

**2021 HOUSE HUMAN SERVICES**

**HB 1205**

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1205  
1/25/2021

Relating to establishing the maternal mortality review committee; to provide for a continuing appropriation; and to provide for a report to the legislative management and other agencies.

**Chairman Weisz** called the meeting to order at 10:01 a.m.

Representatives	Attendance
Representative Robin Weisz	P
Representative Karen M. Rohr	P
Representative Mike Beltz	P
Representative Chuck Damschen	P
Representative Bill Devlin	P
Representative Gretchen Dobervich	P
Representative Clayton Fegley	P
Representative Dwight Kiefert	P
Representative Todd Porter	P
Representative Matthew Ruby	P
Representative Mary Schneider	P
Representative Kathy Skroch	P
Representative Bill Tveit	P
Representative Greg Westlind	P

### Discussion Topics:

- Maternal mortality review committee establishment
- Maternal death increase
- Possible pregnancy association

**Rep. Vicky Steiner, District 37 (10:02)** introduced the bill and submitted testimony #2860.

**Courtney Koebele, Executive Director North Dakota Medical Association (10:04)** introduced Tom Arnold, Chair of the North Dakota Maternal Mortality Review Committee and the Vice Chair of the University of North Dakota School of Medicine and Health Sciences Department of Obstetrics and Gynecology.

**Tom Arnold, Chair of the North Dakota Maternal Mortality Review Committee and the Vice Chair of the University of North Dakota School of Medicine and Health Sciences Department of Obstetrics and Gynecology (10:05)** testified in favor and submitted testimony #3024.

**Alicia Belay, North Dakota Department of Health (10:46)** testified in favor and submitted testimony #2724.

**Chairman Weisz** closed the hearing at 10:48 a.m.

*Tamara Krause, Committee Clerk*



# NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## **Representative Vicky Steiner**

District 37  
859 Senior Avenue  
Dickinson, ND 58601-3755

Residence: 701-225-4227  
Cell: 701-290-1376  
[vsteiner@nd.gov](mailto:vsteiner@nd.gov)

## **COMMITTEES:**

Finance and Taxation  
Government and Veterans Affairs

January 25, 2021

Support 1205

Mr. Chairman Weisz and Vice Chair Rohr,

Vicky Steiner, District 37, Dickinson

HB 1205 will provide for a more effective review of the maternal mortality cases that occur in North Dakota, thus allowing for better understanding as to how to best reduce future occurrences through policy change, education, coordination of resources and cooperative relationships with health care partners. The maternal mortality review committee, established in 1954, is one of the oldest in the country reviewing maternal deaths for the last 38 years.

The experts on this bill are here in the room. I have questions on the fiscal note- seems a bit high given how many cases might need to be reviewed. Thank you for your consideration on 1205.

**House Human Services Committee  
HB 1205  
January 25, 2021**

Chairman Weisz and Committee Members, I am Tom Arnold, Chair of the North Dakota Maternal Mortality Review Committee and the Vice Chair of the University of North Dakota School of Medicine and Health Sciences Department of Obstetrics and Gynecology. Thank you for allowing me to present testimony in support of HB 1205.

Thank you to Representatives Steiner, Lefor, Meier, Rohr, Skroch, and Strinden and thank you to Senators Myrdal and Wardner for introducing this bill.

To begin with, I would like to present information concerning maternal mortality, its definition, the national and North Dakota state experience. I will then present a brief history of the existing North Dakota Maternal Mortality Review Committee and a discussion of its function and operation. In addition, I will delineate some of the inadequacies of the present committee's organizational structure and functionality. Finally, I will outline how the proposed changes would enhance the committee's ability to reduce future maternal mortality in North Dakota.

Definition of maternal mortality:

Centers for Disease Control (CDC) definition of maternal mortality: The death of a woman while pregnant or within 1 year of the end of pregnancy from any cause related to or aggravated by the pregnancy.

National experience:

7.2 maternal deaths per 100,000 births–1987  
17.4 deaths per 100,000 births-2018

Why the increase in maternal death rate?

