

# **Known Donor Embryo Donation**

## ***Information for Donors and Recipients***

### **Background**

This document provides information on the embryo donation program offered at Westmead Fertility Centre and answers some of the questions commonly raised.

Westmead Fertility Centre only offers 'known' donation whereby the donors and recipient/s are known to one another. Westmead Fertility Centre does not locate a donor for a recipient or vice versa.

To comply with legislation and governing bodies and ensure the safety and well being of all individuals involved, Westmead Fertility Centre has a detailed and systematic embryo donation program (outlined in the flowchart below). Embryo donation is a complex process with various social, emotional and medical implications. At Westmead Fertility Centre, support is available along the donation journey. Your questions are welcomed at any time during the donation process and we will endeavour to explain each step of the process.

At Westmead Fertility Centre, some couples that have completed their family may still have embryos in storage. Depending on the quality/quantity of these embryos, the couple may choose to donate to another couple or woman who has not been able to have a child using their own gametes. This couple or woman may be an existing patient of Westmead Fertility Centre or they may be a new patient.

It is important to note that generally the embryos were created for use by the couple themselves and so the necessary in-depth infectious disease investigation required for gamete donation may not have been completed at the time of embryo creation. Although the donor's will undergo detailed infectious screening, it is important to note that this testing is completed retrospectively.

All parties involved in the donation must be equally agreeable to participation. Counselling sessions and Fertility Specialist consultations will promote openness and honesty and

explore the implications for those directly involved in the donation as well as for the family unit and person/s born. It is also important to consider when embarking on the donor program that the process takes time and there are no guarantees of donation completion or success. If the donated embryos are approved for donation there is no guarantee that the embryos will survive the freezing and thawing process or result in a pregnancy. Both the donors and recipient/s will need to attend Westmead Fertility Centre for various appointments and commitments.

### **Matters to be considered before donating or receiving embryos:**

Before committing yourself to treatment, here are some questions for you to consider.

- What is the current status of the law regarding the donation of embryos?
- Who are the legal parents of the child?
- Are records kept of the donor and recipient?
- How do you feel knowing that the child would be able to have access to identifying information about the donor at the age of eighteen?
- Is fertilisation and pregnancy guaranteed?
- How many times can a donor donate?
- Can you donate embryos directly to your friend or relative?
- Will you tell the child born about their biological origin? Will you tell others?
- Am I willing to undergo extensive testing that may reveal something about myself I did not know?

## **Westmead Fertility Centre Embryo Donation Process Outline**

### **DONOR COORDINATOR**

Once the embryo donors have found their recipient (or vice versa), both the donors and recipient/s will have a phone appointment with WFC's Donor Coordinator to discuss the overall process and to ensure initial eligibility and undergo infectious screening.



### **DONORS' FERTILITY SPECIALIST CONSULT**

The Fertility Specialist will assess medical suitability of the donors. Health questionnaire, donor info, medical history will be completed and infectious screening blood test results reviewed and explained.



### **INDIVIDUAL COUNSELLING SESSIONS**

Both the donors and recipient/s will have an individual counselling session to discuss the implications of embryo donation. Partners, if applicable, must be present for these sessions. Once the donors have completed their individual counselling session, to allow ample consideration time, embryos may not be donated to the recipient/s for another 3 months.



### **GENETIC COUNSELLING/TESTING**

Both embryo donors will have an appointment with WFC's affiliated genetic counsellor to discuss family history. The female donor will undergo genetic testing. The process of genetic testing and the implications of a positive result for the donors and their family (if applicable) will be discussed. The donors are encouraged to gather information about their family history prior to this appointment. If the female donor is a carrier for a genetic condition, the male donor may also need to be screened.



### **JOINT COUNSELLING SESSION**

Both the donors and recipient/s will have a joint counselling session prior to any consents being signed. Partners, if applicable, must be present for this session. All parties are encouraged to be open and honest and discuss and confirm their willingness and desire to partake in the donation.



### **FINAL FERTILITY SPECIALIST CONSULT**

Both the donors and recipient/s will have a final medical consultation to discuss all results, sign consents and finalise preparation for the recipient's treatment.



### **TREATMENT**

Once 3 months have passed since the donors' initial counselling session and providing they do not wish to withdraw consent, the embryos may be used by the recipient in a frozen embryo transfer cycle. The recipient will have a blood test for the same panel as the donor prior to receiving the embryos.

### **NSW Ministry of Health Central ART Register:**

Since the introduction of the NSW Central Register in 2010, the birth of any child conceived using donated embryos must be recorded on the Central Register in addition to certain identifying information about the donor and recipient. A donor-conceived child can access their donor's identifying information from the Register once they reach 18 years of age.

Details lodged with the Central ART Register include:

- The full name, gender and date of birth of each child born as a result of the donation at Westmead Fertility Centre.
- The full name of the woman who gave birth to the child.
- Information about the donor, including:
  - Full name;
  - Residential address;
  - Date and place of birth;
  - Ethnicity and physical characteristics;
  - Medical histories and any genetic test results that are relevant to the future health of the recipient and any child (and any descendants of the child);
  - Sex and year of birth of other child(ren) arising from the donation
  - Name of each ART provider who has previously obtained donated embryos from the donor and the date on which the embryos were obtained.

All embryo donors are asked to consent to this identifying information being placed on the Central Register. If they do not consent, donation cannot proceed.

Recipients and donors are able to access non-identifying information about the donor and any children (respectively), however open exchange of information between all parties is encouraged and this will be discussed further in counselling sessions.

