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4th July 2019

Deputy Peadar Tóibín,
Dáil Éireann,
Leinster House,
Kildare Street,
Dublin 2.

PQ Ref 24964/19 - To ask the Minister of Health his views on whether a conflict of interest exists in which medical professionals that have a commercial interest in companies that provide NIPT are also the obstetricians that certify for the provision of an abortion as a result of tests procured in their company.

Dear Deputy Tóibín,

The Health Service Executive has been requested to reply directly to you in the context of the above Parliamentary Question, which you submitted to the Minister for Health for response. I have examined the matter and the following outlines the position.

NIPT has been available to women in Ireland prior to the repeal of the 8th Amendment and the introduction of the Health (Regulation of Termination of Pregnancy) Act 2018. It is not routinely available in the public health sector and is usually accessed from a private provider. If an NIPT is requested, the results of the test are sent back to the referring agency. The results of that test are then discussed by the referring clinician with the woman.

In the event that a woman seeks a termination of a pregnancy, one medical practitioner is required to certify that in their reasonable opinion that the pregnancy has not exceeded 12 weeks. In the event that a woman seeks a termination on the basis of a condition likely to lead to death of a foetus, two medical practitioners are required to certify that in their reasonable opinion there is present a condition affecting the foetus that is likely to lead to the death of the foetus either before or within 28 days of birth.

The decision about whether or not to have an NIPT rests with the woman and is not mandated by the public health service. Similarly, regardless of the results of the NIPT, a termination procedure is only considered if requested by the woman and the provision of same is managed in the manner set out in the legislation.

I trust this clarifies the matter.

Yours sincerely,

Mary-Jo Biggs
General Manager, National Women and Infants Health Programme