

# BECOMING OR USING AN EMBRYO DONOR

The decision to use donated embryos will have a significant impact on the people who achieve a family through the donor program and upon the children in that family. The decision to donate can also have a significant impact on the donor and their family.



## Donating and becoming a recipient of donor embryos should be a considered and informed decision.

This booklet provides the information necessary to assist donors and recipients in making informed decisions in regards to using or donating donor embryos, including legal rights and responsibilities, medical treatment and social issues.

Melbourne IVF's donor program nurse is the point of contact (for both recipients and donors), to provide information and guidance on the procedures and processes involved in becoming an embryo donor or recipient. We encourage you to contact the donor program nurse at any stage by phoning 03 9473 4401 or by emailing [donorembryonurses@mivf.com.au](mailto:donorembryonurses@mivf.com.au).

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## What is embryo donation?

When an individual or couple have embryos stored that are in excess of their needs, it is possible to donate these embryos to other people. The individual or couple who have the excess embryos are known as the 'donors' and are able to help others, known as 'recipients' in their attempt to become parents.

Embryo donation may either be 'Recipient Recruited' or 'Clinic Recruited' depending on the relationship between the donor and recipient.

### Recipient recruited donation

Recipient recruited donors donate their embryo(s) to specified named recipient(s), usually a relative or friend.

### Clinic recruited donation

Clinic recruited donors donate their embryo(s) to the IVF clinic for allocation to unknown recipient(s).

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## Who can be an embryo donor?

Couples or individuals who have completed their IVF treatment are often faced with the decision about what to do with remaining excess frozen embryos. These donors, who have generally completed their own families, give a variety of reasons for deciding to donate, including:

- Believing it is ethically preferable to donate rather than to dispose of the embryos
- Feeling compassion for couples struggling with infertility

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The Melbourne IVF donor embryo guidelines stipulate that if the donors have a child less than 12 months of age, the donor process may commence; however allocation of embryo(s) will not occur until the child reaches 12 months of age.

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## Who can be an embryo recipient?

In most instances embryo recipients are Melbourne IVF patients who have received medical or counselling advice that this is the best option for them. Women may be placed on the Melbourne IVF donor embryo waiting list with a referral from their fertility specialist. Women allocated donor embryos may continue to use the embryos up until their 51st birthday.

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## Can I be paid to be an embryo donor?

No, donating embryos is a purely an altruistic gift. In Australia it is illegal to receive or make any type of payment for human tissue. Under the Prohibition of Human Cloning Act 2008 (Victorian legislation), donors may be reimbursed for reasonable expenses incurred during the donation process with proof of receipt, such as travel and parking, however they cannot be compensated for loss of work time.

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## Becoming an embryo donor

The process for either using or donating embryos involves careful consideration from all parties and a series of preliminary appointments including counselling and nursing appointments are required.

### Counselling

In Victoria it is a legislative requirement that all embryo donors and recipients have counselling appointments to discuss the implications of embryo donation. This is an opportunity to consider the issues and implications associated with being involved in the donor program and to make an informed decision.

Embryo donors are required to attend a group information session and at least two counselling sessions. Recipient recruited embryo donors require a combined counselling session with their recipient(s).

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## Becoming a **CLINIC** recruited embryo donor

- Why you wish to become an embryo donor.

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- How will you feel about a child conceived from your donation

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- How many families you wish to be conceived as a result of your donation (there is currently a legislated maximum of ten women who may have children conceived from the donation of your embryos. This number takes into account any previous or current relationships where children have been conceived by the donors).

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- Issues regarding your own fertility that require discussion with the fertility specialist or counsellor (e.g. previous pregnancy losses).

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- What your children should know (if applicable).

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- How will you feel if the donor conceived child contacts you at age 18 or wants earlier contact?

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- What should your family and friends be told?

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- Who else should be told?

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- Whether you wish to know if a child is conceived as a result of your donation. Donors will be notified by the Victorian Assisted Reproductive Treatment Authority (VARTA) that a birth resulting from their donation has been recorded on the Central Register. This register is maintained by VARTA and records all births resulting from donor treatment in Victoria.

