

FOR IMMEDIATE RELEASE

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Bill to Establish Fraudulent Assisted Reproduction as a Crime Heard in Ohio House

Columbus, OH – On Wednesday March 17, the Ohio House of Representatives Criminal Justice Committee heard proponent testimony yesterday on House Bill 64, which would outlaw fertility fraud in Ohio. The bill is sponsored by Representative Jena Powell R-Arcanum.

Fertility fraud involves the misuse of genetic material to create a viable embryo. The classic example is a fertility doctor who uses his sperm to fertilize the egg of one of his patients, despite the patient having only consented to use the sperm of another donor. Current Ohio law does not prohibit a doctor from using his own sperm to impregnate a patient without her consent and provides no legal recourse for women and their children who find out years later.

While currently fertility fraud is not a crime, it is a profound ethical and moral issue and an abuse of trust between doctors and patients. States including Indiana, Florida, Texas, and Colorado have recently passed legislation to address this gap in the law, and there are laws pending in additional states.

As direct-to-consumer DNA testing becomes more and more popular, more people will discover that they and their parents or siblings have been affected by fertility fraud. With the advent of 23 and Me and other similar companies, this phenomenon has only recently come to light, so corrective legislative action is both timely and appropriate.

Adoption Network Cleveland is taking a central role in organizing advocates for House Bill 64. Although fertility fraud may seem unrelated to adoption, in reality, adoptees share many of the same issues as donor-conceived individuals. Those overlapping policy considerations converge in HB 64 where issues of genetic identity, medical history, and openness are central.

Proponents who testified in person at yesterday's hearing include:

- Aaron Ockerman, legislative agent for Adoption Network Cleveland.
- Carrie Lauterbach from the Dayton, Ohio area who recently discovered she was conceived through fertility fraud.

- Jody Lynee Madeira, Professor of Law and co-director of the Center for Law, Society, and Culture at the Indiana University Maurer School of Law in Bloomington Indiana.
- Kevin Martin is a journalist based in Lorain, Ohio and a donor conceived person advocating for enhanced protections.
- Louis Tobin, Executive Director of the Ohio Prosecuting Attorneys Association.

Proponents submitting written testimony at yesterday's hearing include:

- Eve Wiley of Texas, who after discovering that she was conceived by fertility fraud was the driving force behind establishing law on this topic in Texas and other states.
- Michelle Smith, an Ohioan who now lives in Indiana, who recently discovered she was conceived through fertility fraud.
- Tyler Sniff, an Ohioan who now lives in Georgia, who recently discovered that he was donor-conceived.
- Albert Frantz is an American donor conceived person based in Vienna, Austria. He was part of the very first delegation of donor and surrogacy conceived individuals to testify before the United States.
- Jennifer Kovacs, an attorney from Medina Ohio.

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About Adoption Network Cleveland

Adoption Network Cleveland: The Ohio Family Connection is an innovative non-profit organization with over 30 years of experience serving the adoption and foster care communities. Our organization fulfills otherwise unmet needs for information, advocacy, education and support for adult adoptees, birthparents and birth family; adoptive, kinship and foster families; youth in foster care and foster alumni; and related professionals. More recently, the organization has expanded its services to use its expertise in adoption search, reunion with birth family, and peer support networks to assist those who have been donor-conceived or have misattributed parentage. Adoption Network Cleveland is a member of Greater Cleveland Community Shares. The organization can be found online at www.adoptionnetwork.org or on social media at @AdoptionNetCle. Adoption Network Cleveland's position statement on fertility fraud can be found here: <https://www.adoptionnetwork.org/service-areas/advocacy/position-statements.html>