

Dear committee members,

My name is Naudia Watterud. I am a concerned North Dakota resident asking you to vote No on House Bill 1373 proposed by State Representative Lori VanWinkle.

The purpose of HB 1373 is to define an unborn child as a human being as soon as sperm fertilizes an egg as it relates to offenses of murder, assault, and death by wrongful acts. Please allow me to share my story and why I believe this bill is harmful to North Dakotans.

Ultimately, HB 1373 will make the IVF process illegal in North Dakota.

VanWinkle claims the core of IVF will remain legal under this bill, referring to the creation, freezing and implantation of embryos. There are necessary steps to the IVF process not mentioned by VanWinkle that will be illegal under HB 1373.

After retrieved eggs are placed with sperm, they naturally fertilize in the lab. After fertilization, the embryos grow for 5 days in the lab before they can be frozen so they are strong enough to survive the freezing and thawing process. It is extremely unlikely for every fertilized egg to survive the necessary days in the lab. Under HB 1373, the lost embryos would be considered wrongfully destroyed.

Another critical piece of information VanWinkle excluded when listing the parts of IVF that will remain legal is that during the transfer of an embryo to a woman's uterus, there is no guarantee the embryo will implant. Implantation depends on the women's body and though medical professionals ensure the highest chances of implantation before a transfer, no human action can force it to be successful. Under HB 1373, embryos that are

transferred and do not implant will be considered wrongfully destroyed.

Even though the “the core of the IVF process” will remain legal, the only remaining IVF clinic in the state of North Dakota will not be able to practice because of the threat of criminal liability.

If this bill passes, my family risks no longer having the opportunity for growth in our home state and would have to resort to even further travel to try to start our family.

My husband and I have been trying to conceive for almost 9 years. In March 2024 I underwent the egg retrieval process. In May 2024 we did our first IVF transfer which ended in early loss. Recently in November 2024, we suffered a loss of our twins Emberlyn and Sterling at 18 weeks gestation. Now we worry about the future of IVF and our embryos as this bill has come up and we are scared for the future. All I have ever wanted was to be a mom and this bill will make that dream even farther from reality for my husband and I. We already have to travel 6 hours to Fargo as that is the only reproductive clinic in North Dakota.

This bill is written broadly and will impact a variety of topics that I fear have not been thoroughly considered by its presenter or supporters. The exclusions in HB 1373 as proposed do not protect North Dakotans dependent on IVF for our families.

Not every family is created the same way. HB 1373 will, intentionally or unintentionally, take away the method that my spouse and I need to grow our family. Please protect the right to parenthood for citizens of your state by voting No on House Bill 1373.

Thank you for taking the time to read and consider my story.

Sincerely,

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