



**2025 SB 2244**  
**Senate Judiciary Committee**  
**Senator Diane Larson, Chairman**  
**January 29, 2025**

Chairman Larson and members of the Senate Judiciary Committee, I am Melissa Hauer, General Counsel/VP of the North Dakota Hospital Association (NDHA). I am here to testify in opposition to Senate Bill 2244. I ask that you give this bill a **Do Not Pass** recommendation.

It is a long-established principle that before treating a patient a health care provider must obtain the consent of that patient. The idea that parents should have the right and responsibility to make health care decisions for their children seems entirely reasonable. This is already the state of the law and is standard practice – before treating a minor patient consent must be obtained from a parent or legal guardian. There are a few exceptions to this general rule when dealing with teenage patients which is explained in more detail below. Some provisions of the bill would change these longstanding North Dakota law regarding minors' ability to consent to their own treatment in certain circumstances and other provisions of the bill are simply unworkable.

Hospitals' main concern with the bill is that it would overturn longstanding laws passed by the North Dakota legislative assembly that govern when minors may consent to their own health care or when consent is implied, such as when there is an emergency involving a minor and the parent is not there to give consent immediately. The legislature determined that, in certain circumstances, it may be more important for a young person to have access to confidential medical services than it is to require that parents be informed of the situation. For example, current North Dakota law gives minors the right to consent to treatment in a few specific situations:

1. N.D.C.C. § 14-10-17, which provides that any person 14 years or older may receive examination, care, or treatment for sexually transmitted disease, alcoholism, or drug abuse without permission, authority, or consent of a parent or guardian.