



2025 Edition

Assisted Reproduction, Surrogacy, Wrongful Birth, and Abortion in Connecticut

A Guide to Resources in the Law Library

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View our other research guides at
<https://www.jud.ct.gov/lawlib/selfguides.htm>

This guide links to advance release opinions on the Connecticut Judicial Branch website and to case law hosted on Google Scholar and Harvard's Case Law Access Project. The online versions are for informational purposes only.

References to online legal research databases refer to in-library use of these databases. Remote access is not available.

See also:

- [Medical Malpractice](#) (Research Guide)

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<https://www.jud.ct.gov/policies.htm>

Introduction

A Guide to Resources in the Law Library

- “We are dealing here with legislation which involves one of the basic civil rights of man. Marriage and procreation are fundamental to the very existence and survival of the race.” [Skinner v. Oklahoma](#), 316 U.S. 535, 541, 62 S. Ct. 1110, 88 L. Ed. 1655 (1942).
- “A parent-child relationship extends equally to every child and parent, regardless of the marital status or gender of the parent or the circumstances of the birth of the child.” Conn. Gen. Stat. § [46b-472](#) (2025).
- Public Act No. [21-15](#), (Jan. Sess.). *An Act Concerning Adoption and Implementation of the Connecticut Parentage Act*. [OLR Summary](#)
 - “1. provides for equal treatment under the law for children born to same-sex couples by, among other things, removing certain gender-specific references (e.g., changing “maternity” and “paternity” to “parentage”);
 2. expands recognition of non-biological parents by (a) making marital or ‘hold-out’ presumptions gender neutral and (b) establishing de facto parentage (i.e., the court adjudicates a person to be a parent under certain circumstances);
 3. specifies criteria for adjudicating parentage and competing claims of parentage (e.g., creates best interest of the child factors that the court must consider);
 4. provides the process for establishing acknowledged parentage through an acknowledgment agreement;
 5. provides for adjudicating genetic parentage and updates the rules governing children born under a surrogacy agreement; and
 6. establishes a procedure to enable children conceived through assisted reproduction to access medical and identifying information about gamete donors.”

Section 1: Assisted Reproduction

A Guide to Resources in the Law Library

SCOPE:

Bibliographic sources relating to assisted reproduction with donor sperm or eggs, including status of child born and the rights of the donor in Connecticut.

DEFINITIONS:

- “The words ‘**child**’, ‘**children**’, ‘**issue**’, ‘**descendants**’, ‘**descendant**’, ‘**heirs**’, ‘**heir**’, ‘**unlawful heirs**’, ‘**grandchild**’ and ‘**grandchildren**’, when used in the singular or plural in any will or trust instrument, shall, unless such document clearly indicates a contrary intention, be deemed to include children born as a result of assisted reproduction. The provisions of this subsection shall apply to wills and trust instruments whether or not executed before, on or after October 1, 1975, unless the instrument indicates an intent to the contrary.” Conn. Gen. Stat. § [45a-262](#)(a). (2025).
- “The words ‘**child**’, ‘**children**’, ‘**issue**’, ‘**descendants**’, ‘**descendant**’, ‘**heirs**’, ‘**heir**’, ‘**unlawful heirs**’, ‘**grandchild**’ and ‘**grandchildren**’, when used in the singular or plural in any will or trust instrument, shall, unless such document clearly indicates a contrary intention, be deemed to include children born after the death of the decedent, as provided in subsection (a) of section 45a-785. The provisions of this subsection shall apply to wills and trust instruments whether or not executed before, on or after October 1, 2013, unless the instrument indicates an intent to the contrary. Conn. Gen. Stat. § [45a-262](#)(b). (2025).
- **Acknowledged parent:** “means a person who has established a parent-child relationship under sections 46b-476 to 46b-487, inclusive.” Conn. Gen. Stat. § [46b-451](#) (2025).
- **Alleged genetic parent:** “means a person who is alleged to be, or alleges that the person is, a genetic parent or possible genetic parent of a child whose parentage has not been adjudicated. ‘Alleged genetic parent’ includes an alleged genetic and an alleged genetic mother.” Conn. Gen. Stat. § [46b-451](#) (2025).
- **Assisted reproduction:** “means a method of causing pregnancy other than sexual intercourse. ‘Assisted reproduction’ includes: (a) Intrauterine, intracervical or vaginal insemination; (b) Donation of gametes; (c) Donation of embryos; (d) In-vitro

fertilization and transfer of embryos; and (e) Intracytoplasmic sperm injection.” Conn. Gen. Stat. § [46b-451](#) (2025).

- **Determination of parentage:** “means establishment of a parent-child relationship by a court adjudication or signing of a valid acknowledgment of parentage under sections 46b-476 to 46b-487, inclusive.” Conn. Gen. Stat. § [46b-451](#) (2025).
- **Identifying information:** “means (a) The full name of a donor; (b) the date of birth of the donor; and (c) the permanent and, if different, current address of the donor at the time of the donation.” Conn. Gen. Stat. § [46b-542](#) (2025).
- **Intended parent:** “means a person, married or unmarried, who manifests an intent to be legally bound as a parent of a child conceived by assisted reproduction.” Conn. Gen. Stat. § [46b-451](#) (2025).
- **Medical history:** “means information regarding any: (a) Present illness of a donor; (b) past illness of the donor; and (c) social, genetic and family history pertaining to the health of the donor.” Conn. Gen. Stat. § [46b-542](#) (2025).
- **Presumed parent:** “means a person who under section 46b-488 is presumed to be a parent of a child, unless the presumption is overcome in a judicial proceeding.” Conn. Gen. Stat. § [46b-451](#) (2025).
- **Transfer:** “means a procedure for assisted reproduction by which an embryo or sperm is placed in the body of the person who will give birth to the child.” Conn. Gen. Stat. § [46b-451](#) (2025).

STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- Conn. Gen. Stat. (2025)

[Chapter 802a](#). Wills: execution and construction
§ [45a-257b](#). Failure of testator to provide for children born or adopted after execution of will. Determination of share of estate.
§ [45a-262](#). Words of inheritance apply to child born through A.I.D. and children conceived and born after death of decedent.

[Chapter 803](#). Termination Of Parental Rights and Adoption
§ [45a-724](#)(a)(2) and (3). Who may give child in adoption

§ [45a-731](#)(5)(6)(7). Effects of final decree of adoption. Surviving rights.

[Chapter 803a](#). Children Conceived Through Artificial Insemination

§ [45a-777](#). Inheritance by child conceived as a result of A.I.D.

§ [45a-778](#). Words of inheritance to apply to child conceived through A.I.D.

§ [45a-779](#). Status of child conceived through A.I.D., born prior to October 1, 1975.

§ [45a-785](#). Property rights of child of decedent conceived and born after death of decedent. Written document re posthumous conception of child. Probate Court jurisdiction.

[Chapter 818](#). Connecticut Parentage Act

Assisted Reproduction:

§ [46b-509](#). Applicability.

§ [46b-510](#). Parental status of donor.

§ [46b-511](#). Parentage of child of assisted reproduction.

