

Va. Code Ann. § 20-156

CODE OF VIRGINIA
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*** Current through the 2011 Regular Session, Acts 2011, cc. 1 to 890, and 2011 Special Session I, c. 1, and 2012 Regular Session, Acts 2012, cc. 1 to 3. ***
*** Annotations Current Through December 13, 2011 ***

TITLE 20. DOMESTIC RELATIONS
CHAPTER 9. STATUS OF CHILDREN OF ASSISTED CONCEPTION

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Va. Code Ann. § **20-156** (2012)

§ **20-156**. Definitions

As used in this chapter unless the context requires a different meaning:

"Assisted conception" means a pregnancy resulting from any intervening medical technology, whether in vivo or in vitro, which completely or partially replaces sexual intercourse as the means of conception. Such intervening medical technology includes, but is not limited to, conventional medical and surgical treatment as well as noncoital reproductive technology such as artificial insemination by donor, cryopreservation of gametes and embryos, in vitro fertilization, uterine embryo lavage, embryo transfer, gamete intrafallopian tube transfer, and low tubal ovum transfer.

"Compensation" means payment of any valuable consideration for services in excess of reasonable medical and ancillary costs.

"Cryopreservation" means freezing and storing of gametes and embryos for possible future use in assisted conception.

"Donor" means an individual, other than a surrogate, who contributes the sperm or egg used in assisted conception.

"Gamete" means either a sperm or an ovum.

"Genetic parent" means an individual who contributes a gamete resulting in a conception.

"Gestational mother" means the woman who gives birth to a child, regardless of her genetic relationship to the child.

"Embryo" means the organism resulting from the union of a sperm and an ovum from first cell division until approximately the end of the second month of gestation.

"Embryo transfer" means the placing of a viable embryo into the uterus of a gestational mother.

"Infertile" means the inability to conceive after one year of unprotected sexual intercourse.

"Intended parents" means a man and a woman, married to each other, who enter into an

agreement with a surrogate under the terms of which they will be the parents of any child born to the surrogate through assisted conception regardless of the genetic relationships between the intended parents, the surrogate, and the child.

"*In vitro*" means any process that can be observed in an artificial environment such as a test tube or tissue culture plate.

"*In vitro fertilization*" means the fertilization of ova by sperm in an artificial environment.

"*In vivo*" means any process occurring within the living body.

"*Ovum*" means the female gamete or reproductive cell prior to fertilization.

"*Reasonable medical and ancillary costs*" means the costs of the performance of assisted conception, the costs of prenatal maternal health care, the costs of maternal and child health care for a reasonable post partum period, the reasonable costs for medications and maternity clothes, and any additional and reasonable costs for housing and other living expenses attributable to the pregnancy.

"*Sperm*" means the male gametes or reproductive cells which impregnate the ova.

"*Surrogacy contract*" means an agreement between intended parents, a surrogate, and her husband, if any, in which the surrogate agrees to be impregnated through the use of assisted conception, to carry any resulting fetus, and to relinquish to the intended parents the custody of and parental rights to any resulting child.

"*Surrogate*" means any adult woman who agrees to bear a child carried for intended parents.

HISTORY: 1991, c. 600; 1997, c. 81.

NOTES: LAW REVIEW. --For comment, "Taking the Frozen Embryo to Court in Virginia: A Proposed Statute," see 13 G.M.U. L. Rev. 127 (1991). For article, "Altruism and Intermediation in the Market for Babies," see 66 Wash. & Lee L. Rev. 203 (2009).

RESEARCH REFERENCES. --Nina M. Vitek, Disputed Paternity Proceedings (Matthew Bender).

MICHIE'S JURISPRUDENCE REFERENCES. --For related discussion, see 9B M.J. Infants, § 2; 14A M.J. Parent and Child, § 1.

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TOC: Code of Virginia > / . . . / >

... / TITLE 20. DOMESTIC RELATIONS / ...

CHAPTER 9. STATUS OF CHILDREN OF ASSISTED CONCEPTION > § 20-156. Definitions

Terms: **20-156** (Suggest Terms for My Search)

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Outline

Page [Select a Reporter V] [] [60](#)

Doc [] [60](#) of [60](#)

Term [] [60](#) of [60](#)