

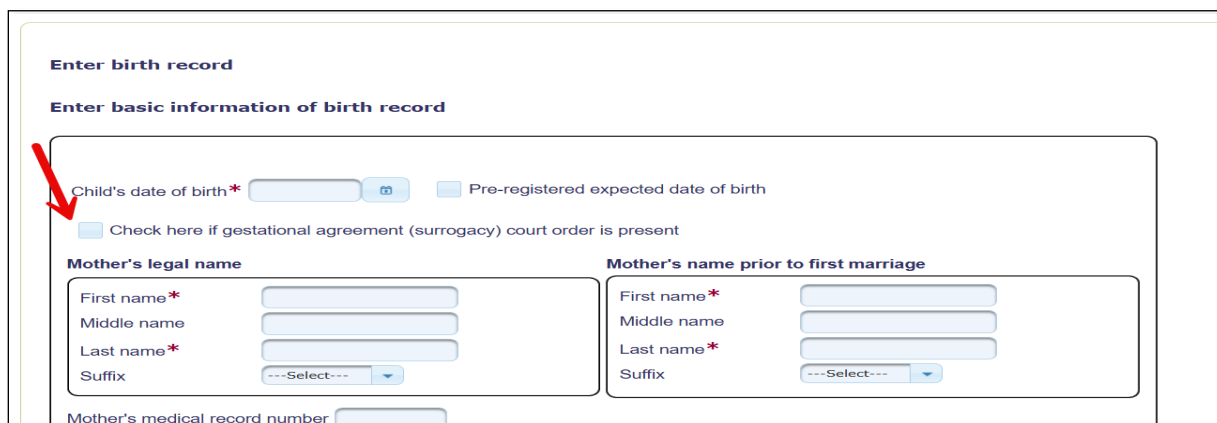
Registering Surrogate Birth Records

QUICK GUIDE FOR HOSPITAL STAFF

A surrogate carries and gives birth to a baby for another person or couple, who are called the intended parent(s). The parents named on a birth record are generally the person who gives birth and their spouse or a person who has established parentage. However, when a hospital is presented with a certified copy of a prebirth court order that directs the registration of the birth involving a surrogate, the hospital will follow a different process.

Hospitals receiving a prebirth court order will:

- Verify the order is certified with either a raised seal, wet signature, or electronic certification.
- Follow the court instructions exactly; enter the parent and child names as they are documented in the court order.
- Check the MR&C checkbox to indicate *gestational agreement (surrogacy) court order is present*.



Enter birth record

Enter basic information of birth record

Child's date of birth* ☐ Pre-registered expected date of birth

☐ Check here if gestational agreement (surrogacy) court order is present

Mother's legal name

First name*

Middle name

Last name*

Suffix

Mother's name prior to first marriage

First name*


Middle name

Last name*

Suffix

Mother's medical record number

- Fax the court order to the Office of Vital Records (OVR) at **866-416-1357**. (If it's certified with an embossed seal, lightly shade the seal with a pencil so it's visible when faxed.)
- Enter the court order details into MR&C exactly as written. See example below.



☒ Check here if gestational agreement (surrogacy) court order is present

Fax court order to 866-416-1357, Attention: Birth Registration

Court order information

Court state*

Court county*

File number*

File date*

CERTIFIED COPY
Do Not Remove Staple

STATE OF MINNESOTA
COUNTY OF DAKOTA

In Re the Matter of:
First Middle Last name and
First Middle Last name
Intended Parents,

Filed in District Court
State of Minnesota
06/06/2024

DISTRICT COURT
FIRST JUDICIAL DISTRICT
FAMILY COURT DIVISION
CASE TYPE: ARTS

Court File No: 55AA-AB-55-555

REGISTERING SURROGATE BIRTHS

- Collect demographic data from the intended parent(s) using the “Worksheet for creating your child’s birth record.”
- Mark all medical fields “unknown” (including WIC and smoking).

Other information

Did mother get WIC food for herself during this pregnancy?*

Months of pregnancy that WIC began (1st, 2nd, 3rd...)

Were cigarettes smoked before (3 months prior to) or during pregnancy?*

Enter number of cigarettes or packs per day?

Back Save Continue

- Compare what you’ve entered in MR&C with the court order for accuracy.
- Submit birth record for approval. OVR will review the record and the court order and contact the hospital if discrepancies are found. Once it is approved, the record will be assigned a state file number.
- Retain the court order in a secure place until the birth record is approved and registered.

Hospitals receiving a court order that ‘stays’ the birth record registration will:

- Verify the order is certified with either a raised seal, wet signature, or electronic certification.
- Fax the order to the Office of Vital Records (OVR) at **866-416-1357**. (If it’s certified with an embossed seal, lightly shade the seal with a pencil so it’s visible when faxed.)
- After the court ordered stay has been lifted and you receive a new court order, verify the order is certified with either a raised seal, wet signature, or electronic certification.
- Check the gestational agreement checkbox, enter the information from the court order, and register the birth in MR&C.

When no prebirth court order related to registration is presented to the hospital:

- Register the birth by entering the name of the person who gave birth (surrogate) and her spouse or a person who has established parentage as the names of the parents for the birth record.
- The intended parents will obtain a court order and submit it to OVR. OVR will replace the original birth record. Hospitals do not have access to replace records.

Common issues to avoid

- **Mismatched information:** The names on the birth record must match the court order exactly.

REGISTERING SURROGATE BIRTHS

- **Medical data:** All medical information fields and WIC and cigarette smoking questions on the birth record should be marked “unknown.”
- **Delays:** Promptly fax certified court orders to OVR.
- **Non-certified court orders:** Check for certification and, if necessary, contact the intended parents or their attorney to obtain a certified copy.
- **Seal visibility:** If the court order’s seal is embossed (raised letters or design on the paper), lightly shade the seal with a pencil so it’s visible after you’ve faxed it.

Minnesota Department of Health
Office of Vital Records
PO Box 64499
St. Paul, MN 55164-0499
651-201-5970
health.vitalrecords@state.mn.us
www.health.state.mn.us

11/04/2025

To obtain this information in a different format, call: 651-201-5970.