

CMA issues IVF guidance on consumer rights

- New guidance to help address concerns such unclear pricing and misleading success rates
- CMA warns clinics that they could face enforcement action if they don't follow the rules
- CMA teams up with Lorraine Kelly in bid to ensure that IVF patients know their rights

As part of this, the CMA has teamed up with broadcaster Lorraine Kelly on a video that encourages people to read its guide for patients when buying treatment.

Fertility treatment: a guide to your consumer rights

Last February, the Competition and Markets Authority (CMA) [raised concerns about some fertility clinics' practices](#), such as providing unclear price information and advertising misleading success rates. It also identified a general lack of awareness that consumer law applies in the sector.

The CMA has therefore developed guidance, working closely with the sector regulator – the Human Fertilisation and Embryology Authority (HFEA). The guidance, which follows extensive public consultation, covers what clinics should do to:

- provide the information that patients need so they can make a genuine comparison of clinics, including on price and success rates
- ensure they don't mislead patients, for example around the effectiveness of their treatments and what they will be paying
- ensure they don't mis-sell treatments, such as 'add-on' treatments – these are optional extras offered by some clinics that can cost up to £2,500 per cycle
- make sure terms and practices are fair

The CMA is promoting the guidance – the first of its kind – to patients and people who may now be considering IVF, especially as more people are now paying for their own treatment.

It has also written to clinics to draw their attention to the guidance, in partnership with the HFEA and Advertising Standards Authority (ASA). The letter sets out the CMA's expectation that clinics review and, if necessary, change their terms and practices to ensure they are on the right side of the law. The CMA will be closely monitoring the sector and will consider taking enforcement action if it believes businesses are not complying.

Louise Strong, consumer director at the CMA, said:

Buying fertility treatment is a big decision – it can be complicated, stressful and very expensive, with no guarantee of success. All patients deserve to have the information they need to make the right choices for them and be treated fairly.

Our guidance should help clinics understand their legal obligations. In six months, we will be reviewing compliance in the sector and we will be ready to take enforcement action if businesses are breaking the law.

The ASA has today separately issued an enforcement notice to clinics that provides guidance on how clinics should advertise their services.

Further information on the CMA's [IVF work is available on the case page](#) and you can read the [ASA's notice to the sector](#).

1. Media queries should be directed to: press@cma.gov.uk or 020 3738 6460.
2. The ASA's enforcement notice in particular relates to the way information is displayed on clinics' own websites. The enforcement notice instructs clinics to review their advertising to ensure compliance with the Advertising Code, provides guidance and sets out that if there are continued problems in this area after November 2021, the ASA will take targeted enforcement action to ensure a level playing field.