



House Human Services Committee

House Bill 1221

January 16, 2023

Chairman Weisz and Committee Members, I'm Courtney Koebele and I am the executive director of 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 proud to support House Bill 1221.

Truth in Advertising seeks to address the need for all health providers to clearly state their level of training, education, and licensing in marketing and other communications to the public. This consumer safety legislation will assist patients in making informed decisions when choosing a healthcare professional.

With the vast information provided by the internet along with a large volume of health care providers, it oftentimes becomes difficult for the patient to know the truth from the misleading. Uninformed choice can lead to unintended consequences and potentially dangerous health outcomes. Requiring health professions to display their credentials and their capabilities would allow North Dakotans to make informed choices about their health care including full disclosure in all advertising and marketing materials.

As a matter of consumer protection, we believe that this legislation will provide regulatory boards with an additional means of protecting the public.

The bill has three parts. The first part of the bill deals with definitions of advertisement, deceptive or misleading, and healthcare practitioner. The next

section of the bill deals with the requirements. Those include advertisements and postings regarding the licensure of the practitioner. The third and final section deals with violations and enforcement. Please note that the only penalty under this act is that a practitioner may be disciplined by their licensure board. There are no other penalties associated with this act.

Significant national survey data shows that patients are confused about the education, training, qualifications of their healthcare providers. By passing this law, North Dakota is making a statement for consumers of healthcare.

HB 1221 will help reduce this confusion by ensuring that any advertisement for health care services that names a health care practitioner will also identify the type of license held by the health care practitioner. HB 1221 also requires that the information must be based on their level of legal licensure and be free of deceptive or misleading information. Considering the avalanche of information available to patients in today's healthcare system, the provision of truthful information is simply a matter of common sense. Many states have passed similar laws, including Georgia, Texas, Utah, West Virginia, Maryland, Maine, Nevada, Mississippi, Connecticut, Tennessee, Arizona, California, Illinois and Oklahoma.

This bill does not increase or limit anyone's scope of practice. Instead, this bill increases the transparency of health care professionals' qualifications for patients, so that patients can clearly see and make informed decisions about who provides their care.

Thank you for the opportunity to present NDMA's position on this issue. I'd be happy to answer any questions.