



RABBI GIDEON

**Machon Puah for Fertility and
Gynecology in Accordance with Halacha**

WEITZMAN

Who Are the Parents?

Last time we presented the case of the tragic mistake that occurred recently in one of the hospitals in Central Israel. A couple discovered late in their pregnancy that the baby girl the woman was carrying was not her own and there had been an error. Another couple's embryo was implanted by mistake.

This raises the question as to how we define motherhood; is it the genetic mother or the gestational mother, who carries the baby and gives birth. While this is a question in all cases of egg donors or gestational carriers, this particular case is different, since the switch was done without the consent of the parties involved.

In addition, the case of egg donation raises the question of who is the mother, but there is no debate as to who the father is. But in our case the father is not the husband of the woman carrying the baby.

The medical staff of the hospital identified another couple who they assumed were the parents. But everyone was in for a huge shock; when the baby was born and all the relevant parties were checked it was discovered, to everyone's dismay, that the other couple were not

the parents either!

There have been previous cases in which there was an embryo switch between two women or two couples. There was a famous case of Carolyn and Sean Savage in Ohio who also discovered that they were pregnant with embryos from another couple. They decided not to terminate the pregnancy but to deliver the baby and hand the child to the genetic parents. Jean wrote a book about her experience and decision, *Inconceivable: A Medical Mistake, the Baby We Couldn't Keep, and Our Choice to Deliver the Ultimate Gift*. The title itself conveys the heart-wrenching and agonizing experience that they must have both been through.

But the case in Israel is unique in that we know who delivered the baby but have no idea as to who the genetic parents are. If motherhood is defined as the woman who carries the pregnancy and delivers the baby then the woman currently holding the baby girl born is the mother. But, if we define motherhood by genetics, we do not have a mother. And we cannot solve the question of who the father is, only to say that it is clearly not the husband of the woman who gave birth to that baby girl, since he did not supply any genetic contribution to the child.

So, who are the parents?

More on this next time. ■