

## Test-tube treachery

*Stealing Dreams: A Fertility Clinic Scandal; Mary Dodge and Gilbert Geis; Northeastern University Press: 236 pp., \$28.95 Pandora's Baby: How the First Test Tube Babies Sparked the Reproductive Revolution; Robin Marantz Henig; Houghton Mifflin: 326 pp., \$25*

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In the quarter century since the birth in England of Louise Brown, the first test-tube baby, societies worldwide have grappled with the implications of in vitro fertilization. Many countries, including Britain, have established government bodies to monitor both the infertility industry and scientists doing research on human embryos, and many have passed laws limiting procedures that may be offered to infertile couples.

In the United States, however, politicians have shied from regulating infertility specialists, who continue to operate largely without federal oversight. This is due mainly, most historians of the field agree, to abortion politics. To avoid igniting the antiabortion lobby, politicians denied federal money for IVF research but let it proceed with private funding. What resulted was a profit-driven industry in which clients have footed the bill for what often amounts to experimentation upon themselves. Infertility specialists at hospitals and universities may have to satisfy review boards, but those in private clinics are answerable chiefly to themselves.

Perhaps the most disquieting example of the dangers posed by the lack of oversight occurred at UC Irvine's now defunct Center for Reproductive Health, a clinic whose three principal physicians, Ricardo Asch, Jose Balmaceda and Sergio Stone, were among the top in the field in the 1990s. Thanks to Asch's international reputation, the clinic brought in millions of dollars annually.

But by 1995, Asch was being lambasted on Oprah Winfrey's show as the perpetrator of "high-tech baby kidnapping" and "biomedical rape," accused of having taken eggs and embryos from clients undergoing IVF treatments and given them to other women. He was, as a newspaper article put it in early 1996, the prime suspect "in one of the biggest medical scandals in U.S. History."

At the end of that year, the three physicians were charged with multiple counts of federal mail fraud in connection with false billings by the fertility clinic. Asch and Balmaceda, who by then had left the country, were declared fugitives. Stone, who remained, was convicted and sentenced to four years' probation, fined \$71,000 and stripped of his tenure.

In "Stealing Dreams," Mary Dodge and Gilbert Geis unravel the intricate web of malfeasances committed at the UCI clinic, which was affiliated with UCI Medical Center. Geis, an emeritus professor with UCI's department of criminology, law and society, and Dodge, an assistant professor of criminal justice at the University of Colorado at Denver, admit their initial impulse as criminologists was to discover "whether the

eggs had been 'stolen,' who had done it and why.”

Instead, they found themselves focusing on suspect but ubiquitous practices that go on within the field of reproductive medicine and in large teaching hospitals. They became more interested in how various people -- from the clinic staff to the UC Board of Regents -- dealt with the unfolding "drama."

Geis and Dodge have produced a page turner -- improbably enough, given the amount of bookkeeping and bureaucratic details they must cover. They begin in medias res, when institutional whistle-blowers alert the press and a couple who had used the clinic's services, John and Deborah Lynn Challender, go public with allegations that the UCI clinic misappropriated her eggs. Eggs taken from Deborah were implanted in a woman who bore twins. It is unknown if they are related to Deborah, because the birth mother also received donor eggs from four other unconsenting clinic patients.

In the media frenzy that followed, the university scrambled to cover itself, shuttering the clinic, suspending the three physicians and filing suit against them, making payments to whistle-blowers and more than 100 patients and firing several administrators, including the head of the UCI Medical Center.

As the authors puzzle together the back story, they reveal how the cultural divide between physicians and patients in the reproductive medicine industry almost guaranteed that such events would occur. The fertility field is populated by mostly male physicians, some with famously unfettered egos. Geis and Dodge show that Asch, variously described as saintly and highhanded, had a laissez-faire attitude about his client's "biological property" and was dismissive of the Challenders' and others' fierce feelings for their eggs and embryos.

