



BOOMER ESIASON FOUNDATION

February 28, 2024

## **BOOMER ESIASON FOUNDATION STATEMENT ON ACCESS TO IVF IN ALABAMA**

The Boomer Esiason Foundation is troubled by the Alabama Supreme Court's recent [decision](#) that frozen embryos have the same legal rights as children under the Wrongful Death of a Minor Act. This ruling has led to the [suspension of IVF](#) throughout the state, jeopardizing tens of thousands of Alabamans' access to fertility treatments. Infertility affects one in six people in the United States and can be emotionally devastating to those who dream of building their own families but cannot conceive naturally. BEF is deeply sensitive to the emotional and financial weight of infertility, as family planning can be complicated for people living with cystic fibrosis. Most men (97-98%) and many women living with CF struggle with infertility due to congenital absence of the vas deferens (CAVD) in men and issues like thicker cervical mucus, irregular ovulation, and increased risk of gestational diabetes in women. For many people living with CF, IVF is their only viable option to have biological children.

The Alabama ruling is not based on [scientific evidence](#) and also manipulates a tragic isolated incident into a political weapon. The standard of care for IVF is to create multiple fertilized embryos for the best chances at a successful pregnancy. This ruling not only interferes with the relationship between doctors and their patients, but also reverses the scientific progress made to ensure that all people can have a chance to build their own families. Furthermore, families in Alabama who wish to pursue IVF care are now at greater risk for increased financial burden and potentially diminished chances of success, if care options even remain available.

BEF is committed to breaking down barriers to fertility treatments through our IVF Grant Program and we firmly condemn the legal barrier raised by the state of Alabama through this ruling. This not only destroys the hopes of those wishing to be parents through IVF in Alabama, but sets an unthinkable precedent for all Americans affected by infertility. BEF will continue to fight to ensure that all people living with CF have access to the family building resources they need to build the families of their dreams.

Resources:

[Resolve: The National Infertility Association](#)

---

Gunnar Esiason, MBA, MPH  
Executive Vice President, Strategy & Advocacy

---

**483 TENTH AVE. Suite 300 | NEW YORK. NY 10018**  
PHONE 646.724.4275 | FAX 516.746.4437  
E-MAIL [info@esiason.org](mailto:info@esiason.org) | [www.esiason.org](http://www.esiason.org)