

HB1373

Chairman Ruby and members of the House Human Services Committee,

My name is Ellen Johnson, I am a genetic counselor at the Sanford Health Reproductive Medicine Clinic in Fargo. I have worked with countless individuals and couples who have been impacted by genetic disease, either with a personal diagnosis, a family history, or a previously affected child. Fertility treatments such as in vitro fertilization (IVF) may be the only way for these individuals or couples to have biological children, or the only way to reduce the risk of passing a genetic disease on to future generations. HB1373 will prevent our clinic from providing this vital service and I am writing to you to express my opposition to this legislation.

There appears to be a misconception that patients who struggle with infertility – sometimes for years and years – prior to undergoing IVF choose to willingly undergo a process that takes months of planning, countless medications, injections, ultrasounds, and office visits (which may or may not be covered by insurance) to simply create and then throw away embryos on a whim. These embryos and resulting pregnancies are the most desired and cared for that I can imagine. Patients grieve the embryos that stop developing before they can be transferred, the embryos that don't survive the warming process on the day of their planned transfer, and those that inherit incurable genetic diseases or non-viable chromosome abnormalities. No one cares for these embryos more than the parents they come from.

There have also been concerns raised about selecting for multifactorial traits in embryos, including things like hair color, eye color, height, etc. This is not a service offered at our clinic. I would imagine that the providers at our clinic share many ethical concerns with members of the committee regarding this type of screening. Furthermore, I can confidently say I have never had a patient ask me for screening to tell them the hair color or intelligence of their future children. The questions I do hear from patients include whether screening will help them finally achieve a successful pregnancy, if it will help lower the risk of yet another devastating miscarriage, and if it can prevent them from losing another child to a lethal genetic disease.

I love that we are able to care for our community with treatments like IVF to help families in North Dakota. While our clinic is located in Fargo, we serve patients from across the entire state. Infertility affects 1 in 6 couples, regardless of if they live in a small community or a large city; and for those in North Dakota we are able to provide IVF to help them achieve their dreams of creating a family. The nature of HB1373 as currently written leaves us vulnerable to criminal and civil liability by the nature of the IVF process and our clinic would no longer be able to access this service. I urge members of this committee to vote Do Not Pass on HB1373.

Thank you,

Ellen Johnson

Senior Genetic Counselor

Sanford Health Reproductive Medicine