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## Becoming a **RECIPIENT** recruited embryo donor

### Issues

- How will communication occur between you and your recipient(s) i.e. phone, email

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- How the donation, whether successful or not, is likely to impact on your relationship with your recipient(s) and your own relationships

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- Whether there is a clear understanding of each other's approach to disclosing any child's donor origins

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- What future contact will occur between you and your recipient(s) should a pregnancy occur: how often and by what means. Expectations of contact for the near future should be clarified as much as possible with the understanding that feelings and needs may change over time

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- Options for any excess embryos in storage once the recipient(s) have completed their family

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### Screening blood and genetic testing

All embryo donors are required to undergo screening blood tests and genetic screening. Donors are also required to complete a Genetic and Medical Health Questionnaire.

Any issues that arise from the completion of this form will be referred to a Geneticist.

### Clinic recruited embryo donor allocation

Embryo donors will be advised once the embryos are ready for allocation to ensure they still wish to proceed with the donation. Once all pathology and paperwork has been returned, the donors non-identifying profile and genetic health questionnaire will be offered to potential recipients. The donors will be notified once they have been selected.

## Preparing for treatment : Donor

Contact Donor Team or return “Consent to Dispose/Donate” form to the embryology lab to commence process	The scientific director assesses the embryos and will deem them suitable for donation or not. If the embryos are suitable to donate the donor team will make contact and schedule the potential donors into the next information session.
Group Information Session 1 (webinar)	This session covers the potential social and legal issues. The donors will complete and return a Genetic Health Questionnaire.
Counselling Appointment 1	Discuss implications of donating embryos.
Counselling Appointment 2	Review issues and sign consent forms with same counsellor. Screening blood test form given to donor (if required). If recipient recruited donor arrangement a joint session is required prior to signing consents.
Blood Test	Donors undertake screening blood tests.
Embryo Donor Program Fertility Specialist Review	Embryo Donor Program Fertility Specialist (and in some instances Geneticist) reviews details and advises if any further follow up is required.
Allocation	The donor’s profile is now made available for potential recipients to select.

## Treatment begins for recipient

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## Becoming a recipient of donor embryos

### Counselling

In Victoria it is a legislative requirement that recipients of donor embryos have counselling appointments to discuss the implications of embryo donation. This is an opportunity to consider the issues and implications associated with being involved in the donor program and to make an informed decision.

Embryo recipients are required to attend at least 2 counselling sessions. Once consents are signed the donor embryo program nurse will begin the process for allocation of embryo(s).

Recipients may contact or schedule further appointments with the counsellors to discuss any questions or concerns at any stage. Counselling appointments are available at East Melbourne, The Women's Hospital or at Melbourne IVF local clinics.

### Issues

- Your feelings about creating a family where neither partner will be a genetic parent
- Whether you and your partner (if applicable) agree to using donated embryos or whether one prefers to investigate other options
- Your feelings about being a single parent if undergoing treatment as a single woman
- If enough time has been given to understanding and grieving the loss of your fertility
- How your relationship with your partner (if applicable) will be affected if the donation is unsuccessful
- How will you feel if the child wants to contact the donor
- What to tell any donor conceived child.
- What should you tell family and friends?
- Who else should you tell?

## Preparing for treatment : Recipient

Medical Appointment	Recipient attends appointment with Melbourne IVF fertility specialist to discuss the use of donated embryos. The specialist will send a referral letter to the donor embryo nurse.
Contact the patient liaison administrator (PLA)	The PLA will schedule the recipient's appointments and discuss the donor management fees. This includes an initial counselling session and appointment with the donor embryo nurse.
Initial Counselling Appointment	To discuss the social and legal implications of using donated embryos.
Donor Program Nurse	Explains the process to recipients and provides the recipient with an information pack contacting an application to be added to the embryo donor waiting list.
Added to the waiting list	Patient will be added to the donor embryo waiting list once their application has been received and the 1st instalment of the donor management fee has been paid.
Reach top of the waiting list	Once you reach the top of the waiting list, you will attend a counselling appointment. Once you select an embryo donor, your final appointments will be scheduled: counselling, nursing, and fertility specialist appointment.
Nursing Appointment (if required)	An information session with a nurse to discuss the upcoming treatment (thaw/frozen embryo cycle).
Fertility Specialist Appointment	Donor Program Nurse liaises with Embryo Donor Fertility Specialist to review test results and determine if any further follow up consent is required. The recipient is encouraged to meet with their fertility specialist to discuss the embryos quality and treatment plan.

