Frequently asked questions
for the
Public Consultation Document
on
Reimbursement of Expenditures under the *Assisted Human Reproduction Act*

Q1: What is the purpose of this consultation?

A1: This consultation seeks input from interested parties on options for the regulation of reimbursement of expenditures under the *Assisted Human Reproduction Act* (AHR Act). Health Canada's Assisted Human Reproduction Implementation Office (AHRIO) is mandated to develop the policy for these regulations, a process that includes consultation with Canadians. The options presented build on previous targeted consultations with representatives of reproduction clinics across the country, non-governmental organizations, and health practitioners.

Q2: What does the *Assisted Human Reproduction Act* say regarding payment for sperm, ova (eggs), *in vitro* embryos or surrogacy?

A2: Section 6 of the AHR Act prohibits payment for or advertising to pay for surrogacy and establishes the minimum age of a surrogate mother. Section 7 of the Act prohibits the purchase, offer to purchase, or advertisement for the purchase of a sperm or ova from a donor, or someone acting for a donor. Similarly, section 7 also bans the purchase or sale of *in vitro* embryos. These prohibitions are based on the principle that human reproductive capacity should not be commercialized. This fundamental principle of the Act was determined through consultation with Canadians in the years leading up to the establishment of the Act.

Q3: What does the *Assisted Human Reproduction Act* say regarding reimbursement of expenditures?

A3: Section 12 of the AHR Act allows for receipted expenditures to be reimbursed for costs incurred in making a sperm and ova (egg) donation, in acting as a surrogate mother, and for the transport or maintenance of an *in vitro* embryo. It also allows surrogate mothers to be reimbursed for loss of work-related income due to medical reasons during their pregnancy. Reimbursement may be provided if made in accordance with the regulations and a licence.

Q4: What issues are addressed in this consultation paper?

A4: This paper outlines proposals for regulations and licensing relating to the reimbursement of expenditures and poses questions about these proposals. The paper addresses two main issues: a) proposed categories of receipted expenditures eligible for reimbursement, including a proposal for the reimbursement of loss of work-related income for surrogate mothers; and b) options for licensing relating to the reimbursement of expenditures.

Q5: Who is invited to participate in this consultation?

A5: The target audience would include individuals or persons who hold a particular interest in AHR, including the general public, patients of assisted human reproduction, sperm/ova donors, health professionals, academia, industry, and government.

Q6: How can interested parties provide comments?

A6: Interested parties will be able to provide comments in the online workbook. These comments are to be submitted by September 14, 2007.

Q7: How will Health Canada use the comments and information generated by the consultation document and what are the next steps?

A7: Health Canada will review and analyse the comments received from interested parties on the proposed policy options. Based on the input received, the next step will be to draft proposed regulations under section 12 of the AHR Act.

Q8: Are there going to be other consultations on reimbursement of expenditures before the regulations are final?

A8: The proposed regulations will be published in Part I of the *Canada Gazette*, which provides all interested Canadians with another opportunity to comment.

Q9: How is this consultation different from what took place at the workshop in November, 2004?

A9: The 2004 Workshop on the Reimbursement of Expenditures for Sperm and Egg Donors served as an initial discussion focussed mostly on the policy intent for the reimbursement of expenditures, and its implications for the supply of donor gametes in Canada. The workshop did not address the issue of surrogate mothers, which is included in this consultation. This consultation is being undertaken to receive comments on proposed policy options in order to develop proposed regulations.