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### **Statement of Rachel Mehl**

One of my earliest memories was from my brothers' Boy Scout camp. A little boy fell and scraped his knee. He was perhaps 2 years old, I was probably 5. I remember rushing to his side to comfort him, check on his boo-boo, give him a hug. I recall his mom and my mom remarking that I was going to be such a good mom one day. I beamed with pride.

Throughout my life, my desire to have children has remained THE single thing I have ever been unwaveringly sure of. While other kids dreamed of being lawyers or doctors, I dreamt of being a mother. I wondered how my baby might look; would they get my eyes? My nose? Would they like to read as I did? I kept running lists of potential names. When my niece was born in 2003 I bought her a bouncy chair and picked up a second one... just in case.

The bouncy chair moved with me between apartments and houses. When I bought my first place, I'd asked for the sellers to leave behind the swing-set in the backyard. When I moved into my new house, I could almost hear the giggles coming from the secret hideout under the stairs. I stashed the bouncy chair there, along with the collection of maternity tops and onesies I'd bought on sale.

When I was diagnosed with an aggressive form of breast cancer in 2016, just days after my 38th birthday, the doctors explained that the chemotherapy would very likely destroy my ovaries leaving me infertile. I was given a choice--delay chemo by several weeks thus jeopardizing my own life, or start right away and jeopardize the lives of the babies who were so very alive inside of my heart. I chose to delay chemo.

After consulting with a fertility specialist in Pittsburgh, I was referred to University Hospital. They had better resources and more experience working with eggs versus embryos, I was told.

I drove from Pittsburgh to Cleveland on a snowy day in March and met with the team at UH. They explained the process, answered my questions, and sent me home with a bag of injection pens that were pre-filled with the appropriate hormones that would force my ovaries into overdrive and trick them into producing as many eggs as possible. Nearly every day for the next two weeks I had to drive 30 minutes each way to the doctor's office. Getting stuck with even more needles as blood was drawn and tested. Repeated vaginal ultrasounds. I didn't know then that this was just the beginning of what would become a lifetime of indignities suffered with only a paper gown to serve as armor.

I returned to UH about two weeks later to have my eggs retrieved. I was put under for the procedure. Everyone seemed really pleased that 19 eggs were able to be extracted. They said it was more than they expected for a 38 year old woman. 19! I joked to my friends that there may be a reality show in my future.

After that I was thrust headlong into the world of cancer. I was too busy with nonstop appointments and trying to learn a whole new language to really think about the eggs, though occasionally I'd be stopped in my tracks at the thought of what would become of them if I died before I made it back to UH. It now felt too dangerous to imagine them playing in that secret space under the stairs.

I spent nearly all of 2016 in treatment undergoing chemotherapy, surgery, and 30 rounds of radiation. Then after only 11 months of remission, I was informed the cancer had returned. Three days before Christmas I was back in the chemo chair.

As either a direct or indirect result of cancer, I have lost so, so much. My hair, my freedom, my memory. My ability to work at full capacity, my dog, my deepest love, my best friend. I've lost the ability to be carefree and see the world through the rose-colored glasses I once did. And because of the carelessness of (University Hospital) I have now lost all hopes of having biological children.

When the first letter came in the mail that Friday afternoon, I felt as though someone had punched me square in the gut. There was zero compassion in the letter. Zero acknowledgement of the importance of what had been destroyed. It didn't say, "We're sorry we've lost the most precious part of your life." Instead it

read, (quote) "We are sorry that this happened in any part of our health system." This didn't read to me like remorse over having made an error, it seemed more like regret over having gotten caught.

I spent that entire weekend on the couch, eyes swollen from crying nearly nonstop, waiting until I would hear from a doctor on Monday. I wondered why they wouldn't have staffed people over the weekend to do their best to answer all of our questions. It felt like an added dose of cruelty to leave the hundreds of individuals and families impacted, in the dark for so long after having been sent such a cold and impersonal letter to deliver this awful news.

Even still, once the shock wore off, I didn't feel anger towards anyone at UH. Things happen that we can't predict or plan for. Machines fail us. I knew that people were going to suffer as a result of this, the program might get shut down, employees who had nothing to do with what happened would lose their jobs. I expected there would be lawsuits, but I wasn't sure I wanted to be a part of any of it.

But as new information started to come out--including the fact that the tank in question was broken and yet they didn't not move our eggs and embryos into a safer storage place; the fact that the alarm system had been purposefully turned off; the fact that even the band-aid solution they'd come up with to manually fill the tank with liquid nitrogen was also broken as they'd had to pilfer tanks from another department because they'd run out--indeed, as the flagrant disregard for our dreams--our children--has surfaced, you'd better believe I am now angry.

Imagine that your local fire department came to your home to ensure it was safe and that all your most valued possessions were protected. While they were there, they noticed something with your stove was a little off. But they lit all the pilots on it anyway then went back to the fire house, turned off their alarm system, and left for the weekend. Meanwhile, you have no idea that there's any issue with the stove so you go about your day, go to work, maybe stop by the grocery store on your way home. When you pull up onto your street, you see your house is gone. Burned to the ground. All the things you loved are gone--those jeans you got 5 years ago that somehow still fit you just-so, the pocket watch your great-grandfather gave you, framed photos, sand from the trip you took with your

family which you collected on the one day it didn't rain. Now imagine your beloved pet was in the house. Now imagine your child was in there. And now they're gone. All gone. And not just gone, but gone because the people you counted on to prevent these things from happening were careless and didn't want to be bothered by the alarm.

Family is a not a simple term, and it becomes more and more complex every day. Of course I recognize that there are many ways to have a family. Adopting and fostering are both beautiful options--I don't think anyone involved in this tragedy would disagree--but they, too, are not without their challenges.

Indeed, there are many layered and deeply personal reasons why some choose IVF, including the reason that Sarah, and me, and several others di--cancer is a thief. It robs you of nearly everything and leaves you with almost zero control over your life. Making the choice to have my eggs frozen felt empowering. It offered a light at the end of a very dark tunnel. Things may be terrible now, I thought, but at least one day I'll still be able to have the family I've always dreamed of. But now, that light has been extinguished.

Regardless of our reasons, at least 950 families entrusted University Hospital to watch over irreplaceable extensions of ourselves, our eggs and embryos, just as they assured us they would. UH must be held accountable for shattering our dreams and for forever altering the courses of each of our lives. All fertility clinics must be held to a higher standard and safer practices must be enforced.

My babies will never see the secret hideout in our home, but they will live on forever in the hidden corners of my heart. And in their honor, I will do all I can to ensure no one else has to endure this pain that the carelessness of UH has caused.

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