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## Nation

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Posted on Tue, Sep. 24, 2002

### Embryo donations fuel stem cell debate

BY JEREMY MANIER  
Chicago Tribune

#### CHICAGO - KRT NEWSFEATURES

(KRT) - On Aug. 1 Laura and Raymond Paterniti ended their six-year struggle to have a child when Laura gave birth to a daughter who bore no genetic relation to either of her new parents.

Alexa, an infant with spiky black hair, came to the family as an embryo donated by another Chicago-area couple with embryos to spare after a round of in-vitro fertilization. With her new baby, Laura Paterniti has rebounded from despair over infertility to amazement that the anonymous embryo donors let strangers bear and raise their genetic child.

"I thank God for that woman every day," Paterniti said.

Although embryo donation brought an unexpected gift of life for the Paternitis, in the last year it has become a contentious issue at the crossroads of revolutionary research and abortion politics. Most recently embryo donation gained momentum with a \$1 million federal program to promote the practice.

Opponents of abortion rights have touted embryo donation as a better use of embryos than embryonic stem cell research, in which embryos are destroyed. President Bush cited the babies born through such donations last year when he set limits on funding of embryonic stem cell work.

The debate over the new science of stem cells and the emerging interest in embryo donation are part of an attempt to clarify the shadowy moral and legal status of embryos. How that definition unfolds could have broad implications for scientists and infertile couples.

With some 100,000 leftover embryos in cold storage around the U.S., a growing number of couples choosing how to use their embryos find themselves weighing values - including the hope of medical progress and the promise of new life.

Robert and Laura Thompson of Memphis said they donated their extra embryos a few months ago to help others escape the ordeal with infertility that they experienced. But the Thompsons, who described themselves as "probably pro-choice," said they also would have felt comfortable donating the embryos for stem-cell research that could lead to new therapies for diseases.

"The end result is very much the same - you're saving a life or helping someone have a life," Robert Thompson said.

Recipient couples say embryo donation also can have economic advantages over other fertility options. Many insurance plans cover virtually the whole cost of implanting and carrying a donated embryo, while traditional adoptions can cost \$20,000 or more.

Yet the moral and legal implications of embryo donation remain cloudy.

Many parents who have invested years in conceiving their own child feel uneasy handing over their genetic progeny to someone else. The lack of genetic relation also limits the appeal of embryo donation for some recipient couples.

Even the name of the practice has spurred disagreement. Anti-abortion groups that hope to elevate the rights of embryos call the process embryo adoption and argue that it should include the background checks and home visits required in traditional adoptions.

But some legal experts say it would be wrong to treat embryo donation as adoption, since that could increase costs and raise such vexing questions as whether a microscopic embryo qualifies as a tax deduction. At least one recipient couple working with a California agency has claimed their expenses as an adoption tax credit.

"There's enormous conflict over whether these embryos are people, property or their own entities worthy of special respect," said Lori Andrews, director of the Institute for Science, Law and Technology at the Illinois Institute of Technology. She said only two states have laws governing embryo donation, compared with 35 that regulate sperm donation.

Leftover embryos are a common result of in-vitro fertilization, in which an egg is fertilized with sperm in a petri dish, with the resulting embryo implanted in the mother. If a woman produces enough eggs, most clinics will create a dozen or more embryos during a given round of IVF treatment, but implant only the two or three embryos that grow best or seem most likely to survive in the womb.

Unused embryos usually remain frozen in liquid nitrogen freezers at the fertility clinic until the couple decides what to do - dispose of them, give them to researchers or donate them to another couple. Although there is no official record for the number of such embryos in private clinics around the U.S., estimates range from fewer than 100,000 to 200,000.

Although some doctors began offering embryo donation as an option in the late 1990s, it remains an uncommon choice for couples who have gone through IVF. A study last year of such patients at Northwestern Memorial Hospital showed that 13 percent preferred donating their extra embryos for infertile couples - compared with 32 percent who chose to dispose of the embryos.

"It's gut-wrenching for many couples, because they feel like there's no good choice," said Susan Klock, a psychologist for Northwestern's IVF program, who published her study in the New England Journal of Medicine.

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Getting pregnant with a donated embryo became a last-ditch option for Laura and Raymond Paterniti after they spent six fruitless years trying to conceive a child through fertility drugs, artificial insemination and IVF.

As Laura Paterniti endured three fertility shots a day, she watched one friend and relative after another get pregnant with seemingly little problem. She fell into a state of depression, neglecting meals and housework at the couple's split-level home in the Chicago suburbs, caring little about her appearance.

Unable to sleep, Paterniti said she sometimes left her husband in bed and walked to their darkened living room to sit and cry. "You basically think your life is over," said Paterniti, 34.

Then, during congressional hearings on stem cell research last summer, Paterniti saw the testimony of parents who had children through an embryo donation program called Snowflakes, run by Nightlight Christian Adoptions. The idea intrigued her, and soon after she learned of Dr. Randy Morris, a Chicago fertility specialist who in 1998 became one of the first in the country to offer embryo donations.

Within a month of contacting Morris, Paterniti was pregnant with an embryo donated by a couple that wished to remain anonymous.

Paterniti said although some women might balk at going through pregnancy with someone else's genetic child, for her it was the fulfillment of a long-thwarted hope.

"See, I wanted that experience," Paterniti said. "I wanted to be pregnant, buy maternity clothes, have someone say to me, 'When are you due?'"

On Aug. 1, Paterniti gave birth to Alexa, a 7-pound-6-ounce girl with hair they say almost resembles Raymond Paterniti's. The couple said one reason they feel a close bond with their daughter is that they helped give her life.