§ [46b-512](#). Consent to assisted reproduction.

§ [46b-513](#). Limitation on spouse's dispute of parentage.

§ [46b-514](#). Effect of certain legal proceedings.

§ [46b-515](#). Withdrawal of consent.

§ [46b-516](#). Parental status of deceased person.

§ [46b-517](#). Assisted reproduction: order of parentage.

[Chapter 818](#). Connecticut Parentage Act

Information about donor:

§ [46b-542](#). Information about donor. Definitions.

§ [46b-543](#). Application of provisions re collection of gametes.

§ [46b-544](#). Collection of information by gamete bank or fertility clinic.

§ [46b-545](#). Declaration regarding identity disclosure.

§ [46b-546](#). Disclosures of identifying and medical history.

§ [46b-547](#). Recordkeeping.

PUBLIC ACTS:

- Public Act No. [21-15](#), (Jan. Sess.). *An Act Concerning Adoption and Implementation of the Connecticut Parentage Act.*
 - [OLR Summary](#)
- Public Act No. [13-301](#), (Jan. Sess.), *An Act Concerning the Inheritance Rights of a Child Who is Born after the Death of a Married Parent.*
 - [OLR Summary](#)

- Public Act No. [07-93](#), (Jan. Sess.), *An Act Concerning Artificial Insemination by Donor*.
 - [OLR Summary](#)
- Public Act. No. 75-233. (Jan. Sess.). *An Act Concerning the Status of Children Conceived Through Artificial Insemination*.

LEGISLATIVE:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- Katherine Dwyer, *Inheritance Rights of Posthumously Conceived Children*, Connecticut General Assembly. Office of Legislative Research Report, [2012-R-0240](#) (June 19, 2012).
- Jennifer Brady, *Summary of Raftopol v. Ramey*, Connecticut General Assembly. Office of Legislative Research Report, [2011-R-0094](#) (February 25, 2011).
- Meghan Reilly, *Infertility Coverage and Age Discrimination*, Connecticut General Assembly. Office of Legislative Research Report, [2008-R-0106](#) (February 14, 2008).

FORMS:

- 13C *American Jurisprudence Legal Forms 2d*, Thomson West, 2022, (also available on Westlaw)
 - Chapter 191. Parent and child
 - § 191:110. Agreement for artificial insemination—Between husband, wife, and donor—Identity of donor known
 - § 191:111. Agreement for artificial insemination—Between recipient and donor—Identity of donor known
 - § 191:112. Agreement for artificial insemination—By recipient and physician—Identity of donor unknown
 - § 191:113. Agreement for artificial insemination—By donor or intermediary—Identity of recipient unknown
- 6 *Family Law and Practice*, Arnold H. Rutkin, Matthew Bender, 2025 (also available on Lexis).
 - § 63.09[2][a]. Form: Consent of Husband to Artificial Insemination of Wife
- 2 *Modern Child Custody Practice*, 2d ed., by Jeff Atkinson, Matthew Bender, 2024 (also available on Lexis).
 - Chapter 9. Third party custody and visitation.
 - § 9.20. Custody and visitation for children raised by couples of the same sex

CASES:

- [Bilbao v. Goodwin](#), 333 Conn. 599, 217 A.3d 977 (2019). As part of a storage agreement with the fertility clinic, the parties unequivocally stated that they wanted the pre-embryos discarded if they ever divorced. Their marriage has since been dissolved, and the plaintiff now

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

seeks to have the pre-embryos discarded in accordance with the storage agreement. The defendant argues that the agreement is unenforceable, however, and wants the pre-embryos preserved or donated. The *981 trial court concluded that the storage agreement was unenforceable but awarded the pre-embryos to the plaintiff. We conclude that the storage agreement is enforceable and, therefore, reverse the trial court's judgment insofar as the court determined that the agreement was not enforceable... There are three leading approaches to determining the disposition of a pre-embryo upon divorce: (1) the contractual approach, (2) the balancing approach, and (3) the contemporaneous mutual consent approach. Each approach attempts to resolve disputes between progenitors by emphasizing different policies: the progenitors' autonomy in deciding the fate of pre-embryos created with their own gametic material, the reality that progenitors may change their minds as time passes, or both... Therefore, we conclude that, in the absence of formal legislative guidance on the question, the contractual approach is the appropriate first step in determining the disposition of pre-embryos upon divorce. As set forth in part IV of this opinion, we do not decide how a court should determine the disposition of pre-embryos in the absence of an enforceable agreement."

- Mansur v. CT Fertility, P.C., Superior Court, Judicial District of Fairfield at Bridgeport, No. CV-186076746S (April 22, 2019) (68 Conn. L. Rptr. 11) (2019 WL 2317138). "The plaintiff further asserts that based on the information obtained from the plaintiff's medical record with the defendant, the defendant was able to harvest sixty-five eggs, of which fifty were believed to be viable oocytes. Despite clear direction in the plaintiff's medical intake records provided to Doyle, the defendant fertilized all fifty eggs with the plaintiff's sperm, rather than freezing some of the donor's eggs for later fertilization with the sperm of his partner. As a result, there remain no eggs from this donor that may be used to conceive children in the future. Consequently, it is unlikely that the plaintiff and his partner will be able to have children who are half-siblings, sharing maternal DNA, as the parties had agreed."
- Barse v. Pasternak, Superior Court, Judicial District, New Britain, No. HHB-FA12-4030541-S. (Jan. 16, 2015) (59 Conn. L. Rptr. 801) (2015 WL 600973). "For the reasons discussed more particularly below, this court concludes that, under the circumstances in this case, the plaintiff is presumed to be the minor child's legal parent irrespective of whether she conceived or adopted the

child, complied with the artificial insemination statutes, or entered into a valid gestational agreement, and, the child therefore is presumed to be legitimate.”

- Commissioner of Social Services v. Lewis, Superior Court, Judicial District of Hartford, No. FA114059024S (Oct. 21, 2013) (56 Conn. L. Rptr. 937). “The defendant and the plaintiff did agree in their dissolution agreement that the *parties* would destroy the embryos (emphasis added). They did not. Further, the magistrate found that although the dissolution judgment required the destruction of the embryos, the defendant signed a prior consent for the IVF and then after the child was born, volitionally signed the acknowledgment of paternity and therefore the defendant ‘essentially sandwiched the dissolution order with both prior and subsequent consent recognizing the subject child.’”
- Laspina-Williams v. Laspina-Williams, Superior Court, Judicial District of New Haven, No. FA99-041888832-S (October 19, 1999) (46 Conn. Supp. 165, 169-171), 742 A.2d 840 (1999). “The defendant argues that because the plaintiff has no biological tie to the child, the plaintiff cannot be and never was a parent to the minor child under Connecticut law and thus the plaintiff fails to meet the requirement that the ‘*parents*’ were not involved in any case or controversy currently before the court.’ (Emphasis added.)” ... “The defendant further contends that although the parties were accepted by friends and others to be a family, because Connecticut law would not recognize the parties and the minor child as ‘family’ there can be no claim that the ‘family unit was no longer intact.’” ... “The court finds the foregoing arguments of the defendant unpersuasive. Under § 46b-59 ‘any person’ may seek visitation of a minor child as opposed to only persons with a biological tie to the child.” ... “Without addressing or labeling the status of the relationship of the parties, the defendant allowed, even encouraged, the plaintiff to assume a significant role in the life of the child such that she is a party entitled to seek visitation with the child. Accordingly, the defendant's motion to dismiss on this ground is denied.”
- In re Simon A. W., 1997 Conn. Super. LEXIS 1480 (Jud. District, New Haven, No. NO5-CP97-009105-A, May 27, 1997) 1997 WL 309576. “The provisions of Chapter 803a (Sec. 45a-771 through 779) entitled ‘Children Conceived through Artificial Insemination’ shed no light on this case since, despite its title, they relate exclusively to children conceived by married women through artificial insemination by anonymous donors. Simon A.W. was conceived by Wendy through artificial insemination by a known donor, Simon M.W., whose