1. **Modification in death certificates with generalized standardization after 2003-allowed for trail of diagnosis that are related to maternity**
2. Coding changes regarding cause of death facilitating correlation of final cause of death with maternity
3. Prioritization–cause of death documentation and reporting-American College of Obstetricians and Gynecologists and the CDC
4. **Advances in ability to identify causation of death**
5. Patient health characteristic changes increasing number of comorbidities in pregnancy

North Dakota vs. National comparison:

California ranks #1 with 4.0 maternal deaths per 100,000 births

Louisiana ranks #46 with 58.1 maternal deaths per 100,000 births

North Dakota ranks #21 with 20.1 maternal deaths per 100,000 births

Four states not ranked due to lack of maternal death reporting

Number of births in North Dakota-2019: 10,447

North Dakota maternal mortality: As presented at the virtual ND MMRC meeting  
12/10/2020

2019 experience:

Maternal deaths meeting CDC criteria-1 death (c/w rate of 10/100,000 births)

Maternal deaths with possible pregnancy association-4 (c/w rate of 40/100,000 births)

2020 experience (January-August):

Maternal deaths meeting CDC criteria equals 2 (20/100,000 births)

Maternal deaths with possible pregnancy association equals 5 (50/100,000 births)

**(Maternal Death Rate for January-August, 2020 would be 70/100,000 births (if the deaths meeting the CDC criteria are added to the *possible pregnancy* associated maternal deaths)**

What is meant by "possible pregnancy association? The association of cause of death to the pregnant condition is often unclear as it cannot be fully elucidated by the ND MMRC with its present limited functionality. (example-diagnosis of depression with subsequent drug use culminating in an accidental or intentional overdose leading to a maternal death) Is this a true maternity caused death?

The existing ability of the ND MMRC to investigate the cause of these type of maternal deaths is less than optimal.

Proposed modifications in the functionality and capacity of the North Dakota Maternal Mortality Review committee would enhance its ability to identify, explain, categorize maternal deaths and initiate corrective measures to reduce maternal mortality in North Dakota.



### North Dakota Maternal Mortality Review Committee

1. The ND MMRC is one of the oldest MMRCs in the United States-founded in 1954
2. It has been, historically, a committee of the North Dakota Society of Obstetrics and Gynecology (NDSOG) which was founded in 1938
3. The ND MMRC holds annual meetings to review maternal mortality in North Dakota
4. The ND MMRC meeting is medical education based to provide information to only providers attending the annual meeting of the NDSOG and the ND Section of the American College of Obstetricians and Gynecologists (therefore the potential of effecting change is severely constrained)
5. The meetings are held in a closed, confidential format to protect the confidentiality of the information presented
6. Oversight of the committee has been through the NDSOG through the chair of the committee

### Proposed legislation modifying the ND MMRC would accomplish the following:

The modifications would:

1. Allow for more complete access to patient's records in evaluation of events, causes and factors leading to the maternal death.
2. Define generally accepted terminology and process as it relates to the North Dakota maternal mortality review and reporting
3. Enhance coordination with the following entities:
  - a. The North Dakota Legislature
  - b. The North Dakota Department of Health
  - c. The CDC
  - d. Providers, Health Care Facilities and law enforcement
4. Create a constant, informed source of oversight from the UNDSMHS Department of Obstetrics and Gynecology including resource and administrative management of committee activities
5. Provide for an annual report to the following:
  - a. The North Dakota Legislature
  - b. The North Dakota Department of Health
  - c. The North Dakota Society of Obstetrics and Gynecology
  - d. The North Dakota Section of the American College of Obstetricians and Gynecologists
  - e. Healthcare institutions, providers and others instrumental in implementing change that would reduce maternal mortality in North Dakota
6. Maintain the confidentiality of records while allowing more complete access to information necessary to achieve the objectives of the committee
7. Provide for immunity of committee members and others participating in committee activities from civil and criminal liability

8. Coordinate sharing of maternal mortality information regionally and nationally through the CDC's Maternal Mortality Review Information Application (MMRIA) reporting platform
9. Influence policy decisions to effect positive change through clinical research, information and education

**I ask that you give a DO PASS recommendation on HB 1205.**

Thank you for your time.