### **Further Regulatory Framework:**

- Legislation in NSW declares that any child conceived by donated embryos is the legal child of the couple who have both consented to the procedure of receiving donated embryos. Therefore, the partner of the embryo recipient has all the rights and duties of responsibility as if the child was their natural child. The donor has no legal or financial obligations to any child(ren) born as result of the donation.
- All parties are free to modify or revoke their consent at any time up until the embryo

has been transferred to the recipient.

- Embryo donation must be altruistic – this means that it is against the law for a recipient to give (or the embryo donors to receive) any direct or indirect inducements for the donation. The reimbursement of reasonable associated out-of-pocket expenses is allowed. The counsellor will document the reason for donation to determine that the donors have not been coerced into donating their embryos.
- Westmead Fertility Centre cannot provide treatment if it is likely to result in children of the donor being born to more than five women (whether or not as a result of ART treatment).
- Donated embryos cannot be used more than 15 years from the time the embryos were created. Before donation, donors are asked to stipulate whether they consent to the use of their embryos in the event of their death. Even where this consent has been obtained, if the embryos have been stored longer than five years, before they can be thawed it is necessary to ascertain if either of the donors are no longer alive, and inform the recipient of this. If a donor is deceased and has not consented to the use of the embryos in the event of their death the embryo storage must be terminated.
- Both the embryo donors, the recipient and their partner (if applicable) must have at least one individual counselling session and one joint counseling session prior to the donation consents being signed.
- The recipient must alert Westmead Fertility Centre of the cycle outcome following treatment.

*If you have further questions or concerns regarding the law surrounding embryo donation, please seek independent legal advice.*

**Westmead Fertility Centre policies:**

- To maximize the recipient's chances of success whilst reducing the possibility of regret of the donors, the **following embryo donor criteria apply:**
  - The female of the donating couple must have been aged 38 years or younger when the embryos were created.
  - The male of the donating couple must have been aged 50 years or younger when the embryos were created.
  - A live birth must have resulted from the batch of embryos to be donated.

- Youngest child of the couple donating the embryo(s) must be at least 2 years old.
  - A minimum of three cleavage stage embryos or one good quality blastocyst must be available for donation.
- A recipient may receive the embryo created from the donated embryo up until 50 years of age.
- Even if the embryo donor's children are not affected by a genetic condition, it is important to determine whether the remaining embryos may be affected to reduce the risk of any person/s born as a result of the donation having a genetic condition or disease. Therefore, family history will be taken of both donors and the female embryo donor will undergo genetic screening. If the female embryo donor is a carrier for a genetic condition, the male embryo donor may also need to be screened. Genetic counselling is included in the program to ensure an understanding of the reasons why genetic screening is conducted and the implications of inheritable conditions for the individual and their family. Genetic screening tests are an additional cost to the donor work-up fee and vary depending on the level of screening required.
- To protect all parties involved, donors will be required to undergo comprehensive infectious disease screening, complete a lifestyle questionnaire and declaration and discuss relevant medical history with their Fertility Specialist. Outcomes of these investigations could result in the donor not being approved for donation. The donor will need to consent to any relevant medical or personal information to be discussed with the recipient if necessary.
- To maximise the recipient's chance of success and ensure compliance to legislation, WFC only allows donation of embryos collected at Westmead Fertility Centre from individuals that have not previously donated at another clinic. The donated embryos may only be used by the recipient couple (they cannot be donated to another couple or individual).
- The standard initial embryo storage duration at Westmead Fertility Centre is five years. Storage beyond five years requires re-consent from the recipients and is conditional on the recipient's age. Continued storage of embryos is not available at Westmead Fertility Centre for women over 50 years of age.
- Westmead Fertility Centre may have to contact the donor perhaps many years after their embryo donation cycle – thus it is important that the donor informs Westmead Fertility Centre of any change in their contact details on a regular basis. Both the donor and

recipient should also keep the clinic informed of any changes to the donor's health or the health of the person's born (as a result of the donation) which may affect the involved parties.

### **What are the costs of the program?**

Once the embryo donors have been initially approved by the Fertility Specialist, the recipient will be required to pay the initial donor 'work-up' fee. Please note, this fee is not covered by Medicare. This work-up fee includes:

- All counselling sessions for both the donors and recipient/s, including initial genetic counselling;
- The support of a Donor Coordinator and team at Westmead Fertility Centre throughout the donation process.

Please note, the work-up fee is non-refundable if the donors are not deemed suitable to donate, withdraw their consent or the embryo/s do not survive the thawing process. Fertility Specialist consultations and some tests (such as genetic screening) are not included in this work-up fee. Once the embryo/s have been cleared for donation, the recipient will also need to pay for their frozen embryo transfer cycle. The recipient's frozen embryo transfer may be subsidised by Medicare if the recipient has a medical reason for infertility.

Westmead Fertility Centre offers treatment cycles at an affordable price. Once the work-up is complete, there are no additional fees on top of the frozen embryo transfer cycle fee when using donated embryos. Please refer to Westmead Fertility Centre's website for up to date embryo donor 'work-up' fee and treatment cycle prices. The Fertility Specialist's rooms can be contacted directly to determine the price for their consultations.

### **Support and counselling**

The team at Westmead Fertility Centre is available to answer any questions and discuss any matters which may arise before, during and after treatment. A qualified counsellor is also available on request for support in addition to the counselling included in the donation program. There is no extra charge for this counselling service.

You may want to consider joining an external support group. Such as,

- the Australian infertility support group, ACCESS. 1800 888 896 [www.access.org.au](http://www.access.org.au)
- Australian Donor Conception Network  
<https://www.australiandonorconceptionnetwork.org/>