

Halachic Infertility

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Yoetzet Halacha

Halachic Infertility - Definition

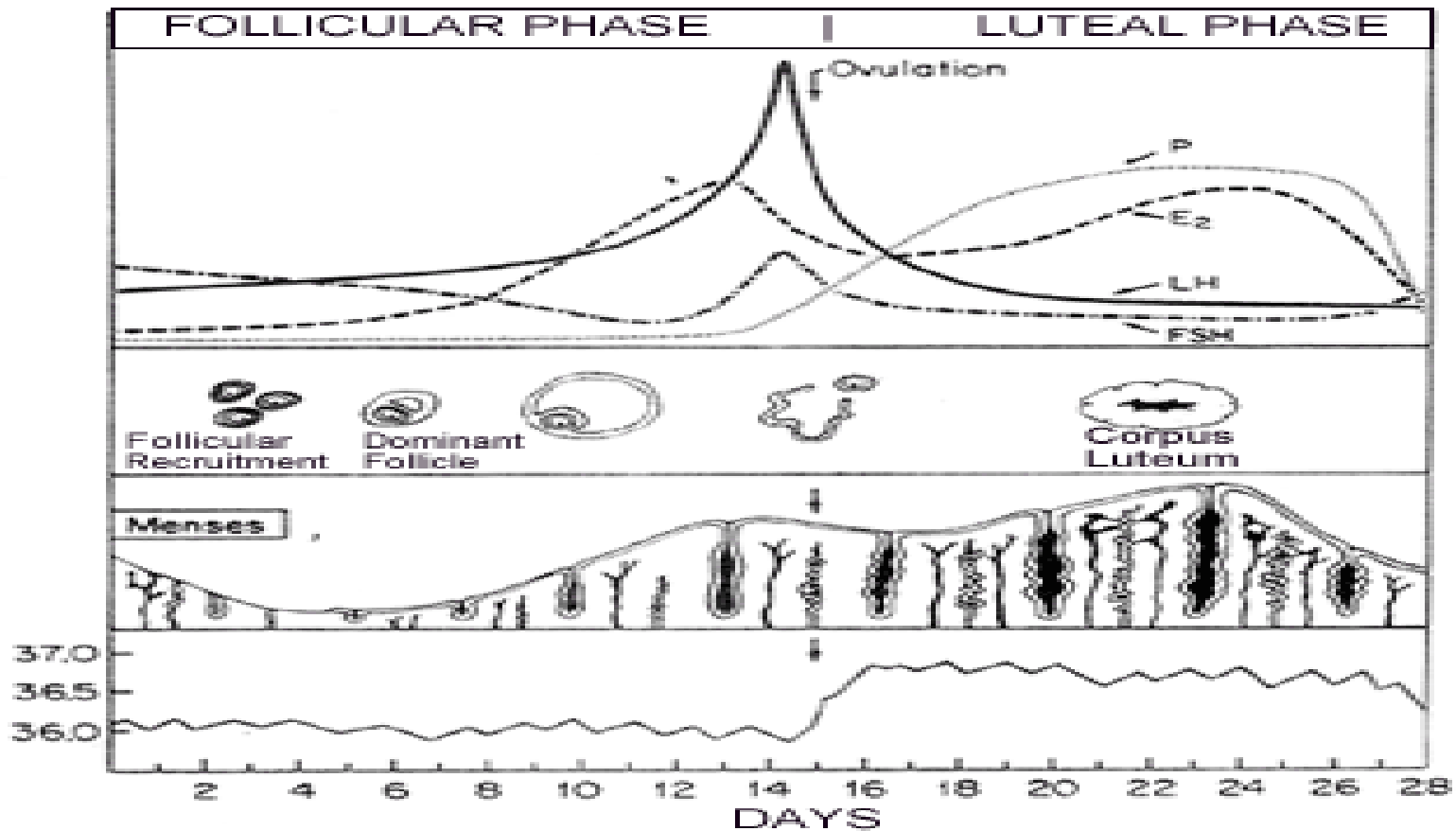
- When conception cannot take place only because ovulation takes place before marital relations are halachically permitted
- Also called religious infertility
- עקרות הלכתית