I would be glad to answer any questions.



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Good morning Chairman Weisz and members of the House Human Services Committee. My name is Alicia Belay and I serve as the Public Health Specialist for the North Dakota Department of Health (NDDoH). I am here to provide testimony in support of House Bill 1205, relating to establishing a maternal mortality review committee.

The NDDoH administers the state Maternal and Child Health (MCH) Block Grant. Formalizing state's Maternal Mortality Review Committees (MMRC) has been a federal MCH priority for several years. The NDDoH's MCH Program supports this priority and participated in the development of House Bill 1205 to improve coordination, allow for more effective action on issues of maternal mortality and morbidity, and to contribute to national strategies to improve maternal outcomes.

Formalizing North Dakota's MMRC is necessary to collaborate more effectively with other states and to participate on a national scale in the reduction of maternal mortality and morbidity. This bill will allow North Dakota to join with 48 other states that have a formalized MMRC to participate in the national data-sharing program with the Centers for Disease Control and Prevention (CDC). Maternal mortality data is critically important, as it represents measures of the overall effectiveness of our health care delivery systems and assists with identifying gaps and areas for improvement.

Formalizing North Dakota's MMRC will also be beneficial for the functioning of the North and South Dakota Perinatal Quality Collaborative (NSDPQC), a coordinated multi-state effort to improve the health of families across the Dakotas that was formed in 2018. The MMRC's recommendations will serve as a foundation for the initiatives of the NSDPQC, ensuring timely action on identified maternal mortality and morbidity issues in our state.

This concludes my testimony. I am happy to answer any questions you may have.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1205  
2/2/2021

Relating to establishing the maternal mortality review committee; to provide for a continuing appropriation; and to provide for a report to the legislative management and other agencies.

**Chairman Weisz** opened the committee meeting at 10:47 a.m.

Representatives	Attendance
Representative Robin Weisz	P
Representative Karen M. Rohr	P
Representative Mike Beltz	P
Representative Chuck Damschen	P
Representative Bill Devlin	P
Representative Gretchen Dobervich	P
Representative Clayton Fegley	P
Representative Dwight Kiefert	P
Representative Todd Porter	P
Representative Matthew Ruby	A
Representative Mary Schneider	A
Representative Kathy Skroch	P
Representative Bill Tveit	P
Representative Greg Westlind	P

### Discussion Topics:

- Record request

**Rep. Todd Porter (10:50)** proposed an amendment and made a motion stating the maternal mortality review committee may request records and the state department of health shall provide those records.

**Rep. Karen Rohr (10:50)** second

Voice Vote – Motion carried - Amendment 21.0342.01001.

**Rep. Todd Porter (10:51)** made a motion for a Do Pass As Amended

**Rep. Gretchen Dobervich (10:51)** second.

Representatives	Vote
Representative Robin Weisz	Y
Representative Karen M. Rohr	Y
Representative Mike Beltz	Y
Representative Chuck Damschen	Y

Representative Bill Devlin	Y
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Dwight Kiefert	Y
Representative Todd Porter	Y
Representative Matthew Ruby	A
Representative Mary Schneider	A
Representative Kathy Skroch	Y
Representative Bill Tveit	Y
Representative Greg Westlind	Y

**Motion Carried Do Pass As Amended 12-0-2**

**Bill Carrier:** Rep. Karen Rohr

**Chairman Weisz** adjourned at 10:52 a.m.

*Tamara Krause, Committee Clerk*

February 2, 2021

JP  
2/2/21

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1205

Page 3, after line 25, insert:

"1."

Page 4, after line 2, insert:

"2. The state department of health shall provide a certified copy of a complete death record to the committee upon request."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1205: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1205 was placed on the Sixth order on the calendar.