name appears on the birth certificate and who has regarded himself, and been regarded by both the Probate and Superior Court, as the acknowledged father of a child born out of wedlock, entitling him to all of the rights of a joint guardian of the person of his biological son. Sec. 45a-606."

DIGESTS:

- *Connecticut Family Law Citations: A Reference Guide to Connecticut Family Law Decisions*, by Monika D. Young, LexisNexis, 2025.
Chapter 14 Parentage
§ 14.05 Assisted Reproduction

WEST'S KEY NUMBERS:

- IV. Assisted Reproduction; Surrogate Parenting
#241 In general
#242 Consent in general
#243 Contracts and agreements in general
#244 Donor of biological material; status, rights, duties, and liabilities
#245 Gestational carriers; status, rights, duties, and liabilities
#246 Spouses or other partners of donors or carriers
#247 Collection, storage, and disposition of biological material
#250 Posthumous children

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 59 *Am. Jur. 2d* Parent and Child, Thompson West, 2023, (also available on Westlaw).
§ 5. Definitions—"Surrogate parent"; "gestational mother"
§ 7. Definitions—"Child by artificial insemination"
§ 8. Definitions—"Family"
§ 41. Parental right of child visitation
- 25 *Am. Jur. POF 3d* 1, Sperm Bank Liability for Donor Semen Transmitting AIDS, Thomson West, 1994, with 2025 supplement. (also available on Westlaw).
- 159 *Am. Jur. POF 3d* 339, Proof of Facts Concerning Disposition of Frozen Pre-Embryos in Connection with Divorce Action, Thomson West, 2017, with 2025 supplement, (also available on Westlaw).
- 14 *Am. Jur. POF 2d* 727, Legitimation of Child by Father Seeking Custody of Child, Thomson West, 1977, with 2011 supplement. (also available on Westlaw).
- 50 *Am. Jur. Trials* 1, Liability of Sperm Banks, Thomson West, 1994, with 2025 supplement, (also available on Westlaw).
- 148 *Am. Jur. Trials* 385 Litigation of Infertility Malpractice and Negligence Liability, Thomson West,

2017, with 2025 supplement (also available on Westlaw).

- 87 A.L.R. 5th 253, *Right of Husband, Wife or Other Party to Custody of Frozen Embryo, Pre-embryo, or Pre-zygote in Event of Divorce, Death or Other Circumstances.*, by Elizabeth A. Trainor, J.D., Thomson West, 2001 (also available on Westlaw).
- 83 A.L.R. 4th 295, *Rights and obligations resulting from artificial insemination*, by Michael J. Yaworsky, J.D., Thomson West, 1991 (also available on Westlaw).

TEXTS & TREATISES:

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- 8 Connecticut Practice Series, *Family Law and Practice With Forms*, 3d. ed., by Arnold H. Rutkin, et al., Thomson West, 2010, with 2022-2023 supplement (also available on Westlaw).

Chapter 42. Child custody and visitation

§ 42:3. Custody rights relating to adopted children, step children and other nonbiological relationships

§ 42:14. Custody claims by third parties – Assisted reproduction

- 6 *Family Law and Practice*, by Arnold H. Rutkin, Matthew Bender, 2025 (also available on Lexis).

Chapter 63. Paternity Proceedings

§ 63.09. Assisted conception

Chapter 64A. Law of alternative reproductive technologies

§ 64A.04. Legal issues involved in artificial insemination

[1] Introduction

[2] Who may perform artificial insemination

[3] Donor and recipient

[4] Parentage where artificial insemination is by the husband

[5] Legal issues involved in artificial insemination by non-husband sperm donor

- 1 *Child Custody & Visitation Law & Practice*, by Sandra Morgan Little, Matthew Bender, 2025 (also available on Lexis).

Chapter 1. Overview: development of the law of child custody and visitation

§ 1.02. The changing definition of “parent”: assisted procreation

[2] Types of assisted procreation

[b] Artificial insemination

[3] Assisted procreation and the Constitution

[4] Preconception intentions versus genetic links

- [5] State parentage laws and assisted procreation
 - [a] Generally
 - [b] Paternal rights
 - [i] Presumption of legitimacy
 - [ii] Artificial insemination
 - [c] Maternal rights
- 2 *Child Custody & Visitation Law & Practice*, by Sandra Morgan Little, Matthew Bender, 2025 (also available on Lexis).
 - Chapter 11A. Assisted reproductive technologies and collaborative reproduction
 - § 11A.01. Clarification of terminology used in ARTs and collaborative reproduction
 - § 11A-02. Medical aspects of ART: What is ART?
 - § 11A-03. Parentage issues in ARTs
 - § 11A-04. Compare adoption: Why ARTs demands a different approach
 - § 11A-06. Case law on ARTs
 - § 11A-07. Agreements on embryo preservation or other disposition
 - § 11A-08. Preparing collaborative reproduction agreements
- 2 *Disputed Paternity Proceedings*, by Nina M. Vitek, Matthew Bender, 2025 (also available on Lexis).
 - Chapter 17. Assisted reproduction: Constitutional and family law parameters
 - § 17.01. Keep your focus on the children
 - § 17.02. Assisted reproduction and collaborative reproduction
 - § 17.03. Directives and agreements
 - § 17.04. Adoption is for children; Donation is for embryos
 - § 17.05. Checklist for counseling ART clients
 - § 17.06. Assisted reproduction case law
 - Appendix 17B.02 State laws re: Artificial insemination
- 3 *Adoption Law and Practice*, by Joan Heifetz Hollinger, et al., Matthew Bender, 2025 (also available on Lexis).
 - Chapter 14. Assisted reproductive technologies, collaborative reproduction, and adoption
 - § 14.05. Statutory overview of collaborative reproduction
 - § 14.06. Case law on ARTs
 - § 14.08. Preparing collaborative reproduction agreements
 - § 14.20. Charts summarizing state statutes on ARTs
 - [2]. Artificial insemination

- 1 *Legal Rights of Children*, 3d ed., by Thomas R. Young, Thomson West, 2024-2025 ed. (also available on Westlaw).
Chapter 7. Inheritance laws and paternity rights of illegitimate children
§ 7:19. Artificial insemination as affecting paternity
§ 7:20 -- Same sex relationships

