

OvomCare Portugal

The National Council for Medically Assisted Procreation (CNPMA) shares the legitimate concerns arising from the sudden closure of the OvomCare Centre and has been doing everything within the legal framework governing its activities to ensure compliance with the procedures safeguarding the records and documentation relating to medically assisted reproduction (MAR) activities, as well as the biological material (gametes and embryos) cryopreserved at OvomCare's facilities and their traceability.

The CNPMA reiterates that it clearly emphasised to those responsible at OvomCare the need for full compliance with the technical procedures legally established for the transfer of gametes and embryos between MAR Centres, and that compliance with these procedures is their sole responsibility.

Due to the high number of contacts received from patients, the Council has prepared a set of questions and answers aimed at addressing the most common concerns raised by the beneficiaries who contact us.

Will my embryo be transferred to AVA Clinic as part of the procedure currently authorised by the CNPMA?

The transportation of gametes and embryos from OvomCare to AVA Clinic has been authorised by the CNPMA, as the regulatory authority. OvomCare is responsible for strictly complying with all technical, legal and regulatory procedures required.

What guarantees are there regarding the correct identification, integrity, traceability and preservation of my embryo(s)/oocyte(s)/sperm during and after transportation from OvomCare to AVA Clinic?

Technical procedures have been established for the transportation of biological material between MAR Centres. These procedures ensure the maintenance of the identification, integrity and traceability of all gametes and embryos. Responsibility for compliance with these procedures lies with OvomCare and the transporter involved in the process.

Following the transfer of the biological material and all associated records and documentation from OvomCare to AVA Clinic, can I freely request the transportation of my embryo(s)/oocyte(s)/sperm to another authorised MAR Centre of my choice if I do not wish to continue treatment at AVA Clinic?

The transfer of gametes and embryos to AVA Clinic is intended to safeguard the integrity and proper preservation of all such biological material. Once deposited at AVA Clinic, patients are free to request their transfer to any authorised Centre of their choice, should they so wish.

What procedure should I follow to arrange transportation to another clinic?

You should contact AVA Clinic.

Is there a deadline by which I must make this decision or request the transfer?

There is no specific deadline established for this decision, other than the maximum cryopreservation period for embryos (3 years) or gametes (5 years) defined by the law currently in force.

To arrange the transportation of my embryo(s)/oocyte(s)/sperm to another clinic, is any authorisation required from the insolvency administrator, AVA Clinic or the CNPMA itself?

AVA Clinic will have to carry out the appropriate technical procedures for any transportation of embryos or gametes between national MAR Centres. If you wish to arrange transportation outside the country, authorisation from the CNPMA will be required.

Who will be legally responsible for preserving the embryo while it remains at AVA Clinic and until it is potentially transferred to another centre?

OvomCare remains responsible until the material is received by AVA Clinic. From that moment onwards, responsibility lies with AVA Clinic.

Are there any costs associated with the preservation or transfer of embryos or gametes?

There are no costs associated with the transfer of embryos or gametes from OvomCare to AVA Clinic. As for the ongoing storage of cryopreserved biological material at AVA Clinic, this is a matter that should be addressed directly with AVA Clinic.

Am I entitled to receive documentation identifying my embryo and containing all the information necessary to ensure its future transfer from OvomCare to AVA Clinic, namely embryo grading, date of cryopreservation, cycle/treatment identification and other relevant clinical information?

You are entitled to this information and should request from OvomCare any documentation you consider necessary.

Is there any authorisation or consent that I need to provide at this stage to ensure the proper transportation and preservation of my embryo?

As this concerns compliance with a court decision, no additional consent is currently required.

Are my embryo(s)/oocyte(s)/sperm still at OvomCare, or have they already been transferred to AVA Clinic?

The CNPMA does not have information regarding individual cases. We will receive final information from both OvomCare and AVA Clinic once the process of transferring all embryos and gametes has been completed.

Who currently holds legal and clinical responsibility for my gametes/embryos?

OvomCare retains legal and clinical responsibility for the gametes/embryos until they are transferred to AVA Clinic.

What safety measures are in place to ensure that my embryo remains continuously and safely cryopreserved throughout the insolvency process and transportation?

There is no indication that any cryopreserved biological material is at risk. All cryopreservation tanks are being maintained under the usual conditions required for the preservation of the respective biological material.

What procedures are being followed to ensure that each patient's biological material is correctly identified, documented and transferred, including preservation of the chain of custody?

This responsibility lies with OvomCare and its team.

What does the CNPMA recommend that patients do at this stage to protect their biological material while the situation involving OvomCare is ongoing?

In Portugal, there are legally binding technical procedures governing the transfer of gametes and/or embryos between MAR clinics, similar to those in place in all EU Member States. These procedures provide an appropriate framework for minimising the risks associated with such transfers.

However, full responsibility for the handling and transportation of cryopreserved biological samples lies with the clinics and transportation companies involved in the process.

Will I receive written confirmation once my oocytes have been received by AVA Clinic?

You should contact AVA Clinic and OvomCare to obtain this information.

Is there a guarantee of uninterrupted continuity of clinical care, ensuring that patients with active treatment cycles and imminent surgical dates receive absolute priority during the transition to the receiving clinic (AVA Clinic), without loss of treatment protocols or delays that could compromise the woman's health?

While fully understanding the significance of the situation described, nothing in the current legislation under which the CNPMA operates allows it to impose clinical or laboratory procedures on any MAR Centre or require a Centre to accept patients. AVA

Clinic's willingness to cooperate in an attempt to minimise the consequences of the court's decision is of voluntary nature.

Regarding the safeguarding of biological material, how can you guarantee the rapid availability of all clinical records, test results, biological samples, and donor gamete reservations/allocations associated with each case?

Given the willingness expressed by AVA Clinic to cooperate, the transfer of the gametes and embryos stored at OvomCare's facilities, as well as the clinical records held in this Centre's archives, to AVA Clinic is planned, following the legally established technical procedures and standards.

How can you ensure that the transition of care does not impose bureaucratic barriers or disproportionate costs on couples who have already paid for their treatments in full to the insolvent clinic?

The CNPMA has no authority to intervene in the administrative or financial aspects of the situation in question.

Lisbon, 2 September 2026