Page 3, after line 25, insert:

"1."

Page 4, after line 2, insert:

"2. The state department of health shall provide a certified copy of a complete death record to the committee upon request."

Renumber accordingly

**2021 SENATE HUMAN SERVICES**

**HB 1205**



# 2021 SENATE STANDING COMMITTEE MINUTES

## Human Services Committee Sakakawea Room, State Capitol

HB 1205  
3/9/2021

A BILL for an Act to create and enact chapter 23-51 of the North Dakota Century Code, relating to establishing the maternal mortality review committee; to provide for a continuing appropriation; and to provide for a report to the legislative management and other agencies.

**Madam Chair Lee** opened the hearing on HB 1205 at 11:00 a.m. Members present: Lee, K. Roers, Hogan, Anderson, Clemens, O. Larsen.

### Discussion Topics:

- Maternal Review Board leadership
- Access to records
- Maternal death rate

**[11:01] Representative Vicky Steiner, District 37.** Introduced HB 1205 and provided testimony #8289 in favor.

**[11:06] Courtney Koebele, ND Medical Association.** Introduced Tom Arnold to the committee.

**[11:07] Tom Arnold, Chair, ND Maternal Mortality Review Committee.** Provided testimony #8287 in favor.

**[11:33] Alisha Belay, Public Health Specialist, NDDoH.** Provided testimony #8225 in favor.

### Additional written testimony: (1)

**Tara Muhlhauser, Executive Director, CAWS ND.** Provided written testimony #8049 in favor.

**Madam Chair Lee** closed the hearing on HB 1205 at 11:36 a.m.

*Justin Velez, Committee Clerk*



# NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## **Representative Vicky Steiner**

District 37  
859 Senior Avenue  
Dickinson, ND 58601-3755

Residence: 701-225-4227  
Cell: 701-290-1376  
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## **COMMITTEES:**

Finance and Taxation  
Government and Veterans Affairs

March 9, 2021

Madam Chair Senator Lee and members of the committee

Good morning. My name is Rep. Vicky Steiner, District 37, Dickinson.

House bill 1205 will provide for a more effective review of the maternal mortality cases that occur in North Dakota, thus allowing for a better understanding as to how to best reduce future occurrences through policy change, education, coordination of resources and cooperative relationships with health care partners. The maternal mortality review committee, established in 1954, is on the oldest in the country reviewing maternal deaths for the last 38 years.

The experts on this bill are here in the room and they will provide more details to the bill.

Thanks you Madam Chair.

**Senate Human Services Committee**  
**HB 1205**  
**March 9, 2021**

Chair Lee and Committee Members, I am Tom Arnold, Chair of the North Dakota Maternal Mortality Review Committee and the Vice Chair of the University of North Dakota School of Medicine and Health Sciences Department of Obstetrics and Gynecology. Thank you for allowing me to present testimony in support of HB 1205.

Thank you to Representatives Steiner, Lefor, Meier, Rohr, Skroch, and Strinden and thank you to Senators Myrdal and Wardner for introducing this bill.

To begin with, I would like to present information concerning maternal mortality, its definition, the national and North Dakota state experience. I will then present a brief history of the existing North Dakota Maternal Mortality Review Committee and a discussion of its function and operation. In addition, I will delineate some of the inadequacies of the present committee's organizational structure and functionality. Finally, I will outline how the proposed changes would enhance the committee's ability to reduce future maternal mortality in North Dakota.

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## North Dakota Maternal Mortality Review Committee

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8. Coordinate sharing of maternal mortality information regionally and nationally through the CDC's Maternal Mortality Review Information Application (MMRIA) reporting platform
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**I ask that you give a DO PASS recommendation on HB 1205.**

Thank you for your time.

I would be glad to answer any questions.



