

## International Scene

### Proposed legislation for assisted reproduction technology clinics in India

As IVF expands worldwide, its ethical aspects enter into increasingly diverse societies. The demand for some sort of ethical control is also widened as new technologies are invented and applied, and as the number of IVF clinics continue their large-scale increase. Each society has approached the ethical and legislative aspects of IVF in its own particular way. This situation has now emerged in India, where increasing numbers of couples now utilise this approach to the alleviation of their infertility.

Mr Prasada Rao, Secretary to the Government of India, Ministry of Health and Family Welfare, released *Draft Guidelines for the Accreditation, Regulation and Supervision of Assisted Reproductive Technologies Clinics* in India on 4 September 2002 at a public function held in New Delhi in the presence of the Director General of the Indian Council of Medical Research (ICMR) and the President of the National Academy of Medical Sciences (NAMS). The *Guidelines* were prepared on the basis of several consultations held during the past 2 years. Professor RG Edwards participated in one of the early meetings where the need for national guidelines was discussed in Bangalore on 4 November 2000.

Concerns about the practice of medically assisted reproductive technology (MART) in India relate to the following issues:

- (i) Mushrooming of MART clinics serviced by temporary, highly mobile staff;
- (ii) Lack of proper training in assisted reproductive technology programmes;
- (iii) Lack of guidelines for the ethical practice of assisted reproductive technology;
- (iv) The high cost of MART making it unaffordable to the economically weak;
- (v) Fate of spare embryos in embryo research, arising as the inevitable outcome of assisted reproductive technology.

The *Guidelines* released by the Government of India address the following issues:

- (i) Ensuring the ethical practice of assisted reproductive technology;
- (ii) Maintain a national registry of all assisted reproductive technology clinics;
- (iii) Accredited and license assisted reproductive technology clinics;
- (iv) Supervise performance of assisted reproductive technology clinics regularly;
- (v) Regulate functioning of assisted reproductive technology clinics and take punitive action against erring clinics;
- (vi) Make assisted reproductive technology affordable to the economically weak;
- (vii) Draw up guidelines for the use of spare embryos;
- (viii) Support training and research in assisted reproductive technology.

These long overdue *Guidelines* are now open for public debate in four different regions of India. These debates will be completed by the end of the year. The guidelines are also available on the ICMR website and readers are invited to send in their comments, views and suggestions. A final decision on how to implement the recommendations will emerge after obtaining a consensus.

Accreditation, regulation and supervision of assisted reproductive technology clinics is not unique to the Indian situation; other countries have already trodden this path. However, there are two main alternative approaches to the problem. Some countries have taken legislative steps, such as the Human Fertilisation and Embryology Act in the UK. In other countries professional societies such as the American Society for Reproductive Medicine have drawn up guidelines that are followed to a great extent by assisted reproductive technology practitioners. Each of these two

approaches has its own advantages and shortcomings. The literature is replete with such information and this is not the place to discuss these issues. What remains to be seen is whether the public debate will result in an enduring mechanism in the Indian context that addresses all the concerns expressed above.

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