

613.15B Wrongful birth or wrongful life cause of action — prohibitions — exceptions.

1. A cause of action shall not arise and damages shall not be awarded, on behalf of any person, based on a wrongful birth claim that, but for an act or omission of the defendant, a child would not or should not have been born.

2. A cause of action shall not arise and damages shall not be awarded, on behalf of any person, based on a wrongful life claim that, but for an act or omission of the defendant, the person bringing the action would not or should not have been born.

3. The prohibitions specified in [this section](#) apply to any claim regardless of whether the child is born healthy or with a birth defect or disorder or other adverse medical condition. However, the prohibitions specified in [this section](#) shall not apply to any of the following:

a. A civil action for damages for an intentional or grossly negligent act or omission, including any act or omission that constitutes a public offense.

b. A civil action for damages for the intentional failure of a physician to comply with the duty imposed by licensure pursuant to [chapter 148](#) to provide a patient with all information reasonably necessary to make decisions about a pregnancy.

[2018 Acts, ch 1165, §118 – 120](#)

Section applies on or after June 1, 2018, to causes of action that accrue on or after that date; a cause of action accruing before June 1, 2018, is governed by law in effect prior to June 1, 2018; 2018 Acts, ch 1165, §119, 120

NEW section