ALR INDEX:

- *ALR Index: Artificial Insemination*

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

- Richard B. Vaughn, *Assisted Reproductive Technology Law: 10 FAQs*, 42 *Family Advocate* 39 (Summer 2019).
- Jessica Feinberg, *A Logical Step Forward: Extending Voluntary Acknowledgements of Parentage to Female Same-Sex Couples*, 30 *Yale J. of L. & Feminism* (2018).
- Nicole M. Riel, *The Other Mother: Protecting Non-Biological Mothers in Same-Sex Marriages*, 31 *Quinnipiac Prob. L.J.* 387 (2018).
- Judith A. Hoechst, *Fifty-Something and Pregnant: How ART Has Extended Fertility – And Generated New Legal Concerns for Parents and Children*, 39 *Family Advocate* 6 (Winter 2017).
- Kathryn McColl Sargent, *Recent Connecticut Legislation on Inheritance Rights of Children Conceived Posthumously Via In-Vitro Fertilization*, 89 *Conn. B.J.* 149 (2016).
- June Carbone and Naomi Cahn, *Marriage and the Marital Presumption Post-Obergefell*, 84 *Univ. of Missouri L. Rev.* 663 (Spring, 2016).
- Tiffany L. Palmer, *The Winding Road to the Two-Dad Family: Issues Arising in Interstate Surrogacy for Gay Couples*, 8 *Rutgers J.L. & Pub. Pol'y* 895 (Spring, 2011).
- Daryl Gordon-Ceresky, Note, *Artificial Insemination: Its Effect on Paternity and Inheritance Rights*, 9 *Connecticut Probate Law Journal* 245 (1995).

Section 2: Surrogacy

A Guide to Resources in the Law Library

SCOPE:

Bibliographic resources relating to surrogacy in Connecticut including payments to surrogate and contents of gestational agreement.

DEFINITION:

- "The relevant facts and procedural history are undisputed. On January 25, 1994, the petitioner, Mary Doe, signed a surrogacy contract with the named respondent, John Roe, to carry a child fathered by him through artificial insemination. The petitioner further agreed to voluntarily surrender custody of the child to the named respondent and his wife, Jane Roe, upon birth, and to allow for the subsequent adoption of the child by Jane Roe. Jack Roe (child), who was conceived pursuant to this surrogacy contract, was born on December 13, 1994. Immediately after the child's birth, the petitioner turned him over to the respondents in accordance with the parties' surrogacy contract." [Doe v. Roe](#), 246 Conn. 652, 653, 717 A.2d 706 (1998).
- **Surrogacy agreement:** "means an agreement between one or more intended parents and a person who is not an intended parent in which such person agrees to become pregnant through assisted reproduction and which provides that each intended parent is a parent of a child conceived under the agreement. Unless the context otherwise requires, 'surrogacy agreement' includes an agreement with a person acting as a gestational surrogate and an agreement with a person acting as a genetic surrogate". Conn. Gen. Stat. § [7-36](#) (16) (2025). Also Conn. Gen. Stat. § [46b-521](#) (3).
- **Intended parent:** "means a person, married or unmarried, who manifests an intent to be legally bound as a parent of a child conceived by assisted reproduction". Conn. Gen. Stat. § [7-36](#) (17) (2025).
- **Genetic surrogate:** "means a person who is not an intended parent and who agrees to become pregnant through assisted reproduction using that person's own gamete, under a genetic surrogacy agreement as provided in sections 46b-521 to 46b-538, inclusive". Conn. Gen. Stat. §[46b-521](#) (1) (2025).
- **Gestational surrogate:** "means a person who is not an intended parent and who agrees to become pregnant through assisted reproduction using gametes that are not that person's own, under a gestational surrogacy agreement as provided in sections 46b-521 to 46b-538, inclusive". Conn. Gen. Stat. §[46b-521](#) (2) (2025).

STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- Conn. Gen. Stat. (2025)
 - [Chapter 93.](#) – Registrars of Vital Statistics
 - § [7-48a](#). Filing of original certificate of birth.
 - Gestational agreement: Replacement certificate of birth.
 - [Chapter 815j.](#) – Dissolution of Marriage, Legal Separation and Annulment
 - § [46b-56](#). Orders re custody, care, education, visitation and support of children. Best interests of the child.
 - § [46b-56b](#). Presumption re best interest of child to be in custody of parent
 - [Chapter 818.](#) Connecticut Parentage Act
 - Surrogacy agreements:
 - § [46b-522](#). Eligibility to enter into gestational or genetic agreement.
 - § [46b-523](#). Requirements of gestational or surrogacy agreement: process.
 - § [46b-524](#). Requirements of gestational or surrogacy agreement: content.
 - § [46b-525](#). Effect of subsequent change of marital status of surrogate.
 - § [46b-526](#). Effect of subsequent change of marital status of intended parent.
 - § [46b-527](#). Exclusive, continuing jurisdiction.
 - § [46b-528](#). Termination of gestational surrogacy agreement.
 - § [46b-529](#). Parentage under gestational surrogacy agreement.
 - § [46b-530](#). Gestational surrogacy agreement: parentage of deceased intended parent.
 - § [46b-531](#). Gestational surrogacy agreement: judgement of parentage.
 - § [46b-532](#). Effect of gestational surrogacy agreement.
 - § [46b-533](#). Requirements to validate genetic surrogacy agreement.
 - § [46b-534](#). Termination of genetic surrogacy agreement.
 - § [46b-535](#). Parentage under validated genetic surrogacy agreement.
 - § [46b-536](#). Effect of nonvalidated genetic surrogacy agreement.
 - § [46b-537](#). Genetic surrogacy agreement: parentage of deceased intended parent.
 - § [46b-538](#). Breach of genetic surrogacy agreement.

PUBLIC ACTS:

- Public Act No. [11-153](#), (Jan. Sess.), *An Act Concerning the Creation of a Replacement Birth Certificate Pursuant to a Gestational Agreement.*
 - [OLR Summary](#)

LEGISLATIVE:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- Katherine Dwyer, *Gestational Agreements*, Connecticut General Assembly. Office of Legislative Research Report, [2014-R-0074](#) (March 10, 2014).

