

January 31, 2025

Dear Members of the Committee,

My name is Jena McKay and I am writing testimony **opposing** bill HB1373.

I would like to start by highlighting a few key points about myself that will help put this testimony into perspective:

- I believe life begins at time of conception.
- I don't believe in most non-medically necessary performed abortions. Please note, this is a loose statement, for there's too many scenarios to mention that would thus allow me to remove the word "most".

Pointing out these beliefs, sounds like I may be in favor of an anti-abortion bill such as this, doesn't it? However, that is not the case. Because if this bill's definition of an unborn child becomes law, it not only affects abortions, but it will also affect other medical professionals and procedures, like those involving in vitro fertilization (IVF). Therefore, I would like to explain why I may agree with the proposed definition of an unborn child but disagree with it being law by sharing my fertility journey.

I have experienced unsuccessful intrauterine inseminations (IUI), an implanted embryo that did not take, an implanted embryo that resulted in a missed miscarriage in which I had to have a dilation and curettage (D&C), an implanted embryo that defied the odds and resulted in a live birth after science statistically cautioned it shouldn't have, and I have two beautiful children as a result of IVF.

I will never forget the first time my husband and I went to North Dakota's only reproductive medicine clinic in Fargo. As we sat awaiting our appointment, there was a man, with a child, across the street on the sidewalk protesting IVF holding up a sign. I remember thinking how ironic that moment was: a man protesting outside of a reproductive clinic, with his child, where individuals who desperately want to have children go to try to fulfill that dream. But I get it, some don't believe in IVF, comparing it to "playing God". Growing up with religious beliefs, I admit, I too initially struggled with the thought of the process and that if we were lucky enough to have extra embryos, are they considered to have life at that point or once there's a heartbeat? But that's the funny thing about beliefs versus experiences: once one is forced to experience things they weren't even sure they believed in, viewpoints can change as one becomes more educated.

I may be against most non-medically necessary abortions, decided to believe that life starts at conception (and will treat any embryo as such), and believe that science only goes so far and then there's God, but I too understand that writing one-sided beliefs that come down to a matter of opinion such as this into law, would be unjust. We all don't have to share the same beliefs or agree. But for those that are trying to make this bill law, of which, would drastically change the trajectory of many individuals' lives, I would like to ask them this: who's trying to "play God" now? Some things just can't simply be

written into law and must be left up to choice. Regardless of your views on abortion or where to draw the line of when a life begins, please don't hinder those who want to have children and can't without intervention in our great state.

Sincerely,

Jena McKay