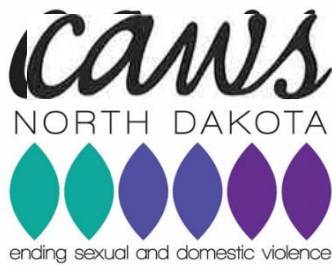
Good morning Chairwoman Lee and members of the Senate Human Services Committee. My name is Alicia Belay and I serve as the Public Health Specialist for the North Dakota Department of Health (NDDoH). I am here to provide testimony in support of House Bill 1205, relating to establishing a maternal mortality review committee.

The NDDoH administers the state Maternal and Child Health (MCH) Block Grant. Formalizing states' Maternal Mortality Review Committees (MMRC) has been a federal MCH priority for several years. The NDDoH's MCH Program supports this priority and participated in the development of House Bill 1205 to improve coordination, allow for more effective action on issues of maternal mortality and morbidity, and to contribute to national strategies to improve maternal outcomes.

Formalizing North Dakota's MMRC is necessary to collaborate more effectively with other states and to participate on a national scale in the reduction of maternal mortality and morbidity. This bill will allow North Dakota to join with 48 other states that have a formalized MMRC to participate in the national data-sharing program with the Centers for Disease Control and Prevention (CDC). Maternal mortality data is critically important, as it represents measures of the overall effectiveness of our health care delivery systems and assists with identifying gaps and areas for improvement.

Formalizing North Dakota's MMRC will also be beneficial for the functioning of the North and South Dakota Perinatal Quality Collaborative (NSDPQC), a coordinated multi-state effort to improve the health of families across the Dakotas that was formed in 2018. The MMRC's recommendations will serve as a foundation for the initiatives of the NSDPQC, ensuring timely action on identified maternal mortality and morbidity issues in our state.

This concludes my testimony. I am happy to answer any questions you may have.



#8049

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## Testimony Senate Bill 1205 — Human Service

3/9/2021

Good morning Chairwoman Lee, and members of the committee. My name is Tara Lea Muhlhauser, Executive Director of CAWS ND (Lobbyist # 1035). I am in favor of this bill.

CAWS ND is a coalition of program in the state providing services for victims and survivors of Domestic Violence, Sexual Assault, and Human Trafficking. I represent the 20 programs across the state of North Dakota. Nine programs in North Dakota provide Shelter services in their communities.

CAWS ND supports the establishment of a Maternal Mortality Review Committee. The literature, data and research in Public Health confirm maternal mortality in Domestic Violence and Sexual Assault. From the time of the conception, women are at a higher risk category in their intimate relationships.

Because of this, we ask that there be an opportunity to consider Domestic Violence and Sexual Assault as specific issues in the review process, with findings. The opportunity to know more about Maternal Mortality in our state will provide our coalition and programs, including the medical providers. This will allow additional information to better serve and find opportunities to prevent this tragedy. The more we know, the safer the women we work with every day, across the state, will be there to raise their newborn child.

Thank you for this opportunity and if you have any questions, please let me know.

# 2021 SENATE STANDING COMMITTEE MINUTES

## Human Services Committee Sakakawea Room, State Capitol

HB 1205  
3/16/2021 3:03 p.m.

A BILL for an Act to create and enact chapter 23-51 of the North Dakota Century Code, relating to establishing the maternal mortality review committee; to provide for a continuing appropriation; and to provide for a report to the legislative management and other agencies.

**Madam Chair Lee** opened the discussion on HB 1205 at 3:03 p.m. Members present: Lee, K. Roers, Hogan, Anderson, Clemens, O. Larsen.

### Discussion Topics:

- Fiscal impact
- Bill action

**Senator Hogan** moves **DO PASS, REREFER TO APPROPRIATIONS**

**Senator Anderson** seconds.

Senators	Vote
Senator Judy Lee	Y
Senator Kristin Roers	ABSENT
Senator Howard C. Anderson, Jr.	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Oley Larsen	Y

The motion passed 5-0-1

**Senator Anderson** will carry HB 1205.

**[3:08] Senator Lee** will hold vote open for Senator K. Roers.

**Additional written testimony:** N/A

**Madam Chair Lee** closed the discussion on HB 1205 at 3:10 p.m.

*Justin Velez, Committee Clerk*

# 2021 SENATE STANDING COMMITTEE MINUTES

## Human Services Committee Sakakawea Room, State Capitol

HB 1205  
3/16/2021 3:19 p.m.

