Dear Members of the Standards Working Group,

We have reviewed the background materials prepared by CIRM staff for this week's meeting, and we have serious concerns.

The first is the proposed change to CIRM policy about payment to women who provide eggs for research. The proposed new language is: "Limit the payment restriction to donation of oocytes provided specifically for research purposes." [Italics ours]

We were startled to see this for two reasons. As you know, both Proposition 71 and California law prohibit paying women to provide eggs for research. This proposed policy would mean that a woman undergoing egg extraction could be compensated or receive other valuable consideration as long as research is not the specifically stated purpose of harvesting her eggs. Diverting eggs for which payments have been made from the reproductive to the research context would be contrary to Proposition 71 and state law.

We sincerely hope that this is an oversight. We ask the Standards Working Group to reject the proposed language and to clarify that paying women for eggs that will be used for research (beyond reimbursing their expenses) is contrary to law, and will not be done in California.

Further, we note that the background materials do not address a potential change in CIRM policy on the availability of eggs for research. Therefore, beyond the kind of clarification described above, we ask that no substantive consideration be given to the proposed policy change at this meeting. Neither the Standards Working Group nor the public are prepared for a discussion of the very significant legal and ethical issues raised by a proposal to divert eggs from assisted reproduction to research.

We are also concerned about the issue that the background materials do address: the availability of “paid-gamete IVF embryos” for research. At its July 25, 2008 meeting, this committee discussed that issue at some length. It then recommended policy, which the ICOC adopted at its August 12-13, 2008 meeting.
Those discussions, and the policy decisions based on them, reflected concerns that prospective use for research of paid-gamete IVF embryos could create conflicts of interest for the physician attending an egg provider, and thus put her at increased risk. For that reason, the current policy approves only the retrospective research use of paid-gamete IVF embryos.

That policy is now up for reconsideration. We are disappointed to see that concerns about conflict of interest are nowhere mentioned in the background materials. We do not understand how a change in this policy, adopted by the Standards Working Group and ratified by the ICOC, can be justified unless those concerns can be adequately addressed.

Sincerely,

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