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FOR IMMEDIATE RELEASE

HB217 AND ITS IMPACT ON IVF TREATMENT IN NEW HAMPSHIRE

On behalf of the more than 28,000 couples in New Hampshire who are trying to have a baby despite their infertility, we at RESOLVE New England and with the support of RESOLVE: The National Infertility Association **urge New Hampshire lawmakers to vote No on HB 217.**

House Bill (HB) 217 is a bill which redefines the homicide statute in New Hampshire. However, the bill is far-reaching in that it defines a microscopic embryo as a person and states that any harm to that embryo-person would fall under the homicide laws in the state. If passed, this law would have far-reaching consequences for the women and men trying to build their family through infertility medical treatments.

Specifically, HB 217 contains two problematic definitions, as follows:

"Unborn child" means the offspring of human beings from conception until birth.
"Conception" is defined as "the fusion of a human spermatozoon with a human ovum."

HB 217 would make it a crime of murder to harm a one-celled, one-day-old, microscopic embryo, since that microscopic cell would be an "unborn child" under New Hampshire law.

In addition, this bill will impact how parents may handle unused embryos from in vitro fertilization (IVF) treatment cycles – specifically any embryo not needed for an attempt at pregnancy ordinarily would be cryopreserved (frozen) for future use. If embryos are imbued with personhood, however, then cryopreservation would presumably be banned.

The exception in the bill for certain medical procedures would not protect IVF or infertile couples or their doctors and embryologists. HB 217 provides:

"[The bill] shall [not] apply to any act committed by the mother of the unborn child, to any medical procedure, including abortion, performed by a physician or other licensed medical professional at the request of the **pregnant woman** or her legal guardian, or to the lawful dispensation or administration of lawfully prescribed medication."

The only medical treatments that are exempted are those performed "at the request of the pregnant woman." By definition, the woman having infertility treatments is not "pregnant." Removing the word "pregnant" would not resolve the issue, however, since the legal uncertainties surrounding infertility treatment and the huge penalties – e.g., a murder conviction and prison time -- would still make it unreasonably risky to perform IVF.

RESOLVE New England calls upon the New Hampshire Senate, House, and Governor to reject this bill and provide hope to New Hampshire families that are faced with infertility. If passed, New Hampshire will be one of the first states to pass legislation negatively impacting the treatment of infertility.

RESOLVE New England is a 501(c)(3) non-profit organization providing infertility support, education, and advocacy to the New England region since 1974. www.resolvenewengland.org and www.resolve.org.

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If you would like more information on this topic, please call Erin Lasker at 617-797-4126 or via email at erinlasker@resolvenewengland.org