



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan Announces Committee Approves Bill to Provide Oversight of Reproductive Tissue Banks

JIM RANNEY May 18, 2023

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Senator Patrick M. Gallivan (R-C, Elma) announces the New York State Senate's Standing Committee on Health has passed legislation (S.2122) to establish legal safeguards for people who utilize the services of reproductive tissue banks. The bill, introduced by Senator Gallivan, would require certain medical information of a donor be made available to prospective recipients. The 'Donor-Conceived Person Protection Act' would also give any donor-conceived persons the option to access vital donor records so that they can make

health and life decisions going forward.

“Individuals and couples who utilize the services of reproductive tissue banks and fertility clinics to help them realize the dream of parenthood deserve accurate information about the donor involved,” Senator Gallivan said. “This legislation establishes procedures to help ensure appropriate and accurate medical information is provided to recipients and donor-conceived individuals.”

Current policies lack necessary oversight and often leave recipients with insufficient information about potential donors. In many cases, donors are asked to self-report and the information is unverified. Among other things, the legislation would require reproductive tissue banks to disclose whether a donor has a condition or disease believed to be hereditary, as well as any drugs or medication being taken by the donor.

The bill was prompted by the experience of Laura and David Gunner. The Aurora, NY couple contracted with a Virginia-based clinic in 1992 and selected a donor based, in part, on his medical report, which indicated he was healthy and had no history of mental illness. Years later, the Gunner's son, Steven, was diagnosed with schizophrenia. Steven's life was filled with unimaginable suffering that included institutionalization, incarceration and homelessness. Steven died of an accidental overdose in May 2020.

The family later learned the donor in their case had also been diagnosed with schizophrenia. He lived a similarly difficult life and died of an overdose. It was confirmed the donor had been treated for psychiatric disorders as a child and was hospitalized, all prior to becoming a donor.

Senator Gallivan, who serves as the Ranking Member of the Senate Health Committee, worked with his colleagues to draft a bill that earned bi-partisan support. The legislation is

also sponsored by Assemblymember Amy Paulin (D, Scarsdale), Chair of the Assembly Committee on Health.