



IVF Policy Recommendations

ERLC Summary of Beliefs

The desire to build a family is God-given, biblical, and beautiful. The struggle of infertility is real and something to sincerely lament. From the moment of conception, every child is a gift from God, inherently valuable, worthy of protection and care, and possesses the right to be born, not contingent upon the mechanism of their conception. While we affirm those who wish to grow their families and grieve with and support those struggling with infertility, we cannot ignore serious ethical concerns with the practice of in vitro fertilization (IVF). IVF results in harm to children and harm to mothers, many of whom are unaware of serious moral concerns and the complications associated with IVF. *We urge legislators to develop and implement a system of federal oversight that protects and ensures human embryos are treated with care and dignity as well as educates couples on the moral concerns of these practices, even as we oppose the general practice of IVF.*

Broad Guidelines

Because human life begins at fertilization, morally, the federal government should clarify that every embryo is a child worthy of our care and protection. Recognizing the humanity of these children requires, at the bare minimum, opposition to destroying these human embryos.

Furthermore, there should be clear and required federal standards regulating the IVF industry. At present, there are no clear standards regarding the treatment of live human embryos in federal law.¹ Current law² directs the Center for Disease Control (CDC) to develop a model for IVF facility accreditation, but the CDC itself does not even formally endorse the organizations that provide such accreditation, does not require states to comply, does not require all IVF providers to obtain certification, has no enforcement mechanism, and no longer has many reporting standards in place as a result of federal [rulemaking](#) that was finalized in August 2024. Current [estimates](#) suggest that over 1 million preborn children are being held in IVF clinics around the country.

Human Dignity Regulatory Measures

In accordance with the inherent dignity of preborn children and their parents, best practice regulatory measures should consider these recommendations:

- Prioritizing robust patient education, ensuring women and families are informed of the risks of, alternatives to, and the significant ethical concerns associated with IVF;
- Requiring facilities to meet standards ensuring all existing frozen embryos are treated with care;
- Limiting IVF treatments to the creation and transfer of one embryo at a time to prevent the storage of human embryos without plans to bring the children to term;
- Preventing the disposal of any embryo—especially due to genetic testing results or sex selection, recognizing that both are forms of discrimination.

¹ [42 U.S. Code § 289g-2](#) regulates “human fetal tissue” solely as applied to interstate commerce. [42 U.S. Code § 289g-1](#) regulates the transplantation of “human fetal tissue” solely as applied to research purposes. [45 CFR § 46.206](#) requires the treatment of “human fetal tissue” in accordance with state and federal law.

² This is provided in [42 U.S. Code § 263a-1](#) and [a-2](#).



Frozen Embryos, Embryo Adoption, and Disposing of Embryos

Similar to the decision reached by the Supreme Court of the State of Alabama, the federal government should acknowledge that a frozen embryo is a unique human life. As a result, legislators should:

- Prioritize programs and opportunities that result in adoption of embryos that are currently in storage;
- Require stricter standards to be implemented for the storage, retrieval, and thawing of existing embryos to ensure as many children as possible remain viable;
- Discourage the indefinite freezing of embryos in perpetuity and encourage the pursuit of all other options to bring embryos to term by their biological parents or adoptive parents.

Insurance Coverage, Pricing, and Promoting Curative Alternatives

Lawmakers should consider the following recommendations related to coverage, pricing, and provision of care:

- Implement patient counseling and quality of care standards for IVF providers, which must include clear counsel to women that IVF is not a cure for infertility and does not seek to address the causes of infertility;
- Incentivize the pursuit of ethically sound medical treatments that both respect the dignity of the human person and seek to treat the underlying root causes of infertility;
- Refrain from implementing a federal coverage mandate for ARTs, specifically IVF.
- Abstain from drug pricing deals or from other means of artificially incentivizing the healthcare insurance market to subsidize fertility treatments that can harm women and children, are often not curative, and [yield limited odds](#) of successfully bringing a child to term.

Protecting Religious Liberty

A thoughtful approach to IVF policy will also include robust religious liberty protections, like the following:

- Adherence to the Religious Freedom Restoration Act (RFRA), which ensures the federal government does not place undue burden on employers and medical providers to cover or provide services that violate their deeply held religious and moral beliefs;
- Defining Assisted Reproductive Technologies (ARTs), fertility, and other applicable terms so it is clear that “infertility” applies solely to the inability of a heterosexual couple comprised of a biological female and biological male to become pregnant; thereby curbing any potential efforts to expand access to IVF to all individuals (regardless of their marital status, sex, or perceived gender identity) or that pave the way for the promulgation of gene editing, cloning, and/or genetic and sex-based selection of embryos;
- Prohibit the federal funding of IVF, ensuring that taxpayers are not complicit in practices that violate their conscience.

As Southern Baptists, we desire to see all lives protected and valued, including those at the embryonic stage of development. Although no form of IVF practice will alleviate all of our ethical concerns and we would counsel our members against its usage, any federal or state policy should consider how these significant ethical and moral concerns can be mitigated.

For additional information or questions, please contact:

Katy Roberts, Senior Policy Manager | 202-474-2566 | kroberts@erlc.com

Download the ERLC's church guide containing an ethical and theological framework for ARTs at erlc.com/desiringchildren.