

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2971.1 of the Code of Virginia and to amend the Code of Virginia*
3 *by adding a section numbered 32.1-45.3, relating to HIV testing of gamete donors.*

4 [H 1922]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 54.1-2971.1 of the Code of Virginia is amended and reenacted and that the Code of**
8 **Virginia is amended by adding a section numbered 32.1-45.3 as follows:**

9 *§ 32.1-45.3. Certain testing of gamete donors required; Board to establish testing protocol.*

10 *Any person using donor gametes to treat patients for infertility by artificial insemination, in vitro*
11 *fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer or any other*
12 *gamete, zygote or embryo transfer or other intervening medical technology using sperm or ova, shall,*
13 *prior to using any donor gametes for such procedures, ascertain the HIV status of the donor through*
14 *testing as provided in Board of Health regulations. The Board of Health shall promulgate regulations*
15 *establishing a testing protocol for gamete donors.*

16 *As used in this section:*

17 *"Donor" means an individual unrelated by marriage to the recipient who contributes the sperm or*
18 *ova used in the procedures noted above.*

19 *"Gametes" means either sperm or ova.*

20 *§ 54.1-2971.1. Disclosure for certain treatment of infertility.*

21 *Before a physician commences treatment of a patient by in vitro fertilization, gamete intrafallopian*
22 *tube transfer, or zygote intrafallopian tube transfer, including the administration of drugs for the*
23 *stimulation or suppression of ovulation prefatory thereto, a disclosure form shall have been executed by*
24 *the patient which includes, but need not be limited to, the rates of success for the particular procedure at*
25 *the clinic or hospital where the procedure is to be performed. The information disclosed to the patient*
26 *shall include the testing protocol used to ensure that gamete donors are free from known infection with*
27 *human immunodeficiency viruses, the total number of live births, the number of live births as a*
28 *percentage of completed retrieval cycles, and the rates for clinical pregnancy and delivery per completed*
29 *retrieval cycle bracketed by age groups consisting of women under thirty years of age, women aged*
30 *thirty through thirty-four years, women aged thirty-five through thirty-nine years, and women aged forty*
31 *years and older.*

ENROLLED

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