A BILL for an Act to create and enact chapter 23-51 of the North Dakota Century Code, relating to establishing the maternal mortality review committee; to provide for a continuing appropriation; and to provide for a report to the legislative management and other agencies.

**Madam Chair Lee** opened the discussion on HB 1205 at 3:19 p.m. Members present: Lee, K. Roers, Hogan, Anderson, Clemens, O. Larsen.

### Discussion Topics:

- Racial and ethnic diversity

**Senator K. Roers** moves to **RECONSIDER COMMITTEE ACTION**  
**Senator Hogan** seconded.

Voice Vote – Motion passed.

**Senator K. Roers** moves to **ADOPT AMENDMENT** on page 2, line 4, after the word “disciplines”, insert “, including forensic pathology” line 6 delete “, two”, delete line 7.  
**Senator Hogan** seconds.

Voice Vote – Motion passed.

**Senator Hogan** moves **DO PASS, AS AMENDED, RE-REFER TO APPROPRIATIONS.**  
**Senator Anderson** seconded.

Senators	Vote
Senator Judy Lee	Y
Senator Kristin Roers	Y
Senator Howard C. Anderson, Jr.	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Oley Larsen	Y

The motion passed 6-0-0

**Senator Anderson** will carry HB 1205.

**Additional written testimony:** N/A

**Madam Chair Lee** closed the discussion on HB 1205 at 3:30 p.m.

*Justin Velez, Committee Clerk*

March 16, 2021

SK  
3/16  
1081

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1205

Page 2, line 4, after "disciplines" insert ", including forensic pathology"

Page 2, line 6, remove ", to"

Page 2, line 7, remove "ensure the committee's composition reflects the racial and ethnic  
diversity of the state"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1205, as engrossed: Human Services Committee (Sen. Lee, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0  
NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1205 was placed on the  
Sixth order on the calendar.

Page 2, line 4, after "disciplines" insert ", including forensic podiatry"

Page 2, line 6, remove ", to"

Page 2, line 7, remove "ensure the committee's composition reflects the racial and ethnic  
diversity of the state"

Renumber accordingly



# 2021 SENATE STANDING COMMITTEE MINUTES

## Human Services Committee Sakakawea Room, State Capitol

HB 1205  
3/24/2021

A BILL for an Act to create and enact chapter 23-51 of the North Dakota Century Code, relating to establishing the maternal mortality review committee; to provide for a continuing appropriation; and to provide for a report to the legislative management and other agencies.

**Madam Chair Lee** opened the discussion on HB 1205 at 9:09 a.m. Members present: Lee, K. Roers, Hogan, Anderson, Clemens, O. Larsen.

### Discussion Topics:

- Appropriations
- Bill actions

**Senator Hogan** moves to **RECONSIDER COMMITTEE ACTION.**

**Senator K. Roers** seconded.

Voice Vote – Motion Passed

**Senator Hogan** moves **DO PASS, AS AMENDED.**

**Senator O. Larsen** seconded.

Senators	Vote
Senator Judy Lee	Y
Senator Kristin Roers	Y
Senator Howard C. Anderson, Jr.	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Oley Larsen	Y

The motion passed 6-0-0

**Senator Anderson** will carry HB 1205.

**Additional written testimony:** N/A

**Madam Chair Lee** closed the discussion on HB 1205 at 9:12 a.m.

*Justin Velez, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1205, as engrossed: Human Services Committee (Sen. Lee, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1205  
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Page 2, line 4, after "disciplines" insert ", including forensic pathology"

Page 2, line 6, remove ", to"

Page 2, line 7, remove "ensure the committee's composition reflects the racial and ethnic  
diversity of the state"

Renumber accordingly