

# What legal aspects worry ART professionals?

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# ASEBIR

## INTRODUCTION:

The European Tissues and Cells Directive (EUTCD) applies to all member states. Moreover, each country has its own legislation according to its idiosyncrasy and specific context. Despite this, many legal questions arise in ART practice that are difficult for users to understand or that are not specified in the legal texts.

The objective of this study is to analyse the questions received after 11 years offering a Legal Consultancy as a free service for all the membership of the scientific society and to identify which aspects generate most legal doubts among ART professionals in order to establish adequate mechanisms to solve these concerns.

## MATERIAL & METHODS:

Legal questions from members were addressed on line through the society's Website. All questions were recorded and transferred to the lawyer specialist in ART legislation who advises the society and handles members' queries. The reply to each question was sent to the member in a maximum of 2 days.

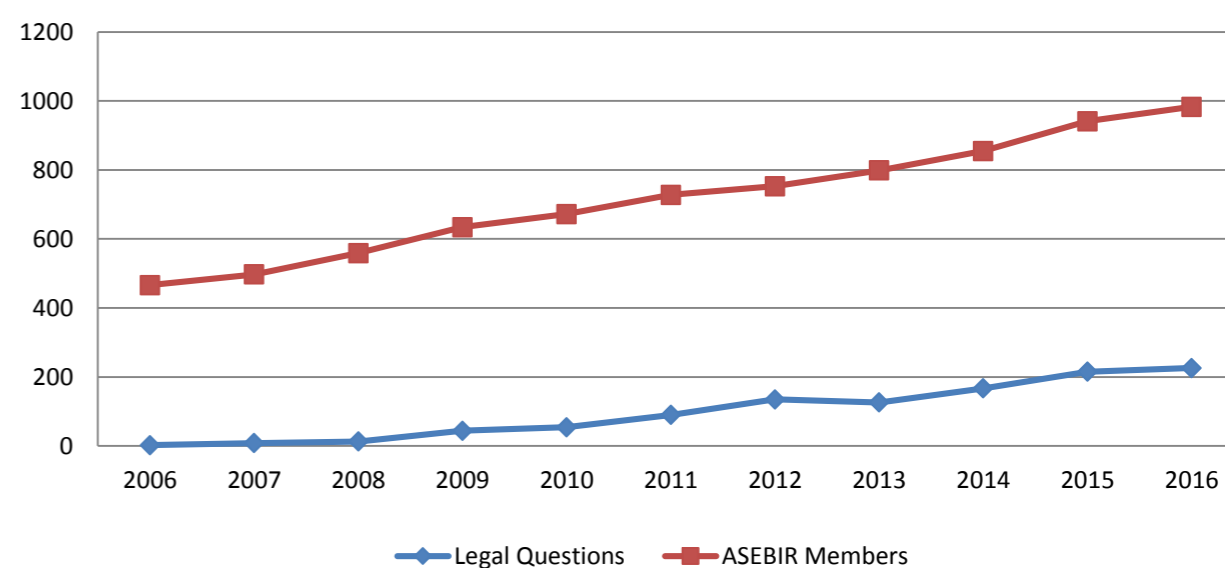
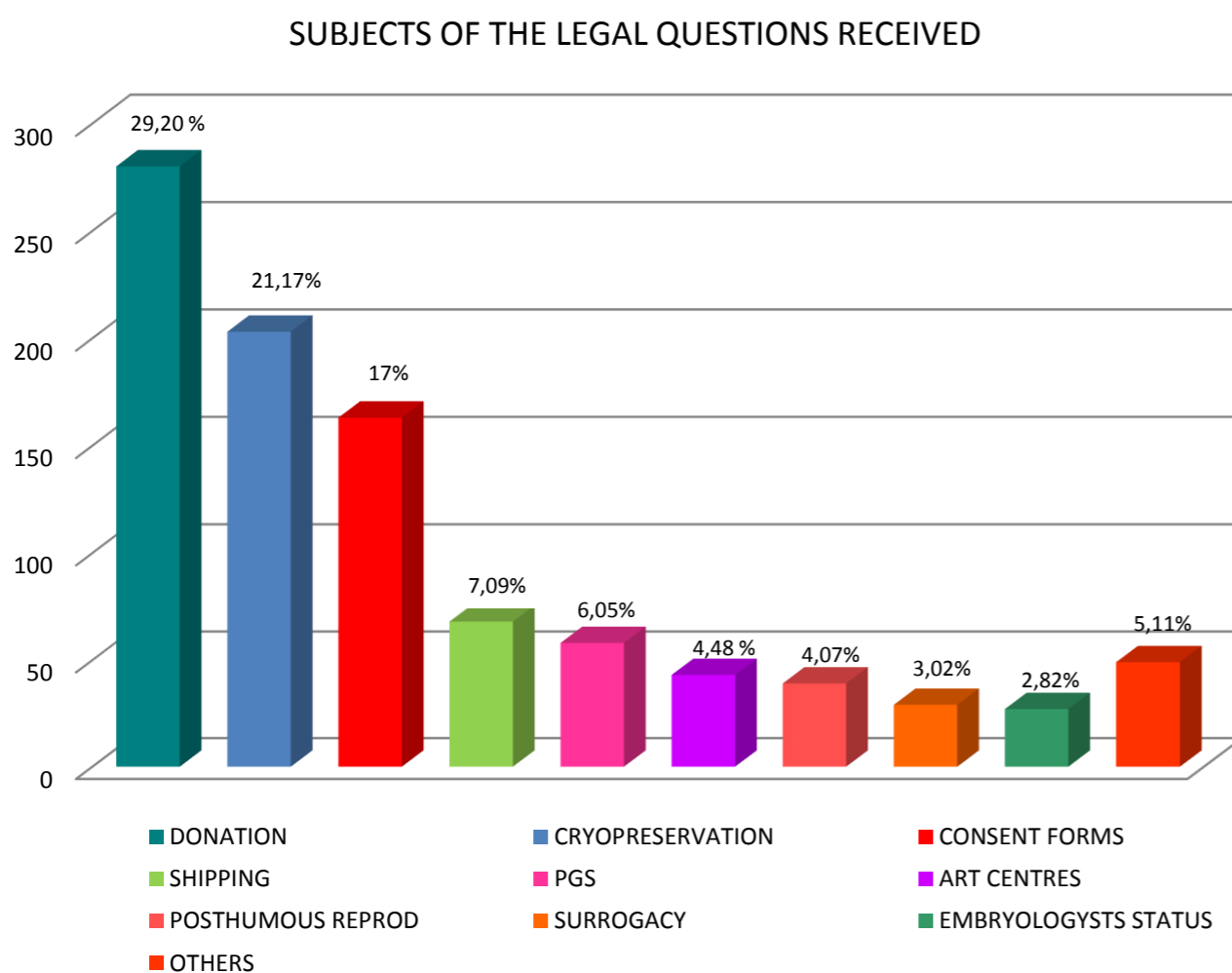
This is a longitudinal descriptive study in which the use of the ASEBIR Legal Consultancy has been quantified from the beginning of the service in 2006 to 2016.