Treatment must commence within 3 months of donor selection

## Patient Liaison Administrator appointment

Prior to attending the second counselling appointment, the recipient is required to attend an appointment or speak with a member of the patient liaison administration team to discuss management and treatment fees. The donor management fee (non Medicare rebatable) must be paid prior to the embryos being allocated to the recipient.

All costs for treatments using donor embryos are paid by the recipient(s).

Further queries regarding fees should be made to the Patient Liaison Administrators at Melbourne IVF on 03 9473 4444.

## Recipient recruited embryo donor allocation

Recipients of recipient recruited donor embryos will be informed by the donor program nurse once all the required donor and recipient documentation has been received and the embryos have been cleared for allocation and use.

## Treatment information for recipients

If the recipients are new patients to Melbourne IVF, a nursing information session is arranged for the recipient once allocation has occurred and treatment is ready to proceed. This information session will discuss the treatment cycle details. Following this session, recipients will be asked to contact the nurses on day one of their cycle.

Embryo donation is a relatively simple option from a medical perspective because the embryos are already frozen and the procedures are the same as having an IVF thaw cycle.

A step by step guide to an IVF thaw may be reviewed on the Melbourne IVF at [mivf.com.au](http://mivf.com.au)

## Is there a waiting list to use donated embryos?

Yes, there is a waiting list of people wishing to use donated embryos. Donating embryos to another couple or individual is a difficult decision.

At Melbourne IVF, recipients are placed on the embryo waiting list after referral by their Melbourne IVF fertility specialist.

People can generally expect to be on the waiting list for at least 12-18 months; however this may vary considerably depending on the availability of embryos. We welcome all recipients to contact the donor embryo program on (03) 9473 4401 or [donorembryosnurses@mivf.com.au](mailto:donorembryosnurses@mivf.com.au) for an update on waiting times.

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## Legislation and requirements

The Melbourne IVF Donor Program is guided by the legislative requirements under the Assisted Reproductive Treatment Act 2008. Under this legislation the following important information applies:

- 1 An embryo donor's consent lapses after 10 years, unless a lesser period is specified by them.
- 2 Legislation provides that treatment using donor embryos may not result in more than 10 women having genetic siblings, including the donor and any current or former partners of the donors. This does not prevent women using embryos produced by the donor to produce a child that will be a genetic sibling to the woman's children.
- 3 The person who produced the gametes (eggs & sperm) from which the embryo(s) have been formed must consent to storage period beyond 5 years and also must consent to the removal of the embryo(s) from storage.
- 4 The import or export of donor gametes or embryos formed from donor gametes in or out of Victoria must have written approval from the Victorian Assisted Reproductive Treatment Authority (VARTA). Melbourne IVF is required to give the donor's written notice of the name of the clinic to which their embryo(s) have been exported.
- 5 It is an offence to knowingly or recklessly provide false or misleading information or omit to give material information.
- 6 Posthumous use of donor embryos is not permitted.

### Status of children

Where donor embryo(s) were used by a married woman or a woman in a bona fide domestic relationship, the woman and her husband/partner shall be presumed for all purposes to be the mother and father of any child born as a result of the pregnancy.

Where donor embryo(s) were used by a woman with a female partner. Her partner is presumed to be the legal parent of any child born as a result of a treatment procedure if she:

- Was her partner at the time of treatment and resulting pregnancy;
- Consented to the treatment procedure; and

- Where donor embryo(s) were used by a woman with a female partner or a woman with no partner, the donors who produced the gametes (eggs and sperm) to produce the embryo(s) are presumed not to be the mother and father of any child born as a result the pregnancy.

