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HEALTH AND SAFETY CODE - HSC

DIVISION 106. PERSONAL HEALTH CARE (INCLUDING MATERNAL, CHILD, AND ADOLESCENT) [123100 - 125850] (

Division 106 added by Stats. 1995, Ch. 415, Sec. 8.)

PART 5.5. USE OF HUMAN CELLS [125300 - 125356] (*Part 5.5 heading added by Stats. 2003, Ch. 507, Sec. 5.)*

CHAPTER 1.5. Oocyte Retrieval For Fertility Treatment [125325 - 125325.15] (*Chapter 1.5 added by Stats. 2009, Ch. 523, Sec. 1.)*

125325. (a) The person or entity posting an advertisement seeking oocyte donation associated with the delivery of fertility treatment that includes assisted oocyte production and a financial payment or compensation of any kind, shall include the following notice in a clear and conspicuous manner:

"Egg donation involves a screening process. Not all potential egg donors are selected. Not all selected egg donors receive the monetary amounts or compensation advertised. As with any medical procedure, there may be risks associated with human egg donation. Before an egg donor agrees to begin the egg donation process, and signs a legally binding contract, she is required to receive specific information on the known risks of egg donation. Consultation with your doctor prior to entering into a donor contract is advised."

(b) A summary pertaining to oocyte donation procedures, shall be provided, as required pursuant to Section 125335, to all potential egg donors before signing a legally binding contract to become an egg donor, or beginning any egg donation procedures, as part of compliance with the informed consent requirements.

(c) Persons or entities that certify compliance with the American Society for Reproductive Medicine (ASRM) guidelines by registering with ASRM are exempt from the notice requirements set forth in subdivision (a). Use of the exemption when the guidelines are violated shall constitute false advertising.

(d) Donors recruited through the advertisement shall undergo the same disclosure, counseling, and informed consent process, as required pursuant to Section 125335, as donors recruited by those exempt from subdivision (a).

(Added by Stats. 2009, Ch. 523, Sec. 1. (AB 1317) Effective January 1, 2010.)

125325.15. The following definitions shall apply to this chapter:

(a) "Assisted oocyte production" or "AOP" means surgical extraction of oocytes following pharmaceutically induced manipulation of oocyte production through the use of ovarian stimulation for the purposes of fertility treatment.

(b) "Oocyte" means a female egg or egg cell of a human female.

(Added by Stats. 2009, Ch. 523, Sec. 1. (AB 1317) Effective January 1, 2010.)