Halachic Infertility Concepts

- Medical menstrual cycle
- Halachic “menstrual” cycle

The halachic concept of niddah overlaps menstruation but is not synonymous with it

Medical Menstrual Cycle



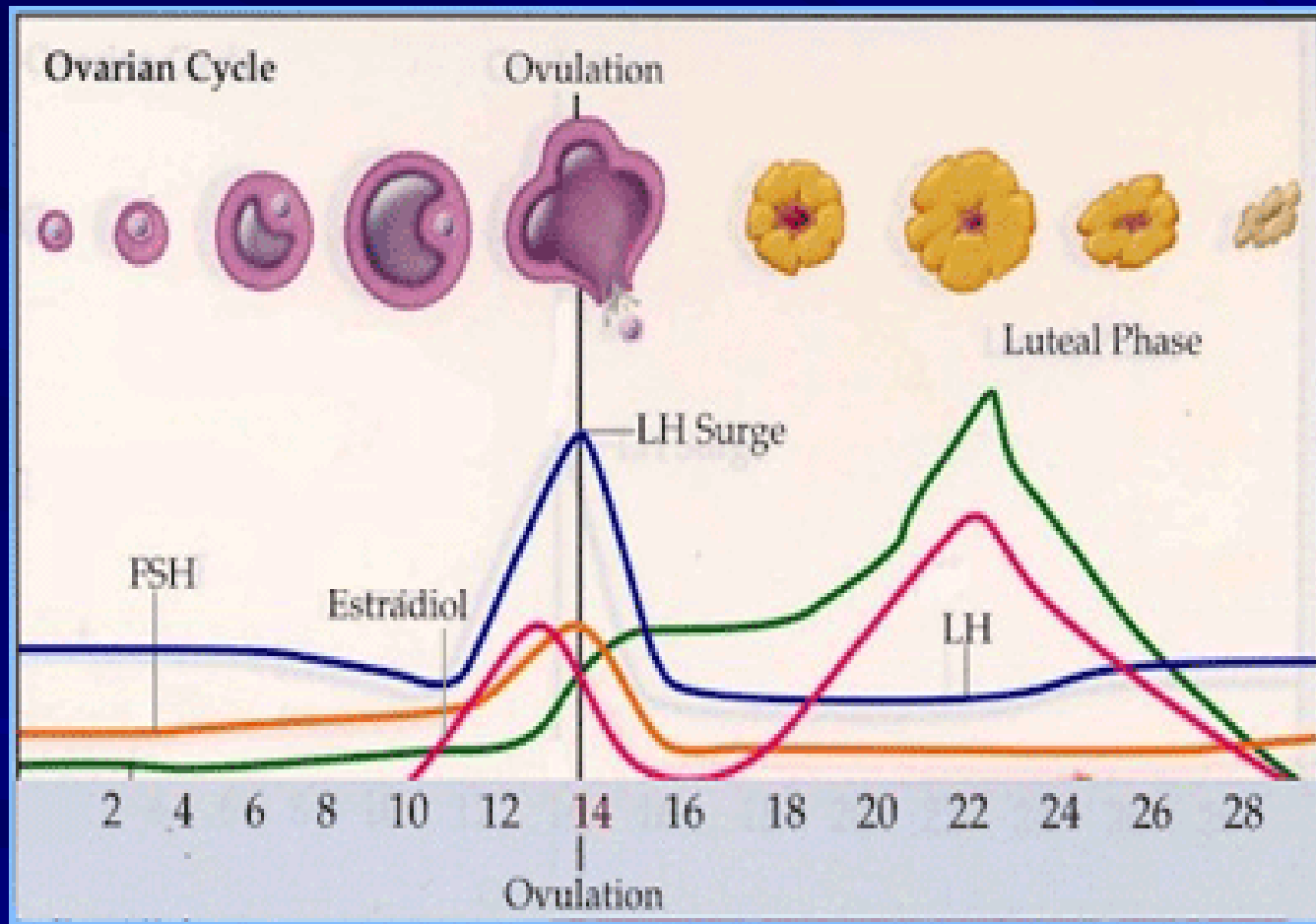
The Halachic Cycle

- Onset of the niddah status
- Cessation of all bleeding as determined by hefsek taharah
- Minimum of 5 days
- Shiva Nekiim – seven blood free days
- Earliest immersion is the night following 12 days for Ashkenazim
- Earliest immersion is the night following 11 days for some Sephardim

