

Date 16/05/2025
Your Ref
Our Ref 9999

Enquiries to Richard Mutch
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Dear

FREEDOM OF INFORMATION – FERTILITY

I write in response to your request for information in relation to fertility treatment.

Question:

1. Policy on Fertility Preservation

- Does your ICB have a specific policy regarding fertility preservation (e.g., egg or embryo freezing) for patients with endometriosis prior to surgical intervention for ovarian endometriomas/ endometriotic cysts?

Answer:

We do not have a specific policy for fertility preservation for patients with endometriosis prior to surgery.

The general criteria as outlined on the referral form apply and if these criteria were met, fertility preservation funded by the NHS would be offered. Natal females facing fertility damaging treatments or conditions can be provided with fertility preservation as appropriate which means the storing of eggs, embryos or ovarian tissue. This is only offered when a "specific, imminent and significant risk to the patient's fertility is identified" (e.g. risk of infertility is 30% or greater).

Our protocol focuses on cancer patients and transgender patients as the treatment associated with these pathways impact the patient's ability to produce viable gametes. An operation for endometriosis, despite the potential for it to impact the patient's ability to conceive naturally, would not usually meet this criteria. If they are unable to conceive naturally following the operation, they would be expected to meet the same criteria for NHS funded IVF as anyone else, and eggs would be retrieved at time of treatment.

Question:

2. Clinical Criteria for Funding:

- Are there set clinical criteria that must be met for patients with endometriosis to receive NHS funding for fertility preservation? For example, do these criteria include:

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Mainpoint
102 West Port
Edinburgh EH3 9DN

Chair Professor John Connaghan CBE
Chief Executive Professor Caroline Hiscox
*Lothian NHS Board is the common
name of Lothian Health Board*

- a. Age restrictions?
- b. Requirement for patients to be undergoing surgery for bilateral endometriomas or other specific endometriosis-related surgeries?
- c. A previous history of surgery for endometriosis?
- d. A specific Anti-Müllerian Hormone (AMH) cut-off value?

Answer:

- a. Age restrictions? See below
- b. Requirement for patients to be undergoing surgery for bilateral endometriomas or other specific endometriosis-related surgeries? N/A
- c. A previous history of surgery for endometriosis? N/A
- d. A specific Anti-Müllerian Hormone (AMH) cut-off value? N/A

Diagnosis: Subfertility with an appropriate cause of any duration - all couples OR Unexplained subfertility of two years – heterosexual couples Unexplained subfertility following six cycles of donor insemination – same sex couples

Residency: Live within Lothian or the Borders. Stable relationship Couple have been co-habiting (at the same address) in a stable relationship for a minimum of two years.

Sterilisation: Neither partner has had voluntary sterilisation (even if reversed).

Biological child: At least one partner must have no living biological child. Same sex couples who have previously conceived through assisted conception and are both named on the resulting child's birth certificate are not eligible for future treatment.

Body Mass Index (BMI): The prospective birth mother must have a BMI above 18.5 and below 30.

Smoking: Both partners must not smoke, vape or use nicotine for at least three months before referral for treatment and couples must continue to be non-smoking/vaping and nicotine free during treatment.

Alcohol and Drugs: Both partners must not use illegal and abusive substances. Both partners must be Methadone free for at least one year prior to referral for treatment and continue to be Methadone free for the duration of treatment. Neither partner should drink alcohol prior to or during the period of treatment.

Age: If a couple is referred for IVF/ICSI treatment where the intended birth mother is aged 39, the couple is unlikely to receive more than one NHS funded cycle. Couples where the intended birth mother is over the age of 42 years old will not be eligible for any NHS funded treatment.

Previous treatment: Any frozen embryos stored at another clinic in the UK must be transported to EFC before NHS treatment can commence. If the previous treatment was not NHS funded, the transport will be at the patient's cost.

Welfare of the Child: Satisfy the requirements Welfare of the Child Assessment.

Question:

3. Scope of Funding:

- If funding is available, is it typically provided for one cycle of egg/embryo freezing, or are additional cycles potentially funded if the patient responds poorly to the initial cycle?

Answer:

Up to three Fresh cycles are offered to patients who meet the NHS Funded referral criteria

Question:

4. Second or Further Cycles:

- In the case of an unexpectedly poor response to the initial funded cycle, is there any possibility of additional funding being granted for a second or further cycle of egg/embryo freezing?

Answer:

Up to three Fresh cycles are offered to patients who meet the NHS Funded referral criteria

Question:

5. Statistics on Funding Applications:

- How many patients with endometriosis have been granted NHS funding for fertility preservation prior to surgery in the last two years?
- How many funding applications for fertility preservation for patients with endometriosis have been made and subsequently declined during this same period?

Answer:

We do not hold specific data on endometriosis patients who have requested fertility preservation however if patients meet the criteria for NHS Funded treatment, we would not decline the referral.

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the

Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhsllothian.scot/FOI/Pages/default.aspx>

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing
Cc: Chief Executive