### Birth registration

- Melbourne IVF must provide information regarding births of donor conceived offspring to the Victoria Assisted Reproductive Treatment Authority (VARTA), who will maintain the Central and Voluntary donor registers.
- If the birth registration statement indicates that the child was conceived by a donor treatment, the Registrar must mark the words “donor conceived” against the entry about the child’s birth in the register.
- If the donor conceived offspring applies for a birth certificate after 18 years of age, the Registrar must attach an addendum to the certificate stating further information is available about this entry.
- The Registrar is only able to issue the addendum to the donor conceived person named in the entry on the register.

The Registry of VARTA contact donors in writing to verify the information Melbourne IVF provides VARTA when donors details are first entered on the VARTA central register (i.e. when the first donor conceived child is born). It is the donor’s responsibility to notify VARTA and Melbourne IVF of any change to their contact details.

**Melbourne IVF encourages all individuals/couples to seek independent legal advice before donating gametes/embryos or using a gamete or embryo donor.**

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## Telling children about their donor origins

Research indicates that there are many benefits for the donor conceived child and family as a whole if disclosure to the child regarding their donor origins occurs at an early age (Schieb, Riordan & Rubin, 2005). A sense of openness and honesty is promoted and the child is able to incorporate this information into their developing sense of identity (Rumball & Adair, 1999), reducing the risk of the child experiencing any sense of shame or secrecy. A child then has the opportunity for gradual understanding of their donor conception.

In comparison, research investigating offspring who were told at an older age found that children were more likely to feel confused, deceived or betrayed (Turner & Coyle, 2000).

In addition to the emotional, psychological and family functioning benefits of disclosure at an early age, there are also practical benefits such as the child having access to their medical and genetic history.

The issue of disclosure may create anxiety for many parents. Your Melbourne IVF counsellor is available to discuss disclosing and assist you in making decisions that are in the best interest of your family.

There is also an abundance of resources including children's books which may assist in explaining donor conception to children. The Victorian Assisted Reproductive Treatment Authority website also provides information and a list of resources, to support parents with disclosing to their children at any age. Please refer to contacts and reference list at the end of this booklet.

Please contact the counselling department if you have any further questions.

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## Contacts and resources

RESOURCE	TELEPHONE	DETAILS
Melbourne IVF	03 9473 4444	<a href="http://mivf.com.au">mivf.com.au</a>
Donor Program Nurse	03 9473 4444	<a href="mailto:donorembryonnurses@mivf.com.au">donorembryonnurses@mivf.com.au</a>
Counsellors	03 9473 4444	
Nurses	03 9473 4444	
Patient Liaison Team Administration	03 9473 4444	
VARTA – Victorian Assisted Reproductive Treatment Authority	03 8601 5250	<a href="http://varta.org.au">varta.org.au</a>
BDM Births, Deaths and Marriages	1300 369 367	<a href="http://bdm.vic.gov.au">bdm.vic.gov.au</a>
Donor Conception Network		<a href="mailto:enquiries@dcnetwork.org">enquiries@dcnetwork.org</a> <a href="http://dcnetwork.org">dcnetwork.org</a>

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## Books

Daniels K. *Building a Family with the Assistance of Donor Insemination*. Palmerston North: Dunmore Press; 2004

Rawlings D, Looi K. *Swimming Upstream: The Struggle to Conceive*. South Australia: Landmark Media; 2006

Johnson PI. *Taking Charge of your infertility*. Indianapolis (IN): Perspectives Press; 1994

### Books for children

Bourne K. *Sometimes it takes three to make a baby: Explaining egg donor conception to young children*. East Melbourne: Melbourne IVF; 2002

Donor Conception Network UK. *Our Story*. Nottingham: Donor Conception Network UK; 2002

Grimes J. *Before You Were Born: Our wish for a baby*. Iowa: X,Y. and Me, LLC; 2004

### DVD

Evans L. *Telling and Talking [DVD]*. Nottingham: Donor Conception Network; 2006

### Support groups

The embryo recipient support group is a group for people waiting to be allocated embryos, or those who are currently using donated embryos, and who wish to meet others similar situations.

Visit [mivf.com.au/support-groups](http://mivf.com.au/support-groups) for further information.



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