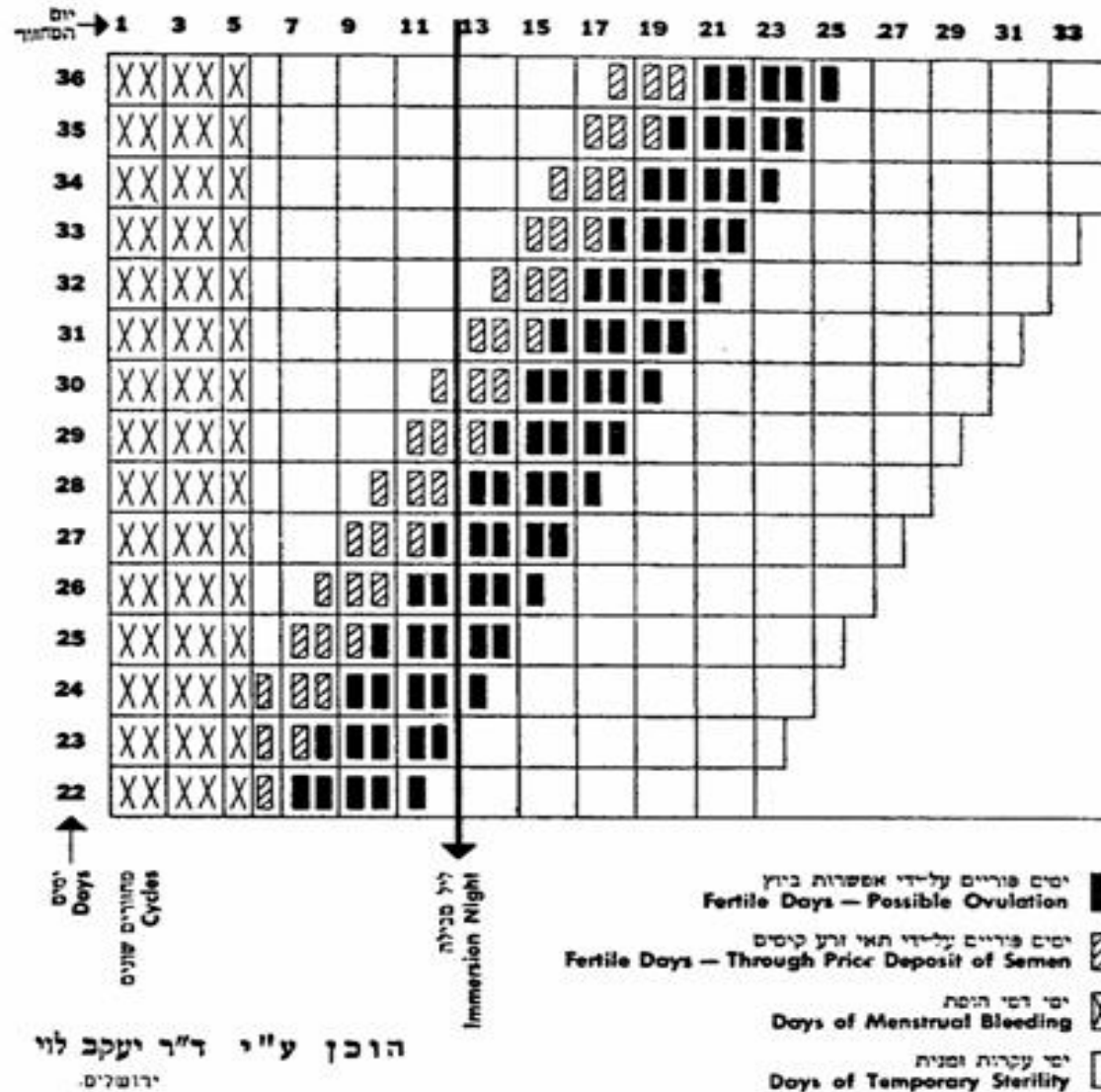
Summary

- Earliest immersion is the night following 12 days for Ashkenazim
- Earliest immersion is the night following 11 days for some Sephardim

