



Senate Human Services Committee

SB 2148

January 24, 2023

Chair Lee and Committee Members, I am Courtney Koebele and I serve as Executive Director for the North Dakota Medical Association. The North Dakota Medical Association is the professional membership organization for North Dakota physicians, residents, and medical students.

The North Dakota Medical Association is in strong support of SB 2148. This issue was adopted at our 2022 Policy Forum based on a submission by William Noyes, MD, who is here today to testify.

This bill allows non-profit entities & charitable trusts the right to employ their own physicians when the employment relationship between the physician and the non-profit entity or trust is evidenced by a written contract that includes language protecting the physician's independent judgement in their practice of medicine. Other states in the country have similar exemptions from their corporate practice of medicine laws for non-profits and other public benefit type organizations.

In 1991, the law did refer to “non-profits” but at that time, all hospitals in the state were non-profits. In 1993, this law was updated to refer instead to licensed hospitals because a hospital changed statuses to become for-profit. It remained that way until last session when section 2 was added to the bill allowing non-profits to hire physicians to conduct hyperbaric oxygen therapy. This bill would remove the hyperbaric language and allow all non-profits to hire physicians.

For the above stated reasons, we request your support for SB 2148.

Thank you.