

Surrogate Mother Sued for Not Aborting Now-Born Baby

The biological parents at the center of a surrogacy conflict are suing the woman who carried and gave birth to the child. The surrogate mother, McKenna West has been accused of violating their contract when she refused to abort the child after he was diagnosed with a treatable heart condition.

The surrogacy agreement, obtained by TMZ, reads, "Except as provided herein, the Gestational Carrier agrees that it is her intention that she will not terminate the pregnancy or attempt to terminate the pregnancy she is carrying pursuant to this Agreement once the embryo is implanted except, if in the professional medical opinion of the physician approved by the Intended Parents or her own independent obstetrician, such action is necessary to protect a serious, grave, life-threatening risk to her own physical health. No such termination shall occur unless and until all Parties are notified and all Parties can review medical records and obtain second opinions should they wish to do so unless the medical condition is an emergency and there is no time for second opinions."



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"Further, the Parties hereto, as stated above, agree that there shall be a termination of the pregnancy for a fetal abnormality as determined by a physician designated by the Intended Parents if the Intended Parents request a termination of the pregnancy," the agreement says. "The Gestational Carrier agrees to terminate the pregnancy if, so requested by the Intended Parents in writing."

Texas Attorney General Ken Paxton stepped in to save the baby

prior to his birth. West traveled to the state to protect the baby, named Gabriel, where Paxton then secured an emergency order to save the infant.

In previous court documents, Gabriel's parents argued that it is "undisputed that West initially agreed and that she herself made the initial appointment. She then unilaterally changed her mind, cut off all contact with A.B. and C.D., and withdrew medical releases allowing A.B. and C.D. to have contact with all medical providers."

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