee risk analysis
- conflict-of-interest screening
- staff compliance training

## **Regulatory Defense & Government Investigations**

When agencies receive inquiries from state authorities, Abrams Fensterman steps in immediately to:

- respond to subpoenas and document requests
- manage inspections
- communicate with regulators
- craft corrective-action plans
- negotiate licensing conditions
- defend enforcement proceedings

This investigation-response capability is a core reason agencies retain the firm long term.

## **Escrow Oversight & Financial Compliance**

Because escrow handling is tightly regulated, the firm advises agencies on:

- escrow-agent relationships
- release-of-fund protocols
- audit preparedness
- fiduciary safeguards
- recordkeeping systems

## **Why Surrogacy Agencies Choose Abrams Fensterman**

Agencies across New York work with Abrams Fensterman because of:

- healthcare-regulation depth
- licensing-defense experience
- investigation response capability
- advertising-compliance focus
- escrow oversight knowledge
- statewide operational counsel
- multi-disciplinary legal teams

## Conclusion

New York's Child-Parent Security Act and Surrogate's Bill of Rights establish a highly regulated framework governing surrogacy agencies and fertility clinics, with strict requirements related to licensing, advertising, escrow practices, and independent legal representation.

For surrogacy agencies operating in New York, experienced regulatory counsel is essential to navigate compliance obligations, implement enforceable operational systems, manage insurance and escrow requirements, and respond effectively to audits or government inquiries. Proactive legal guidance reduces regulatory risk, supports ethical program operations, and helps agencies maintain long-term compliance in a rapidly evolving legal environment.

## Quick Insights: Surrogacy Agency FAQs

- **Does Abrams Fensterman represent surrogacy agencies rather than individuals?** While our main focus is on representing agencies, we have several experienced attorneys that can represent individual patients.
- **Can the firm help launch a new agency or clinic?** Yes. Abrams Fensterman frequently acts as **legal counsel, opening a Surrogacy Agency in New York** or a clinic from concept through licensure.
- **What happens if regulators contact our agency?** The firm responds to subpoenas, inspections, and enforcement actions and communicates directly with regulators on your behalf.
- **Does this include marketing and advertising review?** Yes. Websites, intake materials, referral arrangements, and promotional campaigns are routinely reviewed for regulatory alignment.