

## Alberta's 'most conservative' fertility clinic restricting donations to patients of same ethnicity; The private clinic got wide attention last week after a Caucasian female patient complained that she had been told she could only get sperm from white donors

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Calgary's only fertility centre, which has made headlines for requiring that patients receive only sperm from donors of the same ethnicity, is a medically respected clinic but one with conservative views.

The private clinic, known as the Regional Fertility Program, got wide attention last week after a Caucasian female patient complained that she had been told she could only get sperm from white donors.

Ellen Embury, a Calgary lawyer who specializes in reproductive law, said the clinic has high success rates but its social stance isn't universally shared.

"I have no hesitation saying that they are the gold standard, medically. I do have concerns about some of the ethical positions that are being taken by this clinic," Ms. Embury said.

She said that unlike other clinics, the Calgary clinic will not take patients who deal with surrogacy agencies. The clinic also long resisted taking gay patients, she added.

"I deal with a lot of fertility clinics. They are certainly the most conservative. That is their choice to a certain extent as long as it is a private service."

The Regional clinic landed in the spotlight over a long-held policy that it does not allow sperm donations that would result in a future child appearing racially different than the recipient or the recipient's partner.

Officials at the clinic didn't reply to an interview request Monday, but administrative director Calvin Greene told the Calgary Herald that it is better to raise children who resemble their parents.

"A child of an ethnic background should have the ability to be able to identify

with their ethnic roots," Dr. Greene said.

The patient who went public with her complaint about the clinic's policy is a single woman who is considering in-vitro fertilization.

"I'm not sure that we should be creating rainbow families just because some single woman decides that that's what she wants," Dr. Greene said about her.

Dr. Greene said his clinic's policy has been upheld in a previous complaint to the Alberta Human Rights Commission. However, the commission has no public record of such case, meaning that it never went to tribunal but could have been dealt with at an earlier phase, either through a settlement, conciliation, or the withdrawal or dismissal of the complaint.

Dr. Greene said that his stance is consistent with the spirit of Ottawa's Assisted Human Reproduction Act, which discourages doctors from helping create "designer babies."

However, his understanding of the law was not shared by several legal experts.

Sherry Levitan, a Toronto attorney specializing in reproductive law, said Dr. Greene's concerns about designer babies ring hollow, considering that people looking for sperm donors already seek certain specific physical attributes, usually a taller, healthier version of themselves.

"If I am a Caucasian woman and I want a tall blonde child, can I not choose a tall blonde Caucasian donor? Is that also not choosing the genes of my child? Happens every day," she said.

Another fertility law attorney in Toronto, Sara Cohen, said doctors at the clinic were dabbling in social policies for which they had no qualifications.

"I don't think there's a legal basis for this ... I can't even understand to be honest," Ms. Cohen said.

Ms. Cohen also noted that there is a shortage of sperm donations in Canada because the federal law makes it illegal to pay for eggs or sperm.

The Calgary clinic's patient says that she is not specifically looking for genetic material from non-white men, but rather that she only wants to broaden the pool of donors.

Other clinics say they don't have such restrictions.

There is no such practice at Alberta's only publicly-funded fertility clinic, Edmonton's Royal Alexandra Hospital, said spokesman Kerry Williamson.

"We don't have that policy and we never would," said **Sonya Kashyap**, medical director of the Genesis fertility centre in Vancouver.

Dr. Kashyap said it is sometimes very hard to even determine what someone's ethnicity is. "We're in 2014 now and from a scientific point of view, we know that the more intermixing there is, the better because the more intermixing, the bigger the gene pool," she said.

"Our practices are quite contrary to what we read about [the Calgary clinic]," said an administrator at another Vancouver clinic, the Pacific Centre for

Reproductive Medicine.

Kyle Macdonald, a spokesman for the ReproMed sperm bank and fertility clinic in Toronto, said choosing donors is a decision for the patient to make. "We will not limit their choices," he said.

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