

Statement of Opposition to House Bill 1373

1/31/2025

Dear Members of the House Human Services Committee,

I am writing to express my strong opposition to House Bill 1373, which seeks to redefine "human being" and "person" to include "unborn child" from the moment of fertilization. While the bill claims to provide exceptions for certain medical practices and unintentional losses, its sweeping changes would create profound legal, medical, and societal challenges for individuals, families, healthcare providers, and the justice system in North Dakota.

It is worth noting that North Dakotans have already spoken on this issue. In 2014, voters rejected a similar personhood measure, Measure 1, by a decisive margin of 64% against. This overwhelming rejection reflects the will of the people to avoid enacting laws that create legal uncertainties, infringe on personal rights, and interfere with healthcare.

Expanded Criminal Liability

Redefining "human being" to include fertilized embryos under murder and assault statutes significantly broadens the scope of these laws. It risks exposing pregnant individuals to criminal liability for behaviors or actions that *might unintentionally* harm an embryo, such as medical treatments, accidents, or even lifestyle choices.

Healthcare providers could face charges of murder, manslaughter, or assault for medical procedures involving embryos, including fertility treatments like in vitro fertilization (IVF) or life-saving interventions during pregnancy. Pregnant individuals could face legal scrutiny or prosecution for pregnancy outcomes beyond their control, such as miscarriages or complications.

Negative Impact on Medical Practice

Doctors may hesitate to provide essential care, including treatments for ectopic pregnancies, miscarriages, or other life-threatening conditions, fearing criminal charges or wrongful death lawsuits. Fertility clinics may limit services like embryo freezing or disposal due to liability risks, significantly reducing access to reproductive healthcare in North Dakota.

Healthcare providers could face civil and criminal liability for necessary medical procedures if these are perceived to harm an embryo, even when they are life-saving for the mother or when the embryos are not viable. The threat of prosecution or lawsuits could drive healthcare providers out of North Dakota, reducing access to quality care for all residents.

House Bill 1373 introduces significant legal, medical, and ethical challenges that would harm individuals, families, and healthcare providers in North Dakota. It disregards the will of the people, as clearly expressed in the rejection of Measure 1, and undermines reproductive autonomy and access to quality healthcare.

I urge the Committee to respect the voices of North Dakotans and oppose this bill.

Sincerely,

Kara L. Geiger
Mandan, ND