2023 Senate Bill no. 2150
House Human Services Committee
Representative Robin Weisz, Chairman
March 14, 2023

Chairman Weisz and members of the House Human Services Committee, I am Melissa Hauer, General Counsel/Vice President, of the North Dakota Hospital Association (NDHA). NDHA represents hospitals and health care systems across the state. I testify in support of engrossed Senate Bill 2150. We ask that you give the bill a **Do Pass** recommendation.

We are not expressing an opinion regarding what our state's policy ought to be regarding elective termination of healthy pregnancies. Hospitals are not in the business of providing such elective terminations. But many of the medications and procedures used in abortion are also used to treat serious pregnancy complications that threaten a woman's life or physical health, such as ectopic pregnancy, preeclampsia, and premature rupture of membranes.

The current legal landscape regarding abortion in our state is uncertain. We want to ensure that health care providers can continue to treat pregnancy complications without fear of being caught up in the criminal penalties for elective abortion. We worked in collaboration with the North Dakota Medical Association and the North Dakota Catholic Conference to address our concerns. We appreciate their collaboration. NDHA supports the changes this bill will make to clarify and fix inconsistencies in current state abortion law.

Our main concern - which would be resolved with the passage of this bill - was the affirmative defenses in the trigger law. We want to ensure that evidence-based medical decision-making and treatment used to preserve the life and physical health of a pregnant female are not criminalized. Physicians need to manage pregnancy complications where the mother's life or health are at risk, and they should not fear criminal consequences for doing so. With such uncertainty, physicians may delay care or decide not to practice in a state that puts them at risk of jail time for providing medically necessary care.

In the Senate, we asked for an amendment to clarify the language of the medical emergency exception. That amendment was adopted and is now part of the engrossed bill before you. We appreciate the collaboration of the groups that again came together to compromise on the language of the amendment.

In summary, we support the engrossed bill and ask that you give it a **Do Pass** recommendation. I would be happy to respond to any questions you may have. Thank you.

Respectfully Submitted,

Melissa Hauer, General Counsel/Vice President
North Dakota Hospital Association