

Thank you Chairman Durbin, Ranking Member Graham, and Members of the Senate Judiciary Committee. Thank you for the opportunity to testify before you today.

My name is Jamie Heard and I am from Birmingham, Alabama. I'm here to share how the Alabama Supreme Court's decision to declare personhood for frozen embryos has affected me and my family.

In 2012, I was diagnosed with Polycystic Ovary Syndrome, the most common cause of female infertility. I can remember my body feeling heavy as I listened to the doctor explain the challenges I would face in getting pregnant. Untimely news that not only changed the planned trajectory for my hopes of building a family of my own, but news that found me on the wrong side of time as we dealt with the loss of both my mother and my husband's father to cancer, and subsequently, the death of my only sibling. Our family's sorrow became the cornerstone of our inspiration to build and expand our family.

As my husband and I began the journey to grow our family, we were met with obstacles as the doctor had previously prepared me for. We discussed options for having kids, but at the time it seemed very far-fetched because we couldn't afford the out-of-pocket costs of the medical treatment the doctor said we needed. But then, to our great surprise and luck, my employer expanded its health insurance to include fertility treatments, including In Vitro Fertilization (IVF). My heart was filled with so much joy and hope to finally have a chance to grow our family. This coverage was the answer to our prayers and the only way we would have access to the necessary medical care to treat my infertility.

We continued to encounter many obstacles and heartaches as we went through fertility treatments, from failed attempts at conception to the devastating loss of an ectopic pregnancy. After taking a pause on further treatments for a while due to the emotional and physical distress, we ultimately made the decision to begin the journey again. We met with our doctor who explained that after trying other medical treatments that did not work, our best chance would be with IVF. We began with months of intensive tests and procedures. And while the journey through infertility treatments was not an easy one, we were finally blessed with our beautiful son through IVF.

After taking our son on his first Disney trip, a truly magical experience, we felt so inspired and ready to grow our family. We decided to start the IVF journey again to have our 2nd child. We began that process on February 14, 2024, when we met with our fertility doctor to put a plan together to begin that process, which again involves multiple tests and procedures.

Just a few days later, we saw in the news the Alabama Supreme Court's ruling classifying frozen embryos as children. We later saw a statement from our clinic that they made the decision to pause new IVF treatments due to the legal risk to their clinic and their embryologists. Our hearts broke hearing the news of our clinic pausing treatments. My heart breaks as I hear and read comments such as our health conditions are nature's way of telling us we shouldn't have kids.

I've never been actively involved in politics or advocacy before. I'm truly an ordinary individual living an ordinary life. Even to appear before you today, with the support of my husband and very dear friend, has brought its own separate challenges. Although I'm typically not on the front lines advocating for any particular cause or issue, I knew I needed to fight not only for my rights as a woman but fight for my future family and all those individuals who are too deep in emotional and physical trauma of infertility. Now my husband and I are filled with so much uncertainty about how we move forward with expanding our family without the risk of being prosecuted. All these questions, all these decisions, regarding my body and my family, being decided by those that aren't here with me to fight the anguish of infertility.

IVF is hope for those of us struggling to conceive. IVF is medically necessary care due to my and many other people's circumstances. Access to medical treatments, without restrictions, is a basic human right. It is enough of a traumatic experience dealing with infertility and going through fertility treatments, to now have a basic human right being politicized, to further expand that trauma. I'm asking you to truly put families first, which begins with having the fundamental right to build a family and the access to the needed resources to do so. You play a vital role in fostering compassion, understanding, and support, for those in your communities, your neighbors, who are confronting the hardships of infertility.

Daily, I look and just stare at my son, still in awe that I've been afforded the opportunity to be a mom to such a beautiful miracle. A dream that for a while I didn't think would come true. But it did, through IVF. I ask the committee to think about the hope that IVF means for patients like me. Protect that hope, do not restrict it, but instead nurture that hope.

Thank you again for letting me share my story.

Jamie Heard
Birmingham, Alabama