

15 April 2016

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A/Professor Sonia Allan
A.R.T. Act Review
c/- Policy and Intergovernmental relations Unit
SA Health
PO Box 287, Rundle Mall
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Dear A/Professor Allan,

Thank you for the opportunity to contribute to review of the Assisted Reproductive Treatment Act 1988.

As the largest IVF Unit in South Australia, Repromed have been happy with the changes that were made to the Act in 2010. The only issues we believe warrant serious consideration to amend in this review relate to 1) access to ART treatment and 2) Reporting of the number of ART Treatments and the Pregnancy outcomes on these treatments.

Access to Assisted Reproductive Treatment

Under the current Law a person or couple can access ART at a registered clinic if they satisfy one of the following criteria:

- The woman or her partner are, or appear to be, infertile;
- There is a risk that a serious genetic defect, disease or illness would be transmitted to a child if ART was not used;
- The woman's deceased genuine domestic partner/spouse has left written instructions (prior to his death) that his sperm could be used by his widow to conceive a child (posthumously);
- The treatment is for the purposes of a recognised surrogacy agreement; or
- The woman or her genuine domestic partner/spouse may become infertile in the future due to a serious medical condition or disease, or its treatment (for example cancer or chemotherapy).

Social egg freezing

Currently South Australian single female patients who would like to cryopreserve their eggs (commonly referred to as social egg freezing) must travel interstate for this treatment as they do not meet any of the eligibility criteria outlined above. The Act does not currently inhibit single males from cryopreserving their sperm for future use. Thus we believe the status quo is gender discriminatory with respect to the freezing of gametes. There are a number of patients who would like to access ART treatment to freeze their eggs (knowing that they would not be able to claim any Medicare benefit).

Access to ART for same-sex couples

Repromed clinicians see many same-sex couples who are not eligible for treatment under the above criteria. Consequently these patients will travel to Sydney or Melbourne to access ART. Repromed agree with the guiding principle that people seeking ART procedures should not be discriminated against on the basis of their sexual orientation and suggest that the eligibility criteria be amended to reflect this.

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Reporting of Pregnancy Outcomes

Prior to the changes made to the Act in 2010, providers of ART were required under the SACRT Code of Ethical Practice to provide an annual report to SACRT which included the number of ART procedures and the Number of Pregnancies resulting from these procedures. Since this has been removed we there is no oversight of pregnancy outcomes for the registered IVF units in South Australia. Repromed believes very strongly that pregnancy outcomes should be reported and reviewed by an independent body and then that information made available to the South Australian public. The benefit of this is that it allows transparency of ART success rates achieved by each registered IVF unit which can assist patients in their decision making as to which IVF unit they seek treatment from. Such a process is legislated for in Victoria. The Victorian Assisted Reproductive Treatment Authority (VARTA) receives the number of treatment procedures carried out in each IVF unit Victoria under their Act during the preceding financial year and the nature and outcome of those procedures. This information is then reported to the minister, tabled in parliament and made available on their website. Repromed believes this would be a valuable process that could be replicated in South Australia.

Thank you again for the opportunity to contribute to the review of the *Assisted Reproductive Treatment Act 1988*. I look forward to discussing these and other issues further with you on Tuesday the 19th of April.

Yours sincerely,



Hamish Hamilton PhD
General Manager
Repromed