

## **The Couple's Predicament**

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Last time we saw that sometimes even in cases of medical decisions a couple may be forced to make a decision. We discussed the case presented in an interactive session of the Annual Meeting of the American Society of Reproductive Medicine concerning the couple who underwent a fertility procedure. They produced two embryos which were tested genetically and found to have a rare abnormality. Due to the lack of data the geneticists were not able to give an exact prognosis and could only give a professional suggestion and an educated guess.

The fertility doctor is an expert in his own field but not in genetics. In this particular case the embryos were supposed to be transferred into a gestational carrier. She had her own opinion regarding which embryos should be transferred since she was concerned with the excessive prenatal testing that she would have to endure and the eventuality of having to undergo a termination if a problem was found in the baby. Her lawyer was also involved since he was concerned about a potential law suit if there was a problem with the baby.

There is one more significant factor; medical professionals are extremely concerned with possible law suits and some major malpractice trials have amplified this fear. It is true that sometimes doctors, like any other professionals, make mistakes and they can be fatal or at least disastrous. It is appropriate to have a legal deterrent to enhance the high standards that are necessary in the medical profession. However when a doctor is afraid to make an important decision due to a fear of a law suit too often a patient suffers.

In our case this is compounded by the fact that the doctor does not actually have a good answer to the question as to which embryo to choose. Since no one can accurately predict the outcome of choosing either of these embryos the doctor cannot give the couple any real advice. And so he hands over the decision to the couple, they will decide. This was the conclusion at the ASRM meeting as presented by a panel of a geneticist, a reproductive doctor and a lawyer.

But there is a major problem with this conclusion; the parents have to make the decision but on what basis can they make such a decision? The doctor, geneticist and even the lawyer turn to the parents to decide in this case. But no one has armed them with the knowledge with how to make the decision.

More on this next week.