FORMS:

- *7 A Treatise on the Law of Contracts, 4th :Forms*, by Samuel Williston et al., Thomson West, 2012, with 2025 supplement (also available on Westlaw).
Chapter 16
16F:54 to 16F:60- Surrogate parenting agreement
- *13C American Jurisprudence Legal Forms 2d*, Thompson West, 2025, (also available on Westlaw).
Chapter 191. Parent and child
§ 191:99. Surrogate parenting agreement
- *Nichols Cyclopedia of Legal Forms Annotated*, Thompson West, 2024 (also available on Westlaw).
Chapter 148. Parent and Child
Surrogate parenting transactions §§ 148:90 - 148:112
§ 148.90 Surrogate parenting agreement
§ 148.106 Surrogate application form

CASES:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Raftopol v. Ramey](#), 299 Conn. 681, 708, 12 A.3d 783 (2011). "On the basis of our analysis of both the text of the statute, as well as its legislative history, we conclude that the legislature intended § 7-48a to confer parental status on an intended parent who is a party to a valid gestational agreement irrespective of that intended parent's genetic relationship to the children. Such intended parents need not adopt the children in order to become legal parents. They acquire that status by operation of law, upon an order by a court of competent jurisdiction pursuant to § 7-48a."
- [Griffiths v. Taylor](#), Superior Court, Judicial District of Waterbury, No. FA08-4015629-S, (June 13, 2008) (45 Conn. L. Rptr. 725) (2008 WL 2745130). "[I]t is clear that the legislature contemplated that a Superior Court would have the authority, under § 7-48a, to enter a judgment on the validity of a gestational agreement and that where there is a valid gestational agreement, the

court may then order the Department of Health to issue a replacement birth certificate with the names of the intended parents on it.”

- [Doe v. Roe](#), 246 Conn. 652, 653, 717 A.2d 706 (1998). “The narrow question presented by this appeal is whether the Superior Court has subject matter jurisdiction to render judgment in accordance with an agreement that includes a promise by a surrogate mother to consent to the termination of her parental rights in Probate Court.”

DIGESTS:

- *Connecticut Family Law Citations: A Reference Guide to Connecticut Family Law Decisions*, by Monika D. Young, LexisNexis, 2025.
Chapter 14 Parentage
§ 14.06 Surrogacy Agreements

WEST’S KEY NUMBERS:

- IV. Assisted Reproduction; Surrogate Parenting
 - #241 In general
 - #242 Consent in general
 - #243 Contracts and agreements in general
 - #244 Donor of biological material; status, rights, duties, and liabilities
 - #245 Gestational carriers; status, rights, duties, and liabilities
 - #246 Spouses or other partners of donors or carriers
 - #247 Collection, storage, and disposition of biological material
 - #250 Posthumous children

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 19 ALR 7th Art. 4 *Validity of Surrogate Parenting Agreement*, by George L. Blum, J.D., 2016 (also available on Westlaw).
- 77 ALR 5th 567, *Determination of status as legal or natural parents in contested surrogacy births*, by Ardis L. Campbell, 2000 (also available on Westlaw).
- 148 *Am. Jur. Trials* 471, *Litigation of Surrogate Parenting Agreements*, Thomson West, 2017, with 2025 supplement (also available on Westlaw).
- 48 COA 2d 687, *Cause of Action for Determination of Status as Legal or Natural Parents of Children Borne by Surrogate or Gestational Carrier*, Thomson West, 2011, with 2024-2025 supplement (also available on Westlaw).
- 17A *Am. Jur. 2d Contracts*, Thomson West, 2016, with 2025 supplement (also available on Westlaw).
§287. *Contracts concerning familial relationships; gestational surrogacy*

**TEXTS &
TREATISES:**

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- *LexisNexis Practice Guide: Connecticut Family Law*, Louise Truax, editor, 2025 ed., LexisNexis.
Chapter 11. Surrogacy and Gestational Agreements
- *2 Children and the Law: Rights & Obligations*, by Thomas A. Jacobs, Thompson West, 2025 ed. (also available on Westlaw).
Chapter 6. Domestic Relations
Section IV. Related Issues
§ 6:11 Parentage
- *1 Adoption Law and Practice*, by Joan Heifetz Hollinger. et al., Matthew Bender, 2025 (also available on Lexis).
Chapter 2. Consent to adoption
- *3 Adoption Law and Practice*, by Joan Heifetz Hollinger, et al., Matthew Bender, 2025 (also available on Lexis).
Chapter 14. Assisted reproductive technologies, collaborative reproduction and adoption
§ 14.20. Charts summarizing state statutes on ART
[1] Surrogacy and gestational carriers
- *2 Child Custody & Visitation Law & Practice*, by Sandra Morgan Little, Matthew Bender, 2025 (also available on Lexis).
Chapter 11A. Assisted reproductive technologies and collaborative reproduction
§ 11A.06. Case law on ARTs
§ 11A.08. Preparing collaborative reproduction agreements
[2] Requirement of medical screening
[3] Requirement of psychological evaluation
[4] Compensation
[5] Relinquishment of parental rights
[6] Personal protection of donor or carrier
[7] Nature of parties' relationship
[8] Summary of elements for gestational carrier agreements
- *6 Family Law and Practice*, by Arnold H. Rutkin, Matthew Bender, 2025 (also available on Lexis).
Chapter 63. Paternity Proceedings
§ 63.09. Assisted conception
Chapter 64-A. Law of Alternative Reproductive Technologies
§ 64A.02. Types of alternative reproductive technologies
[6] Surrogate parenting
§ 64A.07 Legal issues involved in surrogate parenting.
[2] Parentage issues in surrogate parenting
[3] Fees for surrogacy
[4] Selecting the surrogate

§ 64A.09 Uniform Parentage Act

- *Handling Child Custody, Abuse and Adoption Cases*, 3d ed., by Ann M. Haralambie, Thomson West, 2009, (with 2024-2025 supplement).
 - Chapter 9. Assisted conception and surrogacy
 - § 9.15. Surrogacy generally
 - § 9.16. – Gestational surrogacy
 - § 9.17. – Gratuitous surrogacy
 - § 9.18. – Surrogacy for a fee
 - § 9.19. Rights of surrogate
 - § 9.20. Status of the surrogate's husband
 - § 9.21. Enforceability and remedies
- *2 Disputed Paternity Proceedings*, by Nina M. Vitek, Matthew Bender, 2025 (also available on Lexis).
 - Chapter 17. Assisted reproduction: Constitutional and family law parameters
 - § 17.02. Assisted reproduction and collaborative reproduction
 - § 17.03. Directives and agreements
 - § 17.05. Checklists for counseling ART clients
 - § 17.06. Assisted reproduction case law
 - § 17.10. Gestational carriers and surrogates: Why the distinction is significant
 - Appendix 17B. State laws on assisted reproduction
 - §17B.01. State laws re: Surrogacy and gestational carriers
- *15 Corbin on Contracts*, Rev. ed., by Joseph M. Perillo, 1993 (with 2024 supplement).
 - Chapter 81. Contracts involving familial relationships
 - § 81.6 Surrogacy Contracts
- *7 A Treatise on the Law of Contracts*, 4th ed., by Samuel Williston et al., Thomson West, 2010 with 2025 supplement (also available on Westlaw).
 - Chapter 16- Bargains Tending to Corruption or Immorality
 - § 16:22- Surrogacy agreements
- *1 Modern Child Custody Practice*, 2d ed., by Jeff Atkinson, Matthew Bender, 2024 (also available on Lexis).
 - Chapter 8. Surrogate parenting
- *1 Legal Rights of Children*, 3d ed., by Thomas R. Young, Thomson West, 2024-2025 ed. (also available on Westlaw).
 - Chapter 7. Testamentary and Intestate Laws Affecting Children
 - § 7:17. Establishing parentage through paternity actions

