



Reproductive Technologies, Inc.

THE SPERM BANK OF CALIFORNIA

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WAIVER FOR RECIPIENT OF KNOWN DONOR SEMEN

At THE SPERM BANK OF CALIFORNIA, hereinafter referred to as "TSBC," a directed donor is storing for the potential insemination of a designated recipient who is known to the donor but is not an intimate partner or spouse. All directed donor sperm is quarantined for six months. At TSBC a known donor is the same as a directed donor except their sperm is not quarantined.

TSBC strongly recommends that all donor semen be quarantined for six months (a minimum of 180 days), and that the donor undergo repeat blood testing at the end of this quarantine period before any samples are released. We believe that repeat testing of the donor after a six-month quarantine allows greater confidence that semen samples are free from HIV and other infectious organisms. In 1988 the Food and Drug Administration (FDA), the Centers for Disease Control and Prevention, the American Association of Tissue Banks, and the American Society for Reproductive Medicine recommended a six-month quarantine of all donor semen samples. The quarantine period is designed to cover the window period between the time an individual is infected with HIV and the time HIV-specific antibodies are detectable through a blood test.

TSBC is registered as a reproductive tissue bank with the FDA and is in full compliance with FDA regulations governing donor screening; the FDA does not require that semen from directed donors be quarantined. TSBC also follows New York State Department of Health regulations for Tissue Banks. According to Section 52-8.6(e) of these regulations, "If the semen to be released originates from a directed donor, the recipient may be given the opportunity to waive the quarantine period in writing after being advised by the [sperm bank] director, his/her designee, or the physician performing the insemination of the risk involved in doing so."

We strongly encourage you to consult with your own physician regarding the risks involved in waiving the quarantine period. We advise you that some physicians, including many IVF practices, will not work with donor sperm that has not been quarantined. TSBC cannot convert samples stored under a known donor account to a directed donor account as known donor sperm is not stored in a quarantined tank.

If you choose to waive the quarantine period, you must execute the written waiver below.

WAIVER FOR RECIPIENT OF KNOWN DONOR SEMEN

I, _____, have read and understood The SPERM BANK OF CALIFORNIA's recommendations for quarantine of donor semen.

My sperm donor, _____, is known to me. **By signing below, I waive the six-month (180-day) quarantine of said samples.** I understand that TSBC discourages the use of semen samples that have not passed the full screening and quarantine process. I hereby explicitly take on the personal responsibility for any and all outcomes of using said non-quarantined semen samples. I hereby explicitly absolve TSBC and its current and former employees, directors, officers, attorneys, insurers, agents, and representatives of any responsibility whatsoever for any and all outcomes, whether presently known, suspected, unknown, or unsuspected, of using said non-quarantined semen samples. I knowingly and expressly assume any and all risk of using said semen samples.

_____ I understand that I cannot waive the requirement for repeat STD testing of my donor, and that **STD testing of my donor is required within 7 days before or after every sample** provided for donation. I further understand that any sample provided that is not within 7 days of an STD panel, regardless of the circumstances, is not releasable by TSBC and will be destroyed.

_____ I understand that TSBC reserves the right to prohibit the use of this waiver and to require a six-month (180-day) quarantine of semen upon receipt of medical information from the above-named directed donor that, in the sole discretion of TSBC, makes the quarantine period imperative.

_____ I understand that if regulations from the FDA or any other tissue bank licensing body change to mandate the quarantine of directed donor samples, TSBC will comply with these regulations, and my executed waiver will thereupon be null and void.

_____ I understand that many physicians will only accept sperm samples that have been quarantined and that I will not be eligible for any refunds from TSBC if my physician will not work with my known donor samples.

Recipient Signature

TSBC representative Signature

Recipient's Printed Name

TSBC representative Witness Printed Name

Date

Date