At the same time, the university was inclined to look the other way when hints of improprieties arose. The authors estimate that the clinic was netting as much as \$500,000 in a typical three-week period. Audits ordered by the university revealed haphazard record keeping and billings riddled with error. Documents and statements indicate that the fame of the doctors and the profitability of their practice led administrators to ignore these red flags. Staff members who pushed for further investigations were warned off by upper-level UCI officials.

Then the press got hold of the story, with the Orange County Register pursuing it most doggedly. The Register's lead reporters, Kim Christensen and Susan Kelleher, filed dozens of articles, many filled with the bitterness and outrage of wronged patients. For their reporting, the two shared a 1996 Pulitzer Prize, among other honors.

But Geis and Dodge say the Register went for histrionics over substance, painting the physicians as manipulative villains who committed "dark and sinister deeds." The authors cite Kelleher's own admission that she let her material get the best of her emotions. "I got very angry with the doctors," she said later at a forum for reporters. "I also felt a little too close to the whistle-blowers."

The authors' view is more nuanced. They show Asch and Balmaceda, both of whom they interviewed at length, in a not terribly flattering yet objective light: Still under indictment, the two practice medicine in Mexico and Chile, respectively, lacking remorse and feeling they had been victimized. Geis and Dodge conclude that Stone, guilty largely of poor judgment in his choice of partners, was made the scapegoat.

The authors fault the university's administrators, its attorneys and the prosecutors, all of whom placed "the

exercise of power and expedience" above the pursuit of fairness. The university's "focal concern was to erect a firewall between itself and what had gone on at the clinic in order to reduce liability, or worse -- and also to keep the details of its own shortcomings from scrutiny."

Science writer Robin Marantz Henig has used another clinical imbroglio known as the Del-Zio case as the framing narrative for "Pandora's Baby," a history of the early days of IVF. Henig focuses on this New York case, while also weaving in accounts of other pioneering embryologists and IVF researchers to give a sense of the atmosphere in which they worked.

Doris Del-Zio, a Florida woman unable to conceive, pressed her New York infertility doctor, William J. Sweeney III, for help. He suggested IVF, which had been successful with lab mice and rats but had never been tried on humans. In September 1973, five years before Louise Brown's birth, Sweeney harvested Del-Zio's eggs and longtime reproductive researcher Landrum B. Shettles fertilized them with husband John Del-Zio's sperm, without clearing his plans with anyone at Columbia Presbyterian Medical Center.

Shettles created a soup of tissue, sperm, egg and other substances and put the brew in an incubator in a borrowed lab. Learning of the experiment, Raymond Vande Wiele, head of Columbia's obstetrics and gynecology department, had the test tube taken out of the incubator and, after confronting Shettles, he destroyed the contents. His reasons for doing so included his suspicion that the sample was not sterile and his concern that attempting IVF in humans was premature and might jeopardize the hospital's federal funding.

A year later, the Del-Zios, still seething over Vande Wiele's act, sued in civil court, claiming that he had destroyed their potential child and thereby inflicted severe emotional distress. In the summer of 1978, amid the publicity over Brown's birth in England, the jury decided in favor of the Del-Zios but awarded far less than the \$1.5 million the couple had wanted in damages. (It is unclear whether the vial contained embryos.)

Although the case is marginally interesting, it is finally scientifically unimportant and of only minor note ethically and legally. By spending so much time on it, Henig undermines her narrative. In the end, "Pandora's Baby" adds little that previous histories of the field have not covered and is short on substantive analysis.

Too often, we get the relatively empty flourishes of feature journalism. What of genuine worth is gained, for example, by writing of Doris Del-Zio that she "was not quite thirty years old, pretty and plump, her dark hair in a bouffant flip that was as unstylish as her attitude toward matrimony," or by adding that Lesley Gore's "It's My Party (And I'll Cry If I Want To)" would be a good soundtrack for Doris Del-Zio's "perennial pout"?

As Dodge and Geis demonstrate, it is possible to craft a lively narrative and still retain intellectual heft. Their meticulous, evenhanded analysis of the UCI scandal is both a compelling tale and a fine lens for enhancing our comprehension of the issues raised by IVF.

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