Timing of Ovulation



לוח מחזורי דאשה
THE MENSTRUAL CYCLE



הצופה לך לך תשס"ז

■ חומרת רבי זירא – האם הגיע הזמן לחשיבה
מחודשת ?

ראיון שערכה רבקה שמעון מדריכת כלות עם
ד"ר דניאל רוזנק

www.kolech.org

The chumra of Rabbi Zera is it time for
fresh thinking? Dr. Daniel Rosnak

Main points

- One quarter of his fertility patients have this condition
- It is only a minhag and thus can be changed
- The medications are dangerous
- Who says you have to take medicine to keep a mitzvah?
- Conclusion – get rid of shivah nekiim

Halachic Diagnosis

- To be *niddah* on a biblical (more stringent) level, bleeding needs to be accompanied by halachically relevant sensation (*hargashah*)
- On a rabbinic level, can be *niddah* even without *hargashah* if the following caveats are met:
 - On white
 - More than a minimum size (15-20 mm)
 - Found on surface that can transmit ritual impurity
 - There is no other logical explanation

Medical Diagnosis



- Home ovulation kits
- Physical symptoms
- Ultrasound
- Blood levels of hormones



Cycle Length/Phase Distribution

Length	<11	12	13	14	15	>15
<19	51	5	4	4	6	30
20-23	28	13	15	9	8	27
24	18	16	21	17	8	21
25	11	15	22	21	12	20
26	6	9	17	23	17	28
27	3	6	12	20	22	38
28	1	2	7	15	19	55
29	0	2	4	8	13	73
30	0	0	1	1	1	88
31	0	0	0	0	0	94
32	0	0	0	0	0	100

Volman. The menstrual cycle. 1977 Saunders, Philadelphia

Is being diagnosed correctly?

- www.yoatzot.org 6500 + questions to date
- 88 questions about fertility 48% about halachic infertility
- Only in one case did the person state they had asked a rav
- Only 3 cases had actually tested ovulation

Is being diagnosed correctly?

- 1-877-yoetzet 15 cases. Only one spoke to rav
- Physician questionnaire NONE spoke to rabbi

Is being diagnosed correctly?

Physician questionnaire

1. A 28 year old women presents with over one year of attempting to conceive. Describe your usual initial approach to evaluation and treatment.
2. A women who keeps hilchot niddah suspects that she cannot conceive as she is ovulating before mikveh use. What would you do to determine if her suspicion is correct?
3. A woman who is trying to conceive ovulates on day 12 and goes to the mikveh on day 14. What would you suggest to solve the problem?
4. If your first intervention does not work, what would be your second suggestion? How long would you give the first idea a try before switching?
5. A woman who is trying to conceive has a 7 day period. She wants to know if there is medication that can shorten her bleeding. Is there anything you can offer her?

NONE mentioned speak to rabbi

Halachic Interventions

■ Hilchot Ketamim

■ Reduce 5 day minimum

- (Rav Ovadia Yosef Yabia Omer Part 2 Even Haezer 1 (1954) – don't need 5 day minimum
- Rav Moshe Feinstein Yore Deah Part Two 84 (1962) – can shorten 5 day minimum
- Rav Eliezer Waldenberg- Titz Eliezer 14:72 (1980) – can shorten 5 day minimum
- Rav Tzvi Pesach Frank – Har Tzvi Yore Deah 157 – every other month

■ Niddah DeOraita?

Medical Treatments

- Estrogen
- Estrogen Progesterone
- Clomiphene
- Artificial Insemination