Legal questions received during the last 6 years were analysed and classified in 10 different groups according to their topic.

## RESULTS:

The implementation of the Legal Consultancy in ASEBIR was in 2006 coinciding with publication of the new law on ART (Law 14/2006) in our country and two EU Commission Directives implementing the EUTCD.

Since its incorporation a total of 1080 questions were received.



Year	Questions	Members	%
2006	2	466	0,00
2007	8	497	0,02
2008	13	559	0,02
2009	44	634	0,07
2010	54	672	0,08

Year	Questions	Members	%
2011	90	728	0,12
2012	135	753	0,18
2013	126	799	0,16
2014	167	855	0,20
2015	215	941	0,23
2016	226	983	0,23

While in the first 5 years (2006-2010) the annual number of questions was <100 with a mean rate of <0.10 questions/member, in the next 3 years (2011-2013) it was around 100 questions (0.1-0.2 questions/member), and in the last 3 years (2014-2016) it was >150 queries/year (>0.2 questions/member). An increase was observed in 2014 coinciding with the publication of new national rules.

## CONCLUSIONS:

- The number of questions addressed to the ASEBIR Legal Consultancy has shown a great increase in recent years, not only due to the higher number of members but also to the growing interest in legal questions related to ART.
- Most frequent questions were related to gamete and embryo donation (29.2%), cryopreservation (21.2%) and aspects about the consent form (17%).
- Scientific societies focus mainly on scientific aspects but their contribution on legal aspects of ART is also very important because there are many such matters that worry ART professionals and need to be clarified.
- Having a Legal Consultancy Service available to all members of the scientific society is an efficient way to help to interpret and solve legal matters.

