

'I'm afraid for my IVF patients' after Roe v. Wade dismantling, fertility doctor says

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About 2% of all babies born in the U.S. are conceived using assisted reproductive technology, most commonly through in vitro fertilization. Credit: Shutterstock

How will the overturning of Roe v. Wade impact in vitro fertilization

(IVF), the most common form of assisted reproductive technology?

Northwestern Medicine experts talked with Northwestern Now about the possible far-reaching effects on IVF following the end of *Roe v. Wade* and why physicians are afraid for their patients.

Among their concerns: Will couples be prohibited from destroying frozen [embryos](#) and will they be forced to keep storing them and paying fees in perpetuity? Will physicians be prosecuted for embryo destruction if they don't implant successfully? Will pre-implantation and selective transfer of unaffected embryos—in cases of genetic diseases such as BRCA—be allowable?

Infertility affects 1 in 8 couples

"IVF is a critical tool to preserve fertility and importantly to treat infertility, a disease that affects at least one in eight couples," said Dr. Kara Goldman, associate professor of obstetrics and gynecology in [reproductive endocrinology](#) and fertility at Northwestern University Feinberg School of Medicine and medical director of Fertility Preservation at Northwestern Medicine.

"IVF did not exist before *Roe v. Wade*, so we are entering uncharted waters. The impact of overturning *Roe v. Wade* may have implications and unintended consequences far beyond the reach of abortion. In states where bills are being introduced defining a fetus as a person, or defining life as beginning at fertilization, this could dramatically change the way in vitro fertilization is practiced.

"Physicians like myself who practice [reproductive medicine](#) are afraid for our patients. What does this mean for a patient's frozen embryos? When a patient has completed their family, embryos are either donated to research or destroyed. If embryo destruction is outlawed, this will

have tremendous ramifications for not only the tens of thousands of embryos—and the families who have created those embryos through careful decision-making between the physician and patient—but importantly will have ramifications for the future practice of IVF and the hundreds of thousands of Americans who rely on this technology to build their families."

What about blastocysts (eggs fertilized in a [petri dish](#) and allowed to grow)?

"IVF is the Wild West now," said Katie Watson, an attorney, bioethicist and associate professor of obstetrics and gynecology at Feinberg and author of "Scarlet A: The Ethics, Law, and Politics of Ordinary Abortion."

"The largest open question is how statutes banning abortion will or won't be applied to blastocysts created by IVF.

"The Dobbs decision allows states to ban abortion at any moment, and this raises new questions for fertility clinics in the states that make it a crime to intentionally end embryonic life 'from the moment of conception.' Will ambitious prosecutors or citizens authorized by statute to do vigilante enforcement try to stop fertility clinics from destroying unwanted frozen blastocysts? If yes, will they have success with judges willing to interpret vague [abortion](#) bans to apply to fertilized eggs outside of a uterus? And, perhaps most likely, will fertility clinics in restrictive [states](#) require patients to pay for infinite frozen storage to avoid finding out the answers to these questions, thus increasing the cost of IVF?"

Provided by Northwestern University

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