

## **Position Statement - Storage and Disposal of Embryos**

### **INTRODUCTION**

This position statement has been developed to reflect the guidelines as set out by the *National Health and Medical Research Council, Ethical Guidelines on the use of assisted reproductive technology in clinical practice and research (2007)* ("NHMRC Ethical Guidelines").

Fertility Solutions **provides embryo storage for 5 years with the option to renew for a further 5 years equating to a maximum period of 10 years storage.**

### **ETHICAL ISSUES OF EMBRYO STORAGE AND DISPOSAL**

There are many complex ethical, religious and emotive issues associated with embryo storage, embryo donation and allowing embryos to succumb. The existence of diverse views on when life begins and the experience and outcomes of an individual/couples fertility treatment will impact on how participants approach end of storage decision-making.<sup>1</sup>

### **NHMRC ETHICAL GUIDELINES - COMPLIANCE**

Separate to the ethical issues expressed above, bodies offering assisted reproductive procedures in Australia must be accredited by the Fertility Society of Australia, which requires compliance with the NHMRC Ethical Guidelines as part of their accreditation process. Fertility Solutions complies with the NHMRC Ethical Guidelines.

The NHMRC Ethical Guidelines deal with the issue of embryo storage and disposal.

### **NHMRC ETHICAL GUIDELINES**

Paragraphs 8.8 and 8.9 of the NHMRC Ethical Guidelines state:

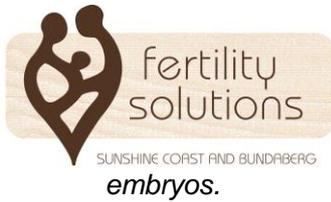
#### **8.8 Limit duration of storage**

*It is not desirable to leave embryos in storage indefinitely.*

*Clinics must have clear policies that limit the duration of storage of embryos.*

**8.8.1** *The maximum time for which embryos may be kept in storage should be five years with the option to review consent for a further five years.*

**8.8.2** *If, after the maximum period of storage, the embryos have not been used, donated or allowed for use in research (see paragraph 8.5), [not currently an option for Fertility Solutions patients] and no alternative arrangements have been made by the persons for whom the embryos are stored, clinics should arrange for the disposal of the*



## **8.9 Dispose of embryos respectfully**

*Clinics must have protocols in place for the respectful disposal of embryos.*

8.9.1 *The wishes of the persons for whom the embryos are stored, as to the method of disposal, should be respected.*

### **REASONS FOR 5+5 STORAGE**

There are a number of reasons put forward in the literature as to why embryos are only allowed to be stored for a maximum of 10 years. They are:

1. To prevent the endless, expensive storage of abandoned embryos.<sup>2</sup>
2. To prevent embryos from being held in storage after contact is lost with the genetic parents<sup>3</sup>. The view is that it is exceedingly difficult to locate most of the couples concerned and obtain up to date instructions about what to do with their embryos.
3. To avoid the creation of a growing bank of frozen embryos<sup>4</sup>.
4. To avoid the possibility of "embryo banking" which may occur, where embryos remain in storage for extended periods of time and ultimately are not required for use in treatment.

### **OPTIONS FOR WHEN THE 10 YEAR MAXIMUM PERIOD OF STORAGE IS NEAR**

1. You can use the embryos for your own treatment.
2. You may consent to have the embryos removed from storage and respectfully be allowed to succumb.
3. You may consent for the embryos to be donated for the use of infertility treatment of others (as long as the embryos have not been created using donor sperm or eggs or are donor embryos).

### **Indefinite storage is not an option**

#### **OUR PROCEDURES**

If you still have unused embryos in storage 4 years after your IVF treatment (this includes embryos that are imported to Fertility Solutions from another clinic and reach the age of 4 years since created) we will write to you and remind you that you still have embryos in storage, advise you of your options and ask you to take action in accordance with the option chosen by you.

If we do not receive a written response from you within 6 months we will send a reminder letter.



If you have not advised us of your choice in writing on or before the 5th anniversary of the storage of your embryos, we will comply with paragraph 8.8.2 of the NHMRC Ethical Guidelines and arrange for the disposal of your embryos by respectfully allowing them to succumb.

**It is important that you keep Fertility Solutions updated with any changes to your contact details and it is important that you respond promptly to the clinic notification in the event that you wish to use or donate any unused embryos.**

<sup>1</sup> Reproductive Technology Council of Western Australia, Policy on Embryos Storage and Applications to Extend Storage Beyond Ten Years, Reproductive Technology Council, February 2010, 3.

<sup>2</sup> Notebook/Talk of the Streets, London: Embryo Ethics, TIME INT'L, August 5, 1996, at 6.

<sup>3</sup> The storage of human embryos, Karin J Dawson, IVF Unit, Institute of Obstetrics and Gynaecology, Royal, Postgraduate Medical School, Hammersmith Hospital, Du Cane Road, London W12 ONN, UK, Human Reproduction vol.12 no.1 pp.3-11, 1997

<sup>4</sup> Saunders DM, Bowman MC, Greierson A, Garner F. Frozen embryos: too cold to touch? The dilemma ten years on. Hum Reprod 1995, 10: 3081-3085