

2025 SB 2244
House Education Committee
Representative Heinert, Chairman
March 12, 2025

Chairman Heinert and members of the House Education Committee, my name is Brittney Blake and I serve as Corporate Counsel of the Altru Health System. I am here to testify in opposition to Senate Bill 2244. I ask that you give this bill a **Do Not Pass** recommendation.

SB 2244 has been promoted as an education bill; however, it may have broad impacts to the healthcare system in our state and the ability for providers to continue to provide care in limited circumstances.

As a healthcare organization, it is our practice to obtain consent, communicate and involve parents in their child's care every step of the way. In very limited situations, our providers are able to care for teen patients individually through the guidance of Chapter 14 of the North Dakota Century Code. SB 2244 conflicts with these longstanding laws passed by the North Dakota legislative assembly that govern when minors may consent to their own health care or when consent is implied, such as when there is an emergency involving a minor and the parent is not there to give consent immediately. Current North Dakota law gives minors the right to consent to treatment in a few specific situations:

1. N.D.C.C. § 14-10-17, which provides that any person 14 years or older may receive examination, care, or treatment for sexually transmitted disease, alcoholism, or drug abuse without permission, authority, or consent of a parent or guardian.
2. N.D.C.C. § 14-10-17.1, which provides that a minor may contract for and receive emergency examination, care, or treatment in a life-threatening situation without the consent of the minor's parent or guardian. If a minor has an emergency medical condition or the potential for an emergency medical condition, consent to emergency examination, care, or treatment of the minor is implied if reasonable steps to contact the minor's parent or guardian are unsuccessful. It also provides that a health care provider may provide emergency medical care or forensic services to a minor who is a victim of sexual assault without the consent of the minor's parent or guardian. Reasonable steps must be taken to notify the minor's parent or guardian of the care provided.

3. N.D.C.C. § 14-10-18.1, which provides that an individual who is at least 16 years of age may donate blood on a voluntary and non-compensatory basis without obtaining the consent of the individual's parent or guardian.
4. N.D.C.C. § 14-10-19, which provides limited prenatal care, pregnancy testing, and pain management related to pregnancy for a minor without a parent's consent. A health care provider may provide prenatal care beyond the first trimester of pregnancy or in addition to the single prenatal care visit in the second or third trimester if, after a good-faith effort, the health care provider is unable to contact the minor's parent or guardian. The law requires that if a minor requests confidential services, the health care provider shall encourage the minor to involve her parents or guardian. The health care provider may inform the parent or guardian of any pregnancy care services in certain circumstances.
5. N.D.C.C. § 14-10-20, which just passed last session, allows an unaccompanied homeless minor to consent to health care (other than an abortion).

If this bill passes, it may override these longstanding laws that allow minors to consent to their own health care in these limited circumstances, and will create confusion and delay in care, if healthcare providers are required to contact both parents prior to treating a patient. We are mainly concerned about the teens in emergent need of care without a parent or both parents present in our Emergency Department.

We are very concerned that the bill would ignore the rights and medical needs our patients and may delay care.

For these reasons, we ask that you give the bill a **Do Not Pass** recommendation.

I would be happy to respond to any questions you may have. Thank you.

Respectfully Submitted,

Brittney Blake