§ 7:18. -- Children of surrogate mothers and sperm donor fathers

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

- Courtney G. Joslin, *Nurturing Parenthood Through the UPA*, 127 Yale L.J. Forum 589 (2017).
- Douglas NeJaime, *The Nature of Parenthood*, 126 Yale L.J. 2260 (2017). Part II. B. In Vitro Fertilization, Egg Donation, and Gestational Surrogacy.
- Deborah S. Mazer, *Born Breach: The Challenge of Remedies in Surrogacy Contracts*, 28 Yale J.L. & Feminism 211 (2016).
- Jennifer L. Laporte, Note, *Connecticut's Intent Test to Determine Parentage: Equality for Same-Sex Couples at Last*, 26 Quinnipiac Prob. L.J. 291 (2013).
- Christine A. Bjorkman, *Sitting in Limbo: The Absence of Connecticut Regulation of Surrogate Parenting Agreements and Its Effect on Parties to the Agreement*, 21 Quinnipiac Prob. L.J. 141 (2008).
- Leslie I. Jennings-Lax, *Surrogacy –The Law in Connecticut*, 79 Conn. B.J. 59 (2005).

Section 3: Wrongful Birth or Wrongful Life

A Guide to Resources in the Law Library

SCOPE:

Bibliographic resources relating to the torts of wrongful birth or wrongful life in Connecticut.

DEFINITION:

- “The terms ‘**wrongful birth**’ and ‘**wrongful life**’ are but shorthand phrases that describe the causes of action of parents and children when negligent medical treatment deprives parents of the option to terminate a pregnancy to avoid the birth of a defective child.” [Procanik by Procanik v. Cillo](#), 478 A2d 755, 760 (N.J. 1984).
- “‘**wrongful life**’ refers to a cause of action brought by or on behalf of a defective child who claims that but for the defendant doctor’s negligent advice to or treatment of its parents, the child would not have been born.” Ibid.

STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- Conn. Gen. Stat. (2025)
[Chapter 899](#) Evidence
§ [52-184c](#). Standard of care in negligence action against health care provider

FORMS:

- *Connecticut Torts: The Law and Practice*, 2d. ed., by Frederic S. Ury and Neal L. Moskow, LexisNexis, 2024.
 - § 9.06.1 Complaint-Wrongful Life/Wrongful Birth
- *19B Am. Jur. Pleading & Practice Forms, Physicians, Surgeons, and Other Healers*, Thomson West, 2018 rev., with 2025 supplement (also available on Westlaw).
 - §298 Complaint, petition, or declaration – Birth of child after sterilization operation – Damages for medical expenses, loss of earnings, and physical pain and mental anguish
- *23 COA2d 55, Cause of action for wrongful birth or wrongful life*, Thomson West, 2003, with 2024-2025 supplement (also available on Westlaw).
 - § 39. Sample complaint. Wrongful birth action

CASES:

- [Suprynowicz v. Tohan](#), 351 Conn. 75, 77, 328 A.3d 646 (2025). “The dispositive issue in this appeal is whether the trial court correctly determined that the plaintiffs’ negligence claims sounded in wrongful life rather than

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ordinary negligence. We conclude that the answer to that question is no and that our recent decision in *Lynch v. State*, 348 Conn. 478, 308 A.3d 1 (2024), controls the outcome. In *Lynch*, this court clarified that a claim arising from hospital staff's alleged negligence in using sperm infected with a virus in the course of a therapeutic donor insemination (TDI) procedure sounded in medical negligence, not wrongful life. See *id.* at 484–87, 489–91, 505, 507, 308 A.3d 1. Similarly, the plaintiffs' claims in the present case are ordinary negligence claims rather than wrongful life claims because they arise from the defendant doctor's alleged negligence in using his own sperm to impregnate the plaintiffs' mothers during in vitro fertilization (IVF) procedures. Accordingly, we reverse in part the judgment of the trial court."

- [Lynch v. State](#), 348 Conn. 478, 508, 308 A.3d 1 (2024). "In the present case, by contrast, the state is directly responsible both for Joshua's birth and for his condition; CARS staff *created* the pregnancy, and it was precisely their negligence in doing so that was the proximate cause of Joshua's injuries. Purportedly following their own, internally developed policies, they used a state-of-the-art procedure to implant previously frozen sperm into Jean-Marie. It was their decision to implant sperm from a CMV positive donor into a CMV negative woman, without adequately educating her as to the risks and alternatives. Indeed, under the facts found by the trial court, Joshua may well have developed as a healthy, uninfected embryo."
- [Bujak v. State](#), Superior Court, Judicial District of Hartford, No. HHD CV 08-6003355-S (Oct. 24, 2014) (59 Conn. L. Rptr. 218). "While the question of whether parents may recover for emotional injury to themselves in wrongful birth cases has not been addressed by our higher courts, our Supreme Court has twice clearly rejected the opportunity in wrongful conception cases to carve out an exception 'to the normal duty of a tortfeasor to assume liability for all the damages that he has proximately caused.' *Ochs v. Borrelli*, 187 Conn. 253, 258 (1982); *Burns v. Hanson*, 249 Conn. 809, 819 (1999). In *Ochs*, where a child was conceived after an unsuccessful sterilization procedure, the court held that the defendant was liable for not only the expenses resulting from medical care to treat the child's orthopedic disability, but also for the costs of raising the child to majority. In *Burns*, a defendant physician who incorrectly advised a severely disabled mother that she was sterile and failed to diagnose her pregnancy was held liable for damages arising from the costs of raising the child who was born healthy."

"In light of this authority, the plaintiff specifically seeks non-economic damages, i.e. damages for pain and suffering as a result of having to raise a child with such severe disabilities which they assert are causally related to the defendants' negligence. Given our Supreme Court's clear direction to impose upon a defendant liability for all damages proximately caused by his negligence, this court cannot discern how emotional injuries as encompassed by a claim for non-economic damages should be excluded from a jury's consideration. Likewise and given the holdings in *Ochs* and *Burns*, other superior courts have also concluded that non-economic damages, including emotional pain and suffering, are appropriate claims for damages resulting from the negligence of a defendant in a wrongful birth case."

- Vasquez v. Roy, Superior Court, Judicial District of New Britain, No. CV14-6024908-S (June 18, 2018) (66 Conn. L. Rptr. 602), WL 625836. "This court finds that Xavier's claim does not sound in wrongful life because he is seeking to hold the defendants accountable for causing his physical injuries and deformities. Xavier does not allege any failure on the part of the defendants to predict or diagnose a disease or defect, and he does not allege that the injury suffered is his birth or existence."
- Rich v. Foye, 51 Conn. Sup. 11, 43, 976 A.2d 819 (Conn. Super. Ct. 2007). "Being born with a handicap instead of not being born is not a legally cognizable injury. Damages for living life with impairments are damages that cannot be calculated or, alternatively, are ones already recoverable under a wrongful birth action."
- Burns v. Hanson, 249 Conn. 809, 811, 734 A.2d 964 (1999). "The issues in this action for negligence and malpractice arise out of the birth of a healthy child to a severely disabled mother, who, in accordance with medical advice, had decided not to have another child."
- Martinez v. Hartford Hospital, Superior Court, Judicial District of Hartford-New Britain at Hartford, No. 33 81 96, (May 13, 1991) (4 Conn. L. Rptr. 57, 60), WL 88085. "In the instant case, plaintiff has alleged sufficient facts to support a cause of action for medical malpractice. Further, damages arising from defendant's negligence relating to the birth of the twins and the costs of raising them are properly pleaded and recoverable."
- Ochs v. Borrelli, 187 Conn. 253, 258, 445 A.2d 883 (1982). "In our view, the better rule is to allow parents to recover for the expenses of rearing an unplanned child to

majority when the child's birth results from negligent medical care."

