

Late testimony

Uploaded by: Eve Wiley

Position: FAV

Testimony in Support of HB 645

Madam Chair, Mr. Chair, and Members of the Committee:

My name is Eve Wiley. I am an offspring of fertility fraud and a national advocate for protections in assisted reproductive care. Unfortunately, I am unable to testify myself today as I am out for a medical procedure for my son. Thank you Delegate Allen for being my voice and the voice of victims.

As an adult, I learned through DNA testing that the physician who treated my mother secretly used his own sperm without her consent instead of the donor my family selected. This discovery permanently altered my identity, medical history, and family relationships. It was not just my mother who was victimized, but 18 other families that we know of. This is just my case.

More than 50 physicians across the United States have been accused of fertility fraud publicly (I personally know of 80), with many additional cases hidden behind non-disclosure agreements, which currently serve as the primary and often only form of limited accountability for victims. There are victims in Maryland that have been silenced by a non disclosure agreement. This allows for the doctor's reputation to remain intact, and no medical board repercussions.

Maryland law contains a clear gap when assisted reproductive treatment is obtained through intentional deception. HB 645 closes that gap by recognizing fertility fraud as a serious violation of consent, bodily autonomy, and trust. Doctors should not be allowed to use their own sperm under anonymity - they are doctors, not donors.

I respectfully urge the General Assembly to pass HB 645 to protect Maryland families, justice for the silenced victims in Maryland, and ensure meaningful accountability for this deeply harmful misconduct.

Thank you for the opportunity to submit this testimony, and to Delegate Allen for championing this bill for those who do not have a voice.

Eve Wiley

Late tesstimony

Uploaded by: Victoria Hill

Position: FAV

February 10, 2026

Dear Members of the Judiciary Committee

My name is Victoria Hill and I support HB645. I am 41 years old and live in Wethersfield, CT with my husband, two children and mother, Maralee Hill. I am the product of fertility fraud. I discovered that I was donor conceived when I was 35 years old through commercial DNA testing and have at least 30 1/2 siblings, with the number steadily growing.

Through this test, I learned that I had many other half siblings. When I confronted my mother with the information, she admitted that I was donor conceived as she and my father struggled to conceive and needed help from a doctor. She explained that this doctor lead her to believe that he would use an anonymous Yale resident donor, who resembled my dad and my parents agreed to proceed. My mother sought out fertility treatment from this doctor for approximately 7 years, having multiple pregnancies and ultimately 2 children. This doctor, that she worked so closely with was Dr. Burton Caldwell.

He is my biological father.

It is my assumption then, that having no technology to freeze sperm at the time, Dr. Caldwell must have prepared my mother for insemination, went into another room, ejaculated into a cup and then while under a state of arousal, inserted specimen into my mother without her consent while she was in an incredibly vulnerable and trusting state.

After learning this information, I confronted Dr. Caldwell who very readily admitted to donating for over 20 years and showed no remorse or concern for what he had done.

Every year, my family grows larger as more siblings test, this is the gift that keeps giving. As of now, my children have 46 first cousins that I know of just in our close surrounding area with more to come.

In May, 2023, during a casual conversation with high school friends and an ex-boyfriend, he admitted that his mother also recently told him that he and his twin brother, were conceived through fertility treatment as well. We were scared and in disbelief of the possibility but sure enough, they tested and confirmed, they are my brothers. I was intimate and in a relationship with brother and very much could have seen myself marrying this man and having children had we not gone to different colleges. We were incredibly close growing up, he was my best friend first and then intimate partner later. This news is devastating to our past and now our future. We now feel like stars of the Truman Show.

Since my CNN article came out there are even more victims of this reaching out for support and direction on where to go, many of which have been turned away by lawyers due to the

lack of legislation. There are over 80 known doctors to have engaged in this incredibly reprehensible, irresponsible and criminal act.

I am thrilled to see HB645 introduced however we still have a long way to go. There are 13 other states with fertility fraud legislation. The one that is the closest to getting it right is the Illinois bill that was passed in 2023 (SB 1467). This passed as a civil cause of action against illicit inseminations. Victims are entitled to compensatory and punitive damages, in addition to attorneys fees. Children are entitled to the health history of the person who committed the fraud. There is an income tax exemption for damages received, and there's a long statute of limitations. It is the first law that is retroactive!

