



AB 922 (Burke) DESERVES A VETO

This bill would repeal Health & Safety Code 125355, allowing research projects to pay women for their eggs.

*We don't know that providing eggs is a safe process for women. Even though it's frequent in fertility settings, it hasn't been sufficiently studied, especially the long-term health risks.
Women deserve more information before being asked to provide eggs for research.*

We are reproductive rights and justice advocates. Why do we oppose this bill?

Low-income women, women of color, and immigrant women are most likely to be affected. While our organizations respect and honor the rights of women to make decisions about their bodies and are supportive of innovations in science that can provide better healthcare for all, we are cognizant that poor and immigrant women and women of color have often been abused or exploited by clinical research.

Paying women for their eggs for research creates an “undue incentive” for women of limited financial means to participate in a procedure that has not been shown to be safe (see below). Since low-income women are disproportionately women of color and immigrants, they are likely to be the most highly impacted. They may also have limited access to medical care should they experience adverse health effects beyond the current standard of care for egg providers, and less likely to benefit from any scientific advances that may result from the research.

The health effects of egg retrieval are understudied. Although egg retrieval¹ has become a mainstay of fertility treatment, many women providing eggs for reproductive purposes have experienced serious complications. Before the commercial market in eggs is expanded to the research sector, studies are needed to determine the short-term and long-term health risks to women. Few studies have been conducted since SB 1260 was passed in 2006, when women's health advocacy and reproductive justice groups articulated the same need. The research that does exist has not been done with egg providers but with women undergoing IVF themselves. Both physiological and demographic differences in these populations may be significant and need to be investigated.

¹ For egg retrieval, a woman must undergo a series of self- or nurse-administered injections over the course of several weeks, with powerful and understudied hormones, to first “shut down” and then stimulate egg production, followed by surgical extraction under general anesthesia.



Insufficient data makes informed consent impossible. Given the widely acknowledged inadequacy of evidence about short and long-term health risks of egg retrieval, women are not given the opportunity to make a truly informed decision about whether to undergo the process. While women are completely capable of making decisions about their bodies, the absence of data leaves women without the information they need to provide informed consent. This bill does not ensure the level of public health security that women should be able to rely on. California is in a position to be a global leader in establishing policies that can advance the biotechnology field without compromising the health of women. In order to do that, we first need data to conclusively determine adverse effects from the egg retrieval process.

This bill conflicts with national recommendations for federal policy and with state law. Existing California law allows researchers to reimburse egg providers for their direct expenses associated with the egg retrieval process. But payment beyond reimbursement for direct costs conflicts with recommendations by the National Academy of Sciences 2010 guidelines, which state that “no payments, cash or in kind, should be provided for donating oocytes for research purposes.” Proposition 71, now part of the state of California’s Constitution, also prohibits CIRM-funded researchers from compensating women beyond reimbursement.

In 2006, women’s health advocates worked with then-Senator Deborah Ortiz to pass SB 1260 to secure some protections for egg providers. These protections were a good start. However, they are insufficient, and they have not been fully implemented.

Before we ask more women to provide eggs, we need more information.

We urge a VETO on AB 922 to stand for reproductive justice.

Alliance for Humane Biotechnology
Black Women for Wellness
California Latinas for Reproductive Justice
Center for Genetics and Society
Disability Rights Education and Defense Fund
Forward Together
Friends of the Earth
In Our Own Voice: National Black Women's
Reproductive Justice Agenda
National Asian Pacific American Women's Forum

National Center for Lesbian Rights
National Latina Institute for Reproductive Health
National Women's Health Network
Our Bodies Ourselves
Pro-Choice Alliance for Responsible Research
SisterSong: Women of Color Reproductive
Justice Collective
The OVADO Project (Egg Donor Research)
URGE: Unite for Reproductive & Gender Equity
We Are Egg Donors