

Surrogacy Regulatory Practice

PRACTICE LEADER



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Partner

Surrogacy Practice Group

New York has established one of the most comprehensive and protective surrogacy frameworks in the United States. Through detailed legislation, licensing requirements, and court oversight, the state has set a national standard for ethical, transparent, and legally secure gestational surrogacy.

Abrams Fensterman advises **donor and surrogacy agencies** throughout New York on every aspect of surrogacy law—from regulatory compliance and contract drafting to parentage proceedings and participant protections.

New York Sets the National Standard for Surrogacy

With the enactment of the **Child-Parent Security Act** (“CPSA”) in 2021, New York legalized compensated gestational surrogacy and created a highly structured legal framework designed to protect all parties involved.

Key features of New York surrogacy law include:

- Licensure of surrogacy agencies by the New York State Department of Health
- Regulation of fertility clinics and assisted reproductive technology providers
- Mandatory independent legal representation
- Insurance, escrow, and disclosure requirements
- Court-approved pre-birth parentage orders

New York is currently the **only state to license gestational surrogacy organizations**, underscoring its commitment to ethical oversight and participant safety.

Our Surrogacy Law Practice

Abrams Fensterman's Surrogacy Law Practice is structured to serve distinct stakeholders—each with unique legal needs—while maintaining a unified focus on compliance, protection, and clarity.

Surrogacy Agencies & Matching Programs

Regulatory, Licensing & Compliance Counsel

We represent surrogacy agencies and related organizations operating in or entering New York. Our work focuses on proactive compliance, ethical governance, and risk prevention.

Services include:

- Regulatory compliance under New York law
- Agency licensing guidance
- Policy development and audits
- SEEDS-aligned ethical standards
- Advertising, screening, and disclosure compliance

[Learn more about our New York Surrogacy Regulatory & Compliance Practice.](#)

Understanding New York Surrogacy Laws

New York surrogacy law is detailed and highly technical. Compliance is not optional, and missteps can delay parentage, invalidate agreements, or expose parties to unnecessary risk.

We provide clear legal guidance on:

- Surrogate and intended parent eligibility
- Mandatory contract provisions
- Insurance and escrow requirements
- The Gestational Surrogates' Bill of Rights
- Pre-birth parentage orders and court procedures

[Read our comprehensive guide to New York Surrogacy Laws.](#)

Why Abrams Fensterman

Clients turn to Abrams Fensterman for surrogacy matters because we bring deep experience in New York family formation law and a clear understanding of the state's highly regulated surrogacy framework. Our approach is structured and ethics-first, with a deliberate separation of representation roles to ensure informed consent, avoid conflicts, and protect all parties involved.

We provide practical, detail-driven guidance grounded in statutory compliance, helping clients navigate complex legal requirements with clarity and confidence. At the same time, we remain acutely sensitive to

the personal nature of surrogacy matters, recognizing that these arrangements involve not only legal obligations, but deeply human decisions.

Our goal is to ensure that every surrogacy arrangement we handle is legally sound, ethically grounded, and built to withstand scrutiny—now and in the future.

Contact Our Law Firm

For further information about how our attorneys can help you navigate the complex legal issues faced by gestational surrogacy programs, please [contact our law firm](#) on Long Island at **516-328-2300**, in Brooklyn at **718-215-3000**, White Plains at **914-607-7010**, Rochester at **585-218-9999** or Albany at **518-535-9477** to schedule an initial consultation.