For legislation, I would recommend considering not including a statute of limitations as it is not conducive to fertility fraud due to the unique nature. Fertility fraud is unlike any other fraud as it is the gift that keeps on giving as stated earlier. This is important to note due to the time in which it takes to find out that this occurred in the first place and then the ongoing trauma that presents as more siblings, cousins, connections, health information and consequences are discovered.

Many cryobanks right now are putting clauses into contracts that prohibit parents from completing commercial DNA tests and claim they are trying to keep donors anonymous. The problem that this causes is that the burden will ultimately fall on the child, 18 years later, which then delays and/or blocks any kind of justice that currently exists in the system.

Another consideration would be the specific language as it is not only a physician that needs to be held responsible as there are other cases, one that just happened recently where a lab tech switched out his own sperm from the chosen. I believe this bill should apply to a physician, fertility clinic employee and/or anyone that is involved in the assisted reproductive technology process that knowingly and intentionally switches or tampers with gametes.

Thank you for listening and hopefully appreciating the importance of this legislation.

Victoria Hill, LCSW

Maryland Catholic Conference_INF_HB645.pdf

Uploaded by: Diane Arias

Position: INFO



MARYLAND
CATHOLIC
CONFERENCE

February 10, 2026

House Bill 645
Criminal Law - Fraud - Assisted Reproductive Treatment
House Judiciary Committee

Position: Information

The Maryland Catholic Conference (MCC) is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

House Bill 645 prohibits a person from intentionally or knowingly providing certain assisted reproductive treatment to another using the person's sperm or ovum without the other's consent to assisted reproductive treatment using the person's sperm or ovum; and establishing a civil cause of action for a violation of the Act.

While assisted reproductive technology (ART) offers new options for addressing infertility, it also presents serious ethical concerns and risks that require meaningful oversight. Documented cases of fraud and malpractice—including the unauthorized use of reproductive specimens by physicians or unknown individuals—undermine patient trust and can result in lifelong harm to mothers, children, and families.

Additionally, embryos created through ART may be destroyed due to contractual disputes, clinic misconduct, or because they are not selected by intended parents. The lack of transparency, donor anonymity, and insufficient accountability mechanisms leaves ART practices vulnerable to exploitation and abuse.¹ ART enables the creation of human life outside the natural process of conception, raising profound ethical concerns. The widespread creation, manipulation, and destruction of embryos—often deemed “spare” and discarded or used for research—treats human life as disposable biological material rather than as unique and irreplaceable persons.² These practices fail to respect the inherent dignity of human life, which begins at conception and deserves legal and moral protection.

¹ <https://www.scrippsnews.com/science-and-tech/why-fertility-doctors-get-away-with-using-their-own-sperm>

² <https://pmc.ncbi.nlm.nih.gov/articles/PMC9743043/>

As infertility becomes more prevalent, many families turn to ART out of deep hope and vulnerability. Without appropriate safeguards, however, these technologies place human dignity at risk and leave women and children exposed to harm without adequate recourse. Sentencing and civil accountability should serve the goals of justice and reparation by recognizing the harm inflicted on mothers, children, and families when ART is misused. Civil authorities have a fundamental responsibility to protect human life, particularly when it is deliberately or unjustly endangered.

The Catholic Church seeks to promote a society that upholds human dignity while balancing justice with mercy. Punishment should not be limited to retribution, but should also support rehabilitation and restoration. True justice holds offenders accountable while encouraging transformation, supports victims without fostering vengeance, restores community trust, and addresses root causes of harm.³ For this reason, we oppose policies that rely solely on harsher penalties without addressing systemic failures. Instead, we support accountability measures that protect victims, deter misconduct, and promote restorative justice approaches that emphasize healing, responsibility, and respect for human dignity.

For these reasons, the Maryland Catholic Conference asks for this information to be considered on **HB 645**.

Thank you for your consideration.

³ <https://www.usccb.org/resources/responsibility-rehabilitation-and-restoration-catholic-perspective-crime-and-criminal#intro>