



**OHIO  
ASSOCIATION *for*  
JUSTICE**  
TRIAL LAWYERS HELPING PEOPLE

**Testimony in Support of House Bill 64 and the inclusion of HB 64 into SB  
288  
Ashlie Case Sletvold, Trustee  
December 5, 2022**

Chairman Representative LaRe, Vice Chair Swearingen, Ranking Member Leland and members of the House Criminal Justice Committee.

My name is Ashlie Case Sletvold and I have been an Ohio attorney for 17 years. I am a trustee of the Ohio Association for Justice (OAJ), a board member of the Cleveland Academy of Trial Attorneys, and the immediate past president of the William K. Thomas American Inn of Court. On behalf of the OAJ, I urge support for HB 64 and its inclusion in Substitute SB 288, which creates criminal and civil consequences for misconduct during assisted reproduction.

I am the managing partner of the Cleveland office of the national law firm Peiffer Wolf Carr Kane Conway & Wise, LLP. One of our practice areas is fertility-clinic misconduct. For the past decade, our firm has represented hundreds of people in cases across the country where fertility clinic misconduct has dramatically changed a family's life.

These cases have included doctors secretly using their own sperm to impregnate patients, clinics placing the wrong sperm in women's bodies to impregnate them, clinics destroying stored embryos, and clinics switching embryos and implanting the wrong embryo in a patient, resulting in a woman carrying and giving birth to a baby that is not related to her or her spouse.

This year alone, I represented two different sets of twins conceived through assisted reproduction who had different fathers as a result of fertility clinics using the wrong sperm.

These cases arise because the fertility industry is among the least regulated in the country. Patients entrust these providers to help them achieve their hopes and dreams of becoming parents. And they pay handsomely for these services. These clinics hold the building blocks of life in their hands, but the clinic employees vested with these ultimate responsibilities of creating life—embryologists and laboratory technicians—most typically have only a bachelors degree and who are not subject to any experience or educational requirements under Ohio law. While this bill does not require embryologists and laboratory technicians to be licensed, the bill allows innovation by focusing on criminal and civil protections.

Ohioans who trust and rely on fertility clinics to create their families should be able to do so with confidence. Yet far too often, families are devastated when DNA results reveal that the

trust they placed in fertility clinics was misplaced. Roughly 8 weeks after every Christmas (the average processing time for an Ancestry.com or 23andMe kit), our firm will receive a round of calls and website inquiries from stunned parents and children who have just received shocking results.

Women will learn that they had a stranger's baby, rather than their husband's. Children learn that they are not related to the father who raised them, their grandparents, cousins, or even siblings. Some will learn that their father is their mother's doctor; for others, it will be another clinic patient whose genetic material was in the lab at the same time as their intended parents' samples. Some will never know who their biological father is or have access to family medical history.

Through intentional misconduct, equipment contamination, or failure to read the labels on the respective samples, suddenly what these children thought they knew about themselves, their family relationships, and their ancestry evaporates.

Another crucial feature of the bill is that it gives children conceived through fertility misconduct their own voice. Creating a path to support all victims of fertility-clinic misconduct is an important step for Ohioans facing these shocking and traumatic situations.

This bill demonstrates that this legislature both acknowledges and hopes to prevent the damage that fertility-clinic misconduct inflicts on Ohio families.

The Ohio Association for Justice and I encourage the speedy passage of HB 64 and Substitute SB 288.