"I carried this baby, I felt her kick and move, I experienced those 18 long hours of labor until they did a cesarean section," Laura Paterniti said.

The procedure turned out to be far less expensive than other options the Paternitis had considered. Health insurance often does not cover egg donation or adoption of an infant, both of which the Paternitis expected to cost around \$20,000. Embryo donation tends to be cheaper because the donating couple already has shouldered the lofty expense of extracting the mother's eggs.

Insurance amply covered implantation of the Paternitis' donated embryos - Laura Paterniti said their total out-of-pocket expense was \$156. She said they still owe another clinic about \$3,000 for a failed fertility treatment.

Morris, the Paternitis' fertility specialist, began arranging embryo donation for infertile couples in 1998, unaware that the California-based Snowflakes program had started the previous year. Morris, who said he has overseen 50 embryo donation procedures, sees the practice as a way of easing the embryo storage dilemma while helping infertile couples.

Yet Morris said he also supports using frozen embryos for embryonic stem cell research - in

contrast to the organizers of the Snowflakes program.

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That initiative began in 1997, when Nightlight Christian Adoptions worked with the conservative group Focus on the Family to match its first embryo donors with a recipient couple.

"We treat embryos just like every other child," said Snowflakes program spokeswoman JoAnn Eiman. The program has produced 18 babies, and five more women are pregnant.

The group recently applied for a federal grant under a new provision allocating \$1 million to promote awareness of embryo adoption. The money was placed in a spending bill by Sen. Arlen Specter (R-Pa.), who supports embryonic stem cell research and abortion rights. Eiman said her group would use the funds to make videos on embryo donation for infertility support groups.

In an effort to treat embryo donation like other adoptions, the Snowflakes program charges couples \$4,500 for a home study and background check. Total costs to the couple can reach \$10,000. Eiman said one recipient couple claimed a federal adoption tax credit, with no challenge so far from the Internal Revenue Service.

Eiman said the group hopes that a side effect of treating the process as adoption would be to increase protections for embryos.

"That wasn't our original intent," Eiman said. "But if new laws were passed, that would tend to raise the status of embryos."

Yet the Paternitis said they worry that getting adoption agencies involved in embryo donation would only increase the cost of the procedure.

Legal expert Andrews said one reason the adoption model would be wrong for embryo donation is that the adoption process is supposed to screen would-be parents to confirm they are committed to raising a child. Embryo donation is different because most state laws presume that a woman who carries a child to birth has earned the right to be a parent.

"The idea is that biologically tied parents are already committed to the child," Andrews said.

About three-fourths of the parents who donate their embryos through the Snowflakes program are conservative Christians, Eiman said. For Susanne and Bob Gray of Atlanta, giving their embryos to another couple fit their moral beliefs, including opposition to abortion, and was a better option than disposing of the embryos or donating them for research.

"We felt the embryos were there in the first place because we had this overwhelming desire to have children," Susanne Gray said. "We saw them as a potential for life, not a potential for cure."

The couple went through IVF soon after moving to Atlanta from Chicago in 1997. Gray said the doctors overstimulated her ovaries, producing 33 eggs, far more than usual. After delivering twins the couple were left with nearly two dozen frozen embryos, and a moral crisis.

"It never occurred to us that this issue would come up," Gray said. "You become so obsessed with having a child, you forget the actual process you're involved in. For us, our spiritual growth was less developed than our drive to have a child. It caught up with us eventually."

After keeping the embryos in storage for years, the Grays started working with the Snowflakes program to find a couple they felt comfortable with raising their genetic children. Unlike Morris' embryo donation program, the Snowflakes program allows donors and recipients to do detailed screening of each others' backgrounds and even keep in touch after a baby is born.

The Grays signed their 23 embryos over to Greg and Cara Vest of Virginia, who had a son, Jonah, in May. The two families have grown close and spent a vacation together at the beach last month.

"Jonah has my eyes, but Cara's the one who carried him and fulfilled that promise of life - it almost redefines the idea of motherhood again," Gray said.

The unique extended family may well grow - the Vests still have the right to use the remaining 14 embryos.

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Although religion played a key role in the Grays' decision, many couples do not see it as a clear-cut moral issue.

In Klock's IVF survey at Northwestern, 50 percent of the couples said religion played no role in their choice of what to do with their frozen embryos. Even more, 55 percent, said they believe that discarding embryos is not the moral equivalent of having an abortion.

Most Northwestern couples who donated their embryos said they did it because their own experience taught them sympathy for others trying to have a baby, Klock said.

Even couples who dispose of their embryos may be morally unsure about the choice. Andrews of IIT said she has spoken with couples who asked for their unused embryos back so they could be buried. Others have the extra embryos implanted, but at a time in their fertility cycle when it's extremely unlikely they will become pregnant.

Klock said some Northwestern couples have asked to be present at the clinic when their embryos are disposed.

"It's a loss of potential, of the imagined child that would have developed," Klock said. "When you start getting so technologically advanced in reproduction, we don't really have words to talk about this, we don't have paradigms from the past for the decisions these couples have to make."

Andrews said such ambivalence suggests that frozen embryos should have a special legal category - one with more dignity than property but without the rights of a full-fledged person.

Giving birth to a child who was someone else's frozen embryo subtly changed Laura Paterniti's views on such moral questions. She said although she doesn't oppose embryonic stem cell research, she now believes the best use of frozen embryos is to help infertile couples.

"I think stem cell research is good. But it's a life," she said, looking at her daughter Alexa. "She's living proof, it's a life."

The Paternitis already have spoken with fertility specialist Morris about expanding their family with another donated embryo.

"I always wanted to have a couple of kids," Paterniti said. "Dr. Morris knows to call me as soon as he gets any more."



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