

# *International Responsa Project*

**Subject:** Pregnancy and life endangerment

**Date:** July 2009

**Answered by:** Rabbi Mordechai Halperin, M.D.

*Hi,*

*I was wondering if you could help me.*

*I am in a position where it is likely that it is unsafe for me to give birth or very risky because I have hypertrophic cardiomyopathy. It is a symptom of Noonan Syndrome which I have a 50/50 chance of passing on to a child (my mum and sister have this too. My mum's cardiomyopathy appeared later in life and she had no problems giving birth, however her mum died giving birth to her due to a "heart condition" though they had no idea about cardiomyopathy back then). Noonan Syndrome can also show itself in other forms along with the heart condition such as autism, physical deformity etc (which my sister may have very very mildly and in her case also a heart lung condition which means that it is 100% not safe for her to have children).*

*So I want to have children, and adoption is a possibility but I am looking into surrogacy too.*

*I have read around and it seems that halachically it is a confused area, but it does take place within orthodoxy however it seems that the women's egg is necessary. Now this is something which would not be so helpful for me since I am not keen to pass on the gene, though there is a chance that the gene would not be passed on anyway, however they have no way of checking.*

*I have read these two sources "Halachic Issues in Infertility Treatment" published by Nishmat under "the hilchot Niddah guide for medical professionals – Jewish women's health".<sup>1</sup> and "Chief rabbi: Married*

*woman can be surrogate" by Haim Levinson published on Ynet in November 2006.<sup>2</sup> I have also heard that it may be possible to get a heter for surrogacy using my partners sperm and another women's egg but I would have to ask the "right" rabbi. I am also actually hoping that maybe there exists some kind woman in the Jewish community who may serve as a surrogate mother as in the case in the article, since it very expensive and also a huge amount of trust is needed!*

*Any information would be of great help,*

*Kind regards*

See Nishmat Avraham (Artscroll Mesorah pub. 2004) Vol. III pp. 16-17.

But R. Z. Goldberg permits it under strict supervision (in Hebrew: "on egg donation, surrogacy..." Assia 65-66, pp. 45-49; Tshumin Vol. 5, pp. 273-281; Tshumin Vol. 10, pp. 273-381) and some other great Poskim permit this procedure if those conditions are kept.

I do recommend you to contact Rabbi Menachem Bornstein, the director of "Puaa" institute.

<sup>1</sup> <http://www.jewishwomenshealth.org/article.php?article=28>

<sup>2</sup> <http://www.ynetnews.com/articles/0,7340,L-3261249,00.html>