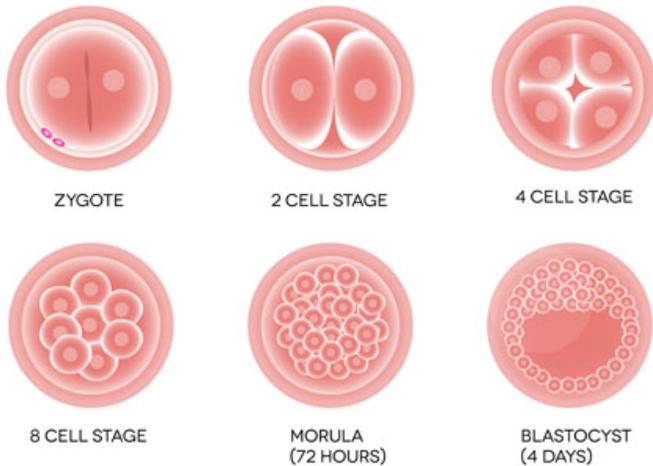


## Embryo Donation

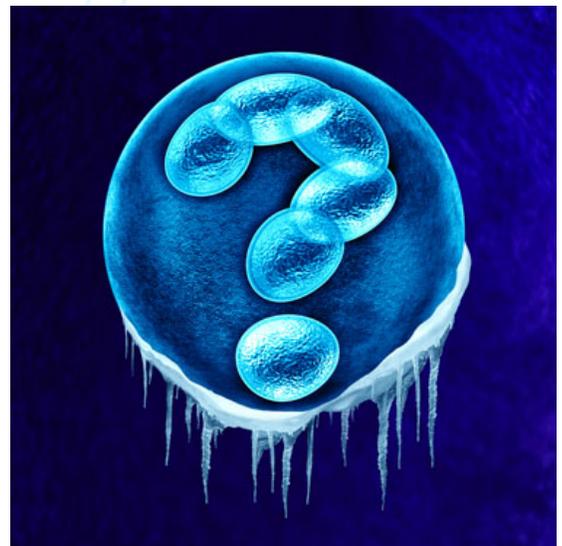


Children born through embryo donation will have no genetic link to the couple receiving the embryos. This sometimes controversial process demands informed consent of all parties to the donation. There may be few laws surrounding the “donations” of embryo so it is of paramount importance to consult an experienced third party attorney to create appropriate contracts and stipulations.

According to the American Society of Reproductive Medicine, there are no national statistics on pregnancy rate using donated frozen embryos. For a more in-depth and detailed orientation to embryo donation, please see the excellent and detailed guide published by the ASRM:

### Before deciding to donate

Before you decide to donate embryos, consider what kind of control you want over the process. Do you want to be an anonymous donor or do you want some level of participation in the process? Do you want to select the couple receiving the embryos; do you want to know the outcome of the cycle and whether there is a live birth. Deciding to donate embryos through a fertility clinic or an agency can enhance or limit participation in the process. Some agencies allow more control to donors while other organizations may limit the control. Some recipients of the donated embryos wish the process to be anonymous while others encourage open donations. Whatever the preference, proactive investigation of options with clinics or agencies to determine their policies is in your best interests. Ultimately, what you do with your embryos, where and how you donate is up to you. Think and consider the process carefully.



### **Some Considerations:**

- What information from the recipient couple, individual or family do you want?
- Do you want to have any future contact? (With anonymity you may not know the outcome of the embryo transfer or even if a live birth occurred.)
- Are you alright with a single man or woman receiving the embryo donation?
- Is religion of the recipients important?
- Is race a consideration in donating embryos?
- Is sexual orientation a consideration?
- In consideration of medical history, is there medical information that is and is not important (genetic history) both for donors and recipients of the embryo donation?
- Do you want to select a couple with physical attributes like yours?
- Should a live birth occur, what should the child know about its origins or do you have a preference?
- Do you want to remain anonymous to the recipient? If not, what level of participation do you require to donate embryos?
- Is the age of the recipients important?
- Is marriage or divorce a requirement?
- Is income a priority?
- What type of education is important or is it important?

These are some of the considerations to ponder before donating. There may be others based on, medical, personal preference or individual situations.

### **How Are Embryos Donated?**

According to the United States Department of Health and Human services there may be as many as 60,000 – 150,000 embryos cryopreserved in fertility clinics that are not being used or going to be transferred. Those undergoing IVF treatment may have completed their families and the do not wish to use the remaining embryos. There are a number of agencies and clinics that accept embryos for donation but there are also additional ways embryos may be donated to recipients. Some clinics and organizations or independent agencies help facilitate the process. INCIID has facilitated several embryo donation requests through the IVF Scholarship Program and referrals to reproductive law attorneys. Matches are sometimes made through word-of-mouth or use of

Internet registries. If donation is private, through word-of-mouth or the Internet, it is of paramount importance to use a qualified third party reproduction attorney to protect the interests of all parties involved.

### **Embryo Donation or Embryo Adoption; A Difference in Philosophy**

Embryos though potential human beings are medically defined as human tissue and regulated by states as such. Most embryos will not develop into people. Some die as a result of the freezing process, some are donated to research or to individuals or other couples, still others will remain frozen indefinitely, or are destroyed. The act of donating embryos that are not to be transferred is often referenced as rescuing them. The fact is that embryos do not have personhood status so they are regulated as human tissue.

It is inappropriate to classify adoption as a rescue mission. Individuals who decide to create families through the act of adopting a child are not “rescuing” children. Use of respectful and positive adoption language is the preference for those who build their family through adoption.

Regardless, of opinion, developing a personal philosophy about the act of donating or receiving embryos will help you decide which agency, clinic or independent third party attorney to work with for the best possible match. Embryo donation is a very personal, delicate and private decision.

### **The Process**

The recipients of embryo donation should be screened medically as well as undergoing psychological evaluation. The medical process for the receiving couple is called Frozen Embryo Transfer (FET) and includes evaluation of a receptive uterus and then transfer of the embryo/s to the uterus. There is usually minimal preparation and few drugs necessary. The cost of an embryo transfer is around \$4000. This may not include the necessary contracts between the couple donating and the couple receiving the embryo. There may be an agency fee that should include coordinating any legal work, other screening and contracts on top of the FET cost. Cost of embryo transfer (donation) is much more economical than a full scale IVF cycle (\$15-\$22,000K or more if egg donation is needed.) Recipients of embryo donation should ask questions about the process of freezing, length of time the embryos were frozen, any live birth statistics the managing clinic has on FET outcomes etc.

One frequently asked question about embryo donation concerns the risk of donor offspring meeting one another. The risk is actually quite negligible that the child from embryo donation will accidentally meet a brother or sister. Having an open donation or even donating embryos to someone in another state will further minimize any risk that may exist.

Whatever your philosophy, embryo donation can be a good option for anyone with frozen embryos and no intent to use them. In recent years the reproductive medical professional suggested openness with families using a donor process to build families. In developing your donation philosophy, keep in mind that studies show donor children have an innate interest in knowing as much as possible about their genetic make-up. The ASRM Ethic Committee supports disclosure and gathering of genetic information. Whatever you decide, the decision to donor or accept a donation of embryos is a highly personal decision that may be different based on individual variables, preferences and scenarios. Remember to consult an agency that follows the American Society for Reproductive Medicine policies and consult a third party legal expert if you decide to donate or receive donor embryos.

*Infertility Information & Support*