

FAQs about USDCC's Example Legislation

The "Donor-Conceived Persons and Families of Donor-Conceived Persons Protection Act"

How many donor conceived people are in the United States?

Likely millions of people, although the exact number is unknown because the industry is not required to report this information like it is for IVF cycles.

Why is USDCC's [Example Legislation](#) needed?

For decades donor conceived people (DCP) have not had access to complete medical and identifying information about gamete donors (their biological/genetic parents). The [lack of regulation](#) and oversight of gamete banks/clinics has harmed many DCP and their families.

What are the main provisions of USDCC's Example Legislation?

1. Unconditional release of donor medical/identifying information to adult DCP (*i.e.*, over 18)
2. Limits the number of families established per donor; and
3. Requires distribution of written psychoeducational materials to donors and intended RPs.

Is USDCC's Example Legislation retrospective?

No. The provisions of USDCC's Example Legislation have prospective effect only, meaning they do not apply to or impact donations made prior to the effective date of the legislation.

Does USDCC's Example Legislation permit distribution of donor identifying information prior to the DCP turning 18?

No. USDCC's Example Legislation only permits distribution of a donor's identifying information to a DCP who requests that information upon reaching the age of 18. In other words, donors are subject to identification when the information is requested by a legal adult DCP.

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Why doesn't USDCC's Example Legislation include the release of donor identifying information before the DCP reaches the age of 18?

USDCC is not currently pushing for legislated identification release prior to 18 because U.S. laws do not have the framework in place to completely assure parentage stability to all families who utilize donor conception. USDCC does, however, believe it is overall in the best interest of DCP and their families to have the *option* to request and receive the donor's identity prior to the DCP becoming a legal adult.

Does USDCC's Example Legislation limit access for families needing donor gametes or limit the number of children each family can have from one donor?

No. USDCC's Example Legislation does not prohibit or limit families from accessing donor gametes. While it includes a limit to the number of families that may be established from one donor's gametes, an established family may have as many children as they like using the same donor's gametes.

Does USDCC's Example Legislation discriminate against LGBTQIA+ families or single parents?

No. The provisions of USDCC's Example Legislation regulate the commercial gamete donation industry, not who uses the industry. The language of USDCC's Example Legislation was crafted during [our work in Colorado](#) with the input of a [diverse group of stakeholders](#) and considers the need to respect and protect diverse family structures.

Why is it important for DCP to access their family medical history?

Knowing and acting on your [complete and accurate family health history](#) is an important way to protect your health through proactive testing and early access to care. USDCC's Example Legislation requires regulated entities to permanently retain such records and periodically request updates to this information from donors.

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Why is it important for DCP to access identifying information about the donor?

Adult DCPs should be able to obtain identifying information about donors to aid in their identity development and know their origins. It is also appropriate given the greater openness in adoption and the rise in at-home DNA testing (which makes promised anonymity impossible).

Why does USDCC's Example Legislation include distribution of written psychoeducational materials?

When intended parents seek to use donor gametes, they are often juggling various dynamics throughout the intensive process with little emotional bandwidth remaining to take a deep dive into the unique lifelong implications involved in donor conception. Likewise, at the time of donation, donors do not always understand how their donation will impact the life of the person being created. The written material envisioned by USDCC's Example Legislation would serve as a helpful guide for parents and donors to reference throughout their initial journey and beyond.

Why is a family limit per donor needed?

The reality of having siblings in the double digits—or even more than 100—is unnerving and causes mental and emotional harm to DCPs. DCPs (and their children) are at risk of accidental incest and find it difficult to form meaningful relationships with a large number of siblings. Donors also deserve to have a smaller number of genetic offspring for their mental wellbeing.