

To Whom It May Concern,

I am writing as a healthcare provider licensed and practicing in North Dakota. I am writing with concerns regarding Senate Bill 2260. I truly can't speak to the education piece of it as I am not an educator and my children attend school in Minnesota. However I have many concerns regarding the medical care provisions. There are situations in which it is in the best interest of a minor for them to be able to access medical care without parental consent. While we would like to believe that parents always make the best choices for their children, sometimes that just isn't the case. The situation that I am most concerned about is access to contraception, which is currently not explicitly addressed in North Dakota law. Right now 23 states and the District of Columbia allow all minors to access birth control without a parent's consent, and another 24 states allow it in certain circumstances, such as when a minor is married, has been pregnant in the past, reaches a certain age, or when a healthcare provider deems that the minor would face a health hazard without these services. The provisions in section 3 subsection 4 only allow exceptions in the case of an emergency, to prevent "death or imminent, irreparable physical injury," or when parents cannot be located. These exceptions are far too narrow to cover every situation in which a minor may need access to care without a parent. A minor who is being sexually abused, for example, may not be ready to disclose the abuse but may still decide she wants to start birth control to prevent pregnancy. Research shows that teens are going to have sex with or without birth control, and giving them easy access to birth control is the best way to prevent unintended pregnancy.

This legislation would also restrict youth access to mental health services without parental consent. Access to mental health is critical for youth. Again, many may not disclose that they are being physically, emotionally or sexually abused – or that they are severely depressed or suicidal – without first having access to confidential mental health services.

Healthcare providers always encourage youth to discuss sexual and mental health with their parents if they can do so safely. Tying the hands of healthcare providers using these laws will lead to an increase in teen pregnancy, sexually transmitted infections and suicide.

I have attached a link to an article that discusses this issue in much greater detail. It also reviews the many times that teen's rights to confidential care have been upheld by the Supreme Court. Passing this law is a waste of time, as it will be immediately challenged in court and will not succeed.

Regards,

Tanya Baity

Certified Nurse Midwife

<https://www.aclu.org/other/preventing-teenagers-getting-contraceptives-unless-they-tell-parent-puts-teens-risk>