**WEST KEY
NUMBERS:**

- Malpractice, Negligence, or Breach of Duty
 - C. Particular Procedures
 - #683 Obstetrics, gynecology and reproductive health
 - #686 Wrongful conception or pregnancy resulting in the birth of a healthy child
 - #687 "Wrongful life" or birth of an unhealthy child

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 3 COA 83, *Cause of action against physician for wrongful conception or wrongful pregnancy*, Thomson West, 1984, with 2012 supplement (also available on Westlaw).
- 23 COA 2d 55, *Cause of action for wrongful birth or wrongful life*, Thomson West, 2003, with 2024-2025 supplement (also available on Westlaw).
- 105 Am. Jur. POF 3d 483, *Malpractice Liability in Genetic Counseling*, Thomson West, 2009, with 2025 supplement, (also available on Westlaw).

**TEXTS &
TREATISES:**

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- *Connecticut Torts: The Law and Practice*, 2d ed., by Frederic S. Ury and Neal L. Moskow, LexisNexis, 2024.
 - Chapter 9: Claims stemming from the conception and birth of a child: Wrongful pregnancy, birth, and life
 - § 9.01 Distinguishing Among Claims for Wrongful Conception/Pregnancy, Wrongful Birth and Wrongful Life
 - § 9.02 Wrongful Life Claims are Unlikely to Make It to Trial
 - § 9.04 Bringing a wrongful birth claim
- *Encyclopedia of Connecticut Causes of Action*, by Michael S. Taylor and Daniel J. Krisch, Connecticut Law Tribune, 2024.
 - 1W-4. Wrongful birth
 - 1W-6. Wrongful life
- *Connecticut Medical Malpractice*, by Joyce A. Lagnese et al., 7th edition, Connecticut Law Tribune, 2023.
 - Chapter 17- Actions Relating to the Creation or Sustaining of Life
 - 17-2 Wrongful Birth
 - 17-3 Wrongful Life

17-4 Wrongful Living

- *Connecticut Law of Torts, 4th ed.*, by Douglass B. Wright et al., Atlantic Book Company, 2018 with 2023 supplement.
Sec. 89 Malpractice- Miscellaneous
- *2 Disputed Paternity Proceedings*, by Nina M. Vitek, Matthew Bender, 2025 (also available on Lexis).
Chapter 29. Challenging the obligation to pay child-rearing costs
Liability of third parties affecting the support obligation
§ 29.10. Negligence as basis for "wrongful conception" claim
§ 29.11. Events which may create a 'wrongful conception' claim
§ 29.12. Theory and validity of "wrongful conception" cause of action
§ 29.13. Other theories of liability
§ 29.14. Recoveries available
§ 29.15. Rationales for the denial of child-rearing costs
§ 29.16. Rationales for the recovery of child-rearing costs
§ 29.17. Constitutional dimensions of the issue: privacy and procreational choice
§ 29.18. Author's strategies
- *1 Legal Rights of Children*, 3d ed., by Thomas R. Young, Thomson West, 2024-2025 ed. (also available on Westlaw).
Chapter 9. Children and the law of torts
§ 9:17. The tort of "wrongful life"
§ 9:18. Prenatal injuries-- Background
§ 9:19. --Modern view
§ 9:21. Wrongful birth
§ 9:22. Legal rights of unborn children

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

- Sofia Yakren, "Wrongful Birth" Claims and the Paradox of Parenting a Child With a Disability, 87 Fordham L. Rev. 583 (Nov., 2018).
- James A. Henderson, Jr., Things of Which We Dare Not Speak: An Essay on Wrongful Life, 86 Geo. Wash. L. Rev. 689 (May, 2018).
- Christopher T. Hurley, Mark R. McKenna, 'Wrongful Birth' Plaintiffs Can Recover for Emotional Distress, 101 Ill. B.J. 580 (Nov., 2013).

- Paul L. Barber, *Prenatal Diagnosis: An Ethical and a Regulatory Dilemma*, 13 Hous. J. Health L. & Policy 329 (Fall, 2013).
- Michael T. Murtaugh, *Wrongful Birth: The Courts' Dilemma in Determining a Remedy for a "Blessed Event,"* 27 Pace L. Rev. 241 (Winter, 2007).
- Garrett M. Moore, *Life as An Injury: There Is A Debate Going On Over Whether Actions Known As 'Wrongful Conception' And 'Wrongful Life' Are Valid Causes Of Action*, 23 Connecticut Law Tribune no. 47, p. 15 (Nov. 24, 1997).

Section 4: Abortion Law

A Guide to Resources in the Law Library

SCOPE:

Bibliographic sources relating to abortion laws, including abortion clinics.

DEFINITIONS:

- **Medically Necessary or Therapeutic Abortions:**
"abortions necessary to ameliorate a condition that is deleterious to a woman's physical and or psychological health." *Doe v. Maher*, 40 Conn. Supp. 394, 396 n.4, 515 A.2d 134 (1986).

STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- Conn. Gen. Stat. (2025)
[Chapter 319v](#) Medical Assistance
"Medically necessary" and "medical necessity" defined. Notice of denial of services. Regulations.

[Chapter 368y](#) Abortion
§ [19a-600](#). Definitions
§ [19a-601](#). Information and counseling for minors required. Medical emergency exception.
§ [19a-602](#). Termination of pregnancy prior to viability. Abortion after viability prohibited; exception.

[Chapter 802h](#). Protected Persons and Their Property
§ [45a-677](#)(e)(9). Powers and duties of plenary or limited guardian.

PUBLIC ACTS:

- Public Act No. [22-19](#), (March Sess.), *An Act Concerning The Provision of Protections For Persons Receiving and Providing Reproductive Health Care Services In The State And Access To Reproductive Health Care Services In The State*.
- Public Act No. [21-17](#), (Feb. Sess.), *An Act Concerning Deceptive Advertising Practices of Limited Services Pregnancy Centers*.
- Public Act No. 90-113, (Feb. Sess.), *An Act Concerning the Repeal of Certain Statutes*.
Repealed: Conn. Gen. Stat. (1999) §§53-29 to 53-31b

REGULATIONS:

You can visit your local law library or browse the [Connecticut eRegulations System](#) on the Secretary of the State website to check if a regulation

- [Conn. Agencies Regs.](#) (2025)
Licensing Outpatient Clinics Operated by Corporations or Municipalities
§ [19-13-D49](#). Records.
§ [19-13-D52](#). Maintenance.
§ [19-13-D54](#). Abortions.
Regulations on Abortions
§ [19a-116-1](#). Abortion services in outpatient clinics

- [Conn. Agencies Regs.](#) (2025)
Department of Social Services.
§ [17b-262-348](#)(r)(3). Payment limitations (Family planning, abortion and hysterectomy).

