

Senate Judiciary Committee

Sen. Diane Larson, Chair

Jan. 17, 2023

SB 2188

Good morning, Chair Larson and members of the Senate Judiciary Committee. I am Dr. Danielle Thurtle, a board certified pediatrician and pediatric hospitalist with Sanford Health Bismarck. I serve as Sanford Bismarck's chief of pediatric medicine and patient safety officer and chair the physician executive committee.

We ask that you give this bill a **Do Not Pass** recommendation.

While the bill on its surface seems well intended, there are numerous situations when parental consent is not possible and/or may serve as a barrier to a minor receiving medical care in a timely manner:

- Medical emergencies: In emergency situations when reasonable attempts to contact a parent fail, consent to provide life-saving services is implied.
- Prenatal care: I have had minors seek pregnancy prevention or disclose sexual abuse without parental consent. If I were unable to even see minors without a parent's consent they would have no way to disclose abuse going on in the home.
- Substance use disorder: North Dakota law provides that minors 14 and older may receive examination and care without parental consent. I have had many, many minors disclose substance use to me only after I inform them that it's confidential. Once they disclose I always convince them that their parent is an ally so have never had to prescribe medications or other therapies without a parent's knowledge. The confidentiality is essential to building trust in the first place.
- Sexually transmitted disease: As with SUDs, North Dakota law specifically provides for minors ages 14 and older to receive examination and care for sexually transmitted disease. As with pregnancy and SUDs, confidentiality is essential to help ensure STDs do not go unchecked, potentially leading to infertility, disease and increased risk for organ failure.

From a purely operational standpoint, requiring consent for every commonplace treatment will bring an unnecessary layer of paperwork and workforce challenge to an already highly regulated industry.

Further, there are numerous times when a minor is accompanied by someone other than a parent, e.g. a grandparent.

While it's understandable to think minors all have parents that are actively involved in their lives, this simply is not the case. There are extenuating circumstances when it is critically important to provide care even when a parent is not present to provide written consent.

Thank you for your consideration.

I would be happy to answer any questions.

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