



## RABBI GIDEON WEITZMAN

Machon Puah for Fertility and  
Gynecology in Accordance with Halacha

# The Need for Supervision

Last time we discussed the problems facing couples undergoing fertility during the current Iran War. One of the challenges was that some of the fertility clinics did not want to permit the halachic supervisors to be in the laboratory. They told couples that halachic supervision was not available in their clinic, and the couple should undergo treatment without supervision.

If a couple had not started treatment, or was at a very early stage, they were able to switch to another facility. But if the couple were at an advanced stage of treatment, or were in the middle, such as a case in which the eggs had been retrieved, fertilized and were ready for transfer, it was not possible to suggest another clinic.

Halachic supervision, called *hashgacha* or *pikuach*, for fertility treatments ensures the integrity of genetic material during lab procedures, preventing mix-ups and ensuring correct, known, or acceptable lineage. PUAH provides supervised lab services to meet strict Orthodox Jewish legal standards regarding paternity and maternity, particularly in IVF.

The halachic rationale for supervision of fertility treatments is based on the halachic imperative of determining who the

parent is, and this leading to the need for differentiating between the potential parents. If a man dies, or a couple divorce, his wife cannot remarry until three months have elapsed. The Gemara (Yevamot 42a) explains this requirement based on the verse (Bereishit 17:7) “to be your God and for your children after you”, “said Rav Nachman and Shmuel – to distinguish between the children of the first [husband] and the second [husband].”

Rashi explains that God resides on the Jewish people when it is certain who are whose parents, but when this distinction is absent, God’s presence retreats as well.

Another concern that the Talmud raises is the possibility that siblings may marry each other. If it is unclear who is the father then there could be a situation in which a brother and a sister may end up marrying each other, without knowing that they were siblings.

Usually, we assume that the parents are the mother and her husband, even if there is a chance that another man is actually the father. When a couple are married the assumption is that she is the mother and he is the father. But when the fertilization takes place in the lab and there is other genetic material in the vicinity and mistakes can happen, to rely on the natural process may not be sufficient.

Therefore, many poskim require halachic supervision for treatment.

More on this next time. ■