

CMA issues draft guidance on consumer law for IVF sector

The move comes after the Competition and Markets Authority (CMA) expressed [concerns in February about fertility clinics' practices](#), such as a lack of price transparency and misleading claims about success rates, meaning patients may be unable to compare clinics.

Following engagement with the sector, the CMA is concerned that clinics may not be aware of their obligations under consumer law. It is therefore producing guidance to increase clinics' awareness of the law.

Today's draft sets out what information clinics must provide to patients – and when this should be provided. It also explains what clinics should do to make sure their terms and practices are fair under consumer law.

To get to this stage, the CMA has worked closely with the sector regulator, the Human Fertilisation and Embryology Authority (HFEA), to understand patients' experiences and learn more about how clinics operate. The CMA has also spoken to other organisations with knowledge of the sector and carried out further research to understand patients' experiences of self-funded IVF.

The consultation for the draft guidance is now open and will last for 9 weeks, closing on Tuesday 5 January 2021. The CMA will continue to engage with clinics and the wider sector to progress its work.

A final version and a summary of responses received will be published next year. Alongside this, the CMA will also issue a short guide for IVF patients to help raise awareness of their consumer rights.

As well as producing guidance, the CMA will continue its work in the sector, including conducting a compliance review once its final guidance has been issued. Should it find evidence that clinics' practices or terms are unfair, the CMA will consider enforcement action. At this stage, however, the CMA has not reached a view as to whether or not the law has been broken.

Further information about the CMA's work in this sector and a copy of the draft guidance can be found on the [Self-funded IVF page](#).