



## Senate Judiciary Committee

### SB 2150

January 16, 2023

Chair Larson and Committee Members, I am Courtney Koebele and represent the North Dakota Medical Association. The North Dakota Medical Association is the professional membership organization for North Dakota physicians, residents, and medical students.

NDMA is neutral on the topic of abortion, and just like many segments of society, our members are on both sides of the abortion issue. However, the NDMA Policy Forum recently passed a policy opposing the criminalization of medical practice. This policy states as follows:

NDMA should take all reasonable and necessary steps to ensure that evidence-based medical decision-making and treatment, exercised in accordance with evidence-based standards of care, does not become a violation of criminal law.

NDMA supports SB 2150 and appreciates the work that went into this bill. NDMA was part of the collaboration process with the Catholic Conference and NDHA. This bill fixes our main objection to the trigger law – the affirmative defenses. Which if left in place, make many common procedures that physicians do chargeable as a felony.

We do ask for one amendment to SB 2150. Based on consultation with the physicians working with pregnant women, and their extensive experience helping pregnant women, we believe a slight change to the medical emergency language is necessary. On page 2, line 6, replace “and” with “or”. And on page 5, line 31, replace “and” with “or”.

None of the hospitals and clinics in the state perform elective abortions. However, during the management of pregnancies, and helping women have a successful birth, there are many conditions that it is impossible to determine whether they are substantial and irreversible. We have physicians here to testify in more detail as to why this amendment is necessary.

Dr. Brendan Boe and Dr. Collette Lessard are obstetricians from Grand Forks, Dr. Erica Hofland is an obstetrician from Dickinson, and Dr. Ana Tobiasz is a maternal and fetal medicine specialist from Bismarck.

Just for the record, North Dakota has 80 physicians that specialize in Obstetrics/Gynecology, with five of those specializing in maternal and fetal medicine. An Obstetrics and Gynecology residency involves four years of additional training after a four-year medical school education. A maternal fetal medicine specialty requires an additional three years after residency.

NDMA urges a DO PASS of SB 2150, with amendments. Thank you for the opportunity to address this committee. I would be happy to answer any questions.