

Alignment, anticipation, adaptation or lagging behind? Age-based regulations in assisted reproduction and late fertility

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This paper focuses on age restrictions on access to infertility treatments and eligibility to their public reimbursement, exploring their relevancy in contexts of upward trends in late birth rates (40+). I explore how policies in 27 high-income countries have responded to the rise in late fertility and the extent to which favourable regulatory frameworks for Medically Assisted Reproduction (MAR) promote very late births. While age limits for treatment reimbursement are well aligned with the prevalence of late fertility in some CEE or Scandinavian contexts, in most countries (like Austria or France), strict age restrictions are not consistent with the sharp rise in late births. In other contexts, pronatalist policies have prompted permissive age criteria or rule revisions, anticipating or adapting to rising trends in late births. Finally, the analysis suggests that the impact of MAR on very late births is determined by contextual factors other than regulations.