

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2907

By: Hamilton

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5
6 AS INTRODUCED

7 An Act relating to human oocytes; prohibiting certain
8 acts; requiring certain consent; creating civil
9 liability; providing penalties; providing for
10 codification; and providing an effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 557 of Title 10, unless there is
15 created a duplication in numbering, reads as follows:

16 A. In the interest of protecting the ovarian health of Oklahoma
17 women, especially university students and low-income women who are
18 disproportionately vulnerable to being monetarily induced to
19 compromise their reproductive and ovarian health, it shall be
20 unlawful for any person to intentionally or knowingly provide
21 valuable consideration, or to solicit to provide valuable
22 consideration, to procure one or multiple human oocytes from a woman
23 by hormonal egg follicle stimulation and surgical extraction. It
24 shall further be unlawful for any person to refer individuals to

1 out-of-state egg harvesters or in-state referral services and to
2 receive valuable consideration for such services. This section
3 shall not apply to regulate or prohibit the procurement of human
4 oocytes for the treatment of infertility being experienced by the
5 woman from whom the eggs are being derived.

6 B. Human oocytes obtained from women volunteering as donors
7 without valuable consideration must have been donated with voluntary
8 and informed consent, documented in writing, including risks of
9 infertility, hospitalization or death resulting from complications
10 of human oocyte stimulation and extraction. Medical clinics must
11 also disclose in writing any potential conflict of interest.

12 C. "Valuable consideration" means financial gain or advantage,
13 including cash, in-kind payments, reimbursement of any cost incurred
14 in connection with the removal, processing, disposal, preservation,
15 quality control, storage, transfer, or donation of human oocytes
16 including lost wages of the donor, endorsements, patient referrals,
17 research donations, grant monies, as well as any other
18 consideration.

19 D. A civil action may be filed in state court for any violation
20 of this section.

21 E. Any violation of this section shall constitute
22 unprofessional conduct for a professional licensed in this state and
23 shall result in permanent revocation of the individual's license.
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1 F. No female shall be subject to any penalty for being
2 solicited or induced to accept valuable consideration to undergo
3 hormonal oocyte follicle stimulation and surgical extraction for any
4 purpose.

5 SECTION 2. This act shall become effective November 1, 2012.

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