

## **Malaysia expands health tourism and plans laws on fertility treatment**

By Nadia, on March 13th, 2011

The Malaysia Ministry of Health has rolled out a number of activities in Southeast Asia to attract more foreigners for health tourism. The health tourism industry had been made a national key economic area and the Malaysian Healthcare Tourism Council will be restructured to coordinate the market promotion activities of the sector. The new downloadable Healthcare Malaysia magazine is proving popular.

According to the ministry, 400,000 foreigners were healthcare tourists in Malaysia in 2010, generating revenue of USD101.65 million for the country. It is confident that the major programmes implemented by the ministry on the promotion of healthcare tourism, are moving on the right track. The country expects to meet or exceed the target set by the Malaysian government and expects to generate USD116.5 million in earnings this year.

Private hospitals have been urged by the Ministry of Health to publish their rates on their websites. This is to ensure that patients are aware of the fees. Health minister Seri Liow Tiong Lai made the request at a recent meeting with the Association of Private Hospitals of Malaysia, “We have instructed private healthcare facilities to inform patients clearly about their charges, including any unanticipated charges due to complications. We are asking them to do so in order to avoid misunderstanding and disputes during and after treatment. By publishing the fees, patients will be protected and treatment costs better regulated in accordance with the ministry’s hospital fee schedule.

Fertility treatment is unregulated but the Ministry of Health has initiated legislation for it and other reproductive issues with proposed legislation – Assisted Reproductive Technique Services Act. The drafting exercise is expected to be completed by 2012. The act will address issues such as surrogacy, sperm and egg banking, and sperm donation. The proposed act for fertility and reproductive issues is in the consultation phase — involving legal parties, religious groups, non-governmental organisations, doctors and government ministries.

Dr Prashant Nadkarni of KL Fertility and Gynaecology Centre is concerned that legalising surrogacy could pose problems if not done carefully, “We could become a rent-a-womb country. In some countries, the only way out for poor women is to be prostitutes or surrogates. We do not want Malaysia to be a have for that. There are places in Eastern Europe and India known to commercialise surrogacy. In some countries, paying money to carry someone’s baby is common and it has become a part of medical tourism. If there are no enforceable guidelines, commercial agents will get involved and it will be no different than any other business. That is why we need to legislate properly and not discriminate against genuine cases. The main issue is identifying who the mother is. By law, the person who gives birth to the baby is the mother. If there is no legislation, the surrogate mother can turn around and refuse to hand the baby over to the commissioning couple. Christians, Buddhists and Hindus believe that if the surrogacy is to bring life without causing harm to anyone, then it’s okay. But in Islam and Catholicism, there should not be a third-party in a pregnancy. The current

situation is that doctors are supposed to follow guidelines set by the Malaysian Medical Council which state that in a surrogate arrangement, a woman agrees to become pregnant and bear a child for another person/persons and to surrender it at birth.”

Malaysian Healthcare Tourism Council