

RÉSUMÉ DIGEST

ACT 116 (SB 156)

2025 Regular Session

Pressly

Existing law establishes certain rights for an in vitro fertilized human embryo.

New law changes references in existing law from "human embryo" and "in vitro fertilized human ovum" to "in vitro fertilized human embryo".

New law defines "in vitro fertilized human embryo" and "nonviable in vitro fertilized human embryo" and provides that an in vitro fertilized human embryo is deemed viable unless it is determined to be nonviable pursuant to new law.

New law reorganizes provisions of existing law.

Existing law establishes criteria for persons engaging in in vitro fertilization procedures.

New law provides additional criteria for persons engaging in in vitro fertilization procedures.

Existing law provides that if the in vitro fertilization patients renounce their parental rights for in utero implantation, the in vitro fertilized human ovum shall be available for adoptive implantation. The in vitro fertilization patients may renounce their parental rights in favor of another married couple.

New law removes the terms "parental", "married", "couple", and "adoptive implantation" and instead provides for donation to a person upon a patient removing their rights for in utero implantation.

New law further provides that the legal transfer of rights and responsibilities shall only be permitted for uses consistent with new law, and that no compensation shall be paid or received by any person for the renouncing of their rights and responsibilities for an in vitro fertilized human embryo.

Existing law provides that in disputes arising between any parties regarding the in vitro fertilized ovum, the judicial standard for resolving such disputes is to be in the best interest of the in vitro fertilized ovum.

New law provides that if an in vitro fertilization agreement exists, parties in dispute shall resolve in accordance with the terms and provisions of the agreement before utilizing the courts.

Existing law provides that any physician, hospital, in vitro fertilization clinic, or their agent who acts in good faith shall not be held strictly liable or liable in any action relating to succession rights and inheritance for the screening, collection, conservation, preparation, transfer, or cryopreservation of the human ovum fertilized in vitro for transfer to the human uterus.

New law provides criminal immunity from liability and extends the protection to additional providers of goods and services and acts related to in vitro fertilization.

New law requires all civil matters brought against a qualified healthcare provider to be brought in accordance with the La. Medical Malpractice Act (R.S. 40:1231.1, et seq).

New law provides that any civil matter brought against a nonqualified healthcare provider shall be subjected to civil liability based upon the applicable standard of care.

Effective August 1, 2025.

(Amends R.S. 9:121-124 and 126-133; repeals R.S. 9:125)