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FOR IMMEDIATE RELEASE

TO: Interested Persons
FROM: A. Eric Johnston, President
DATE: February 29, 2024
RE: **IVF**

The Alabama Supreme Court in a plurality decision said the stored fertilized egg embryo is an unborn child within a meaning of the Alabama Constitution. There are an unknown number of these embryos. The question is what is to be done with those not used.

The Alabama Pro Life Coalition does not oppose IVF. We believe it is a valid method of permitting couples who are unable to have children, to have this option. Our objective is not to compromise IVF in any material way, but to facilitate and continue its availability. Some pro-life groups may, however, oppose IVF.

At the same time, we agree with the Court opinion. Therefore, the humanity of those unborn children must be protected, while permitting couples to have the option.

We believe the unused embryos should be permitted to be adopted. In all events, those not used, must not be destroyed. We must agree on a humane way to resolve this problem.

We are very disappointed with the process the Alabama Legislature has followed to address this issue. It appears that UAB has dominated the Legislature's efforts to address the problem. Their effort has been to immunize IVF clinics. Their initial legislation would have provided almost blanket immunity to any clinic or hospital. With the help of trial lawyers, this was corrected. Democrats also made some cogent arguments about the lives of these unborn children.

Another bill, more narrowly tailored, addressed only the Alabama Wrongful Death of a Minor Act, the subject of the Court opinion. That bill had a sunset provision permitting the immunity to remain in effect only until April 1, 2025. After that time there would be no immunity. This would give the Legislature time to formulate proper IVF clinic regulation, while protecting the unborn. Unfortunately, that sunset provision was removed from the bill that

passed. This raises our concern that the Legislature will not adequately or timely deal with the problem. IVF is not regulated in Alabama. The Court opinion is a wake-up call.

This issue is not about abortion. There the lines of disagreement are clear. Here, we should be working together and expect we will.

The Alabama Legislature must ignore the demands of special interests and work with all groups to do what is needed to permit IVF, while protecting the unborn. The Alabama Pro Life Coalition must be a part of that process and the Alabama Legislature must act with dispatch, but with care.