

MINT

Relevant for: Developmental Issues | Topic: Rights & Welfare of Women - Schemes & their Performance, Mechanisms, Laws Institutions and Bodies

The government has issued fresh surrogacy rules, making it mandatory for couples who wish to become parents through surrogacy to buy health insurance plans for surrogate mothers.

In a gazette notification published on 21 June, the union health ministry has described the requirements and qualifications to run a surrogacy clinic along with the prescribed format of a consent form, and application form for registration of a surrogacy clinic and intending couple to avail surrogacy.

According to the new provisions, the intending couples will need to purchase a general health insurance cover in favour of a surrogate mother for a period of 36 months from an insurance company or an agent recognized by the Insurance Regulatory and Development Authority of India (Irdai) for an amount which is sufficient to cover all expenses for all complications arising out of pregnancy and also covering postpartum delivery complications.

As per the Surrogacy Regulation Act 2021, insurance means an arrangement by which a company, individual or intending couple undertakes to provide a guarantee of compensation for medical expenses, health issues, specified loss, damage, illness or death of a surrogate mother and such other prescribed expenses incurred on such surrogate mother during the process of surrogacy.

"The government has also ensured that the number of attempts of any surrogacy procedure on the surrogate mother shall not be more than three times. A surrogate mother may be allowed for abortion during the process of surrogacy in accordance with the Medical Termination of Pregnancy Act, 1971 in case of any complication as advised by the doctors," it said.

Every private surrogacy clinic has to file an application for registration with a fee of 2 lakh which is non-refundable. However, facilities under government-run institutes are exempt from such fees.

"A copy of the certificate of registration shall be displayed by the registered surrogacy clinic at a conspicuous place at its place of business. Surrogacy clinics shall have at least one gynaecologist, one anaesthetist, one embryologist and one counselor," stated the notification.

"Surrogacy has a lot of dimensions. The couple should be married for more than five years. It is an outstanding move which will help the women undergoing surrogacy. Globally One in six couples have difficulty in conceiving such as medication, IVF and surrogacy," said Dr Archana Dhawan Bajaj, IVF expert and director of Nurture IVF clinic in New Delhi.

"Under the Surrogacy Rules 2022, a surrogate mother has to give her consent through an agreement for giving up all her rights over the child and shall hand over the child/children to the intending couple, or to a Person (may be appointed by the intending couple) in case of their separation during her pregnancy or in case of death of both, or to the survivor in case of the death of one of intending couple during pregnancy, as soon as she is permitted to do so by the hospital or clinic or nursing home where the child or children are delivered," said Siddharth Malkania, a senior advocate in Delhi.

Another IVF expert, Dr Priyanka Arya at Curis Multispeciality clinic based in Nodia said that a

health insurance cover for 36 months which includes postpartum expense for surrogate mother is a long period as it will unnecessarily burden the intending couple.

Log in to our website to save your bookmarks. It'll just take a moment.

Oops! Looks like you have exceeded the limit to bookmark the image. Remove some to bookmark this image.

Your session has expired, please login again.

You are now subscribed to our newsletters. In case you can't find any email from our side, please check the spam folder.

This is a subscriber only feature [Subscribe Now](#) to get daily updates on WhatsApp

END

Downloaded from **crackIAS.com**

© **Zuccess App** by crackIAS.com

CrackIAS!