

4.2.5 Storage & Use of Human Embryos

Embryos created during cycles of in vitro fertilization (IVF) that are not intended for immediate transfer are often frozen for future use. The primary goal is to minimize risk and burden by minimizing the number of cycles of ovarian stimulation and egg retrieval that an IVF patient undergoes.

While embryos are usually frozen with the expectation that they will be used for reproductive purposes by the prospective parent(s) for whom they were created, frozen embryos may also offer hope to other prospective parent(s) who would otherwise not be able to have a child. Frozen embryos also offer the prospect of advancing scientific knowledge when made available for research purposes. In all of these possible scenarios, ethical concerns arise regarding who has authority to make decisions about stored embryos and what kinds of choices they may ethically make. Decision-making authority with respect to stored embryos varies depending on the relationships between the prospective rearing parent(s) and any individual(s) who may provide gametes. At stake are individuals' interests in procreating.

When gametes are provided by the prospective rearing parent(s) or a known donor, physicians who provide clinical services that include creation and storage of embryos have an ethical responsibility to proactively discuss with the parties whether, when, and under what circumstances stored embryos may be:

- (a) Used by a surviving party for purposes of reproduction in the event of the death of a partner or gamete donor.
- (b) Made available to other patients for purposes of reproduction.
- (c) Made available to investigators for research purposes, in keeping with ethics guidance and on the understanding that embryo(s) used for research will not subsequently be used for reproduction.
- (d) Allowed to thaw and deteriorate.
- (e) Otherwise disposed of.

Under no circumstances should physicians participate in the sale of stored embryos.

AMA Principles of Medical Ethics: I,III,IV,V

Background report(s):

CEJA Report 3-A-16 Modernized *Code of Medical Ethics*

Board of Trustees Report 00-I-89 Frozen pre-embryos