

CS/HB 1287 – Reproductive Medicine

This bill creates s. 784.086, F.S., establishing an **unranked, 3rd degree felony (Level 1 by default)** for a health care practitioner who implants/inseminates or causes to be implanted/inseminated reproductive material into a patient from a donor with the knowledge that the recipient has not consented to reproductive material from that donor. The period of limitation does not begin to run until the date the violation is discovered and reported to law enforcement or other governmental agency. Additionally, this act is included as one that would lead to the suspension/revocation of a license.

While it is not known how many physicians would be offenders under this statute, an upcoming peer reviewed article notes that there were currently six offenders in North America that faced criminal/civil charges for their conduct.¹ Per DOC, in FY 18-19, there were 3 new commitments to prison who committed felonies regarding practicing health care without a license.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: House

¹ Madeira, Jody L. 2020. "Holding Physicians Accountable for Fertility Fraud." *Columbia Journal of Gender and Law*.