FORMS:

- 3 COA 83, *Cause of Action Against Physician for Wrongful Conception or Wrongful Pregnancy*, Thomson West, 1984, with 2012 supplement (also available on Westlaw).
- 1 *Am. Jur. Pleading & Practice Forms*, Abortion, Thomson West, 2018 rev., with 2025 supplement (also available on Westlaw).
 - II. Blockade and harassment of abortion clinics
 - III. Parental consent to minor's abortion
 - IV. Medical malpractice involving abortion
 - V. Restrictions on abortion rights

CASES:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- *Doe v. Maher*, 40 Conn. Supp. 394, 450, 515 A.2d 134 (1986). "The court declares that the regulation; 3 Manual, Department of Income Maintenance Medical Assistance Program, c. III, Policy 275; which provides for the funding of abortion under the Medicaid program only when necessary to preserve the physical life of the woman or when pregnancy is the result of rape or incest, to be: (a) contrary to the statutory provisions of the Medicaid program; General Statutes § 17-134a et seq.; and specifically § 17-134b of the General Statutes, and that therefore the commissioner of income maintenance exceeded his authority in adopting it; (b) in violation of the plaintiff class of poor women's and the plaintiff class of physicians' constitutional rights of due process under article first, § 10, of the constitution of the state of Connecticut; (c) in violation of the plaintiff class of poor women's constitutional right of equal protection under article first, §§ 1 and 20 (including the equal rights amendment, article five of the amendments), of the constitution of the state of Connecticut."
- *Anselmo v. Anselmo*, Superior Court, Judicial District of Stamford-Norwalk at Stamford, No. FA000181708 (Mar. 28, 2001) (2001 WL 358851). "In the recent case of *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833, 112 S. Ct. 2791, 120 L.Ed.2d 674 (1992), the court found that at all stages of a pregnancy, but in particular, after the point of viability is reached, the state has an interest in protecting the unborn infant. So much so that following viability, the state's interest overrides the long-established right of the mother to terminate the pregnancy."
- *Vasquez v. Roy*, Superior Court, Judicial District of New Britain, No. CV14-6024908-S, (June 18, 2018), (66 Conn. L. Rptr. 602), WL 625836. "This court finds that

the physician-patient relationship between the defendants and Xaver, while in utero, was not extinguished because the medical judgment at issue related to a termination of the pregnancy. The defendants' professional relationship with Xavier gave rise to a duty to conform to professional standards with regard to the choice of an appropriate abortion technique."

**ATTORNEY
GENERAL
OPINIONS:**

- Governor Ned Lamond, State Capitol, [2023-03 Formal Opinion](#), Attorney General of Connecticut. "In response to your request, my opinion is that the Food and Drug Administration (FDA) approval of both branded and generic mifepristone remains in full force and effect in Connecticut under the status quo prior to this month's federal court orders. The FDA first approved mifepristone in 2000. Followed by misoprostol in a two-medication regimen, mifepristone is the gold standard for medication abortion and miscarriage care, used safely and effectively by 5.6 million patients to date. Over the years, the FDA modified its requirements for using, prescribing, and dispensing mifepristone as it received and reviewed new data. The most recent set of requirements, issued in January 2023, are known as the '2023 REMS,' short for 'Risk Evaluation and Mitigation Strategy.' On April 7, 2023, a federal judge in Texas issued a preliminary order commanding the FDA to 'stay' its 23-year-old approval of mifepristone. Our office strongly disagrees with that order - issued in *Alliance for Hippocratic Medicine v. FDA*, No. 22-223 (N.D. Tex.) ('AHM') - on procedure, substantive law, and underlying science. The U.S. Court of Appeals for the Fifth Circuit has put a critical element of the preliminary order on hold, and the FDA has asked the Supreme Court to prevent any aspect of the order from taking effect pending appeal. We supported that request with a friend-of-the-court brief, and we look forward to the preliminary order's complete reversal. But regardless of the appeals process: Neither the AHM preliminary order nor the Fifth Circuit ruling is binding in, or on, the state of Connecticut."
- Senator George Jepsen, State Capitol, [2001-015 Formal Opinion](#), Attorney General of Connecticut. "In response to your request, this is a formal opinion regarding whether advanced practice registered nurses ('APRNs'), licensed nurse-midwives and physician assistants in Connecticut are authorized to dispense, prescribe and administer the drug mifepristone (brand name 'Mifeprex', also known as 'RU-486') to women in licensed clinics for the purpose of terminating early pregnancies in a non-surgical manner."

- Joyce A. Thomas, Department of Social Services, [1998-022 Formal Opinion](#), Attorney General of Connecticut. "This is a formal opinion regarding whether abortion must be included in the coverage provided under the Husky Plan, Part B ("Husky B"), a program designed to ensure health care coverage to all children in Connecticut."

LEGISLATIVE:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- Mary Fitzpatrick, *Medicaid and Abortion*, Connecticut General Assembly. Office of Legislative Research Report no. [2018-R-0260](#) (September 26, 2018).
- Nicole Dube, *Connecticut's Abortion Clinics*, Connecticut General Assembly. Office of Legislative Research Report no. [2018-R-0209](#) (August 28, 2018).
- OLR Staff, *Abortion Laws*, Connecticut General Assembly. Office of Legislative Research Report no. [2018-R-0181](#) (July 13, 2018).
- Janet Kaminski Leduc, *Abortion Coverage in Plans Offered on the Insurance Exchange*, Connecticut General Assembly. Office of Legislative Research Report no. [2014-R-0121](#) (April 14, 2014).
- Susan Price-Livingston, *Abortions for Minors: Other States' Parental Involvement Laws*, Connecticut General Assembly. Office of Legislative Research Report no. [2003-R-0050](#) (February 3, 2003).

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 26 ALR7th Art. 9, *Validity, construction, and application of state statutes limiting or conditioning receipt of government funds by abortion providers*, by Deborah F. Buckman, Thompson Reuters, 2017 (also available on Westlaw).
- 1 *Am. Jur. 2d* Abortion and Birth Control, Thompson West, 2016, with 2025 supplement (also available on Westlaw).
- 1 *C.J.S.* Abortion and Birth Control, Thompson West, 2016, with 2025 supplement (also available on Westlaw).

TEXTS & TREATISES:

- 1 *Representing the Child Client*, by Mark I. Soler and Michael J. Dale, Matthew Bender, 2025 (also available on Lexis).
 Chapter 3. The legal status of minors
 3.02 Rights restricted based on age
 [c] Medical care

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- 2 *Children and the Law: Rights & Obligations*, by Thomas A. Jacobs, Thompson West, 2025 ed. (also available on West).

Chapter 10. Health Care.

Sec. II. C. Medical care and treatment;

Reproductive rights

§ 10:17 Abortion