2023 HOUSE HUMAN SERVICES

HB 1509

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Pioneer Room, State Capitol

HB 1509
1/30/2023

Relating to pregnancy counseling services.

Chairman Weisz called the meeting to order at 2:44 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich present. Rep. Porter not present.

Discussion Topics:

- Professional care for pregnancy counseling clinics
- Quality of tests and care
- State support of health care entities

Rep. Conmy introduced HB 1509 with supportive testimony, #17839.

Kayla Schmidt, Interim Executive Director of North Dakota Women's Network, offered testimony in support of bill, #17924.

Chairman Weisz called Rep. Conmy for questions from the committee.

Additional written testimony:

Ana Tobiasz, Maternal Fetal physician from Bismarck ND, (#17664).

Erica Hofland, Obstetrician and Gynecologist from Dickinson ND, (#17679).

Chairman Weisz adjourned the meeting at 2:51 PM.

Phillip Jacobs, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Pioneer Room, State Capitol

HB 1509
2/15/2023

Relating to pregnancy counseling services.

Chairman Weisz called the meeting to order at 10:10 AM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. All present.

Discussion Topics:

- Committee work
- Amendment

Chairman Weisz called for a discussion on HB 1509.

Rep. Anderson moved a do not pass on HB 1509.

Seconded by Rep. Prichard.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	N
Representative Gretchen Dobervich	N
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries 12-2-0.

Carried by Rep. Prichard.

Chairman Weisz adjourned the meeting at 10:15 AM.

Phillip Jacobs, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1509: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1509 was placed on the Eleventh order on the calendar.

TESTIMONY

HB 1509

House Bill 1509

January 30, 2023

Chair Weisz and members of the Human Services committee. My name is Ana Tobiasz. I am a Maternal Fetal Medicine physician in Bismarck. I have been practicing high risk obstetric care in this state for over 5 years. Through my years of post-medical school training in Michigan (4 years of ob/gyn residency), Tennessee (3 years of maternal fetal medicine fellowship), and since returning to North Dakota, I have cared for patients after they have seen a pregnancy resource center earlier in the pregnancy. Due to this experience, I can attest to the fact that these facilities as they are currently run, are generally not staffed by anyone with any medical experience. This includes the facilities within our state. They frequently employ advertising that is deceptive and will given the perception that they are a qualified legitimate medical facility. Patients generally disclose to me if they have seen these centers once they are established for care with me, and frequently will have received an ultrasound and are given a gestational age and due date of their pregnancy. Records of this information as well as imaging review to ensure the accuracy is nearly impossible to obtain. Patients not only will make decisions about continuing their pregnancy based on this information, and will often make decisions about when to seek initial prenatal care for their pregnancy based on this information. I frequently will have to adjust their due date of their pregnancy due to the inaccurate information they received at the pregnancy resource center, which causes confusion for my patients and sometimes compromises their obstetric care. Frequently after patients have seen these facilities for an initial visit, they have received deceptive information regarding pregnancy, the risks of pregnancy, inaccuracies about contraception, and commonly receive an ultrasound and are given a due date that was inaccurate because the staff performing these procedures frequently have either minimal training to perform these procedures or minimal ongoing training and oversight. The individuals providing the early pregnancy counseling frequently have no specific medical training. When you try to confirm information about the credentials of the individuals who provide care to women at these centers, there is no information to be found. In contrast, if you were to review my credentials, it is publicly available and displayed so patients know who is providing their care as well as the type of training they have received to be qualified to give them medical advice.

Given that we have several legislative bills that are intent on providing additional taxpayer funding to these centers a an “alternative to abortion” program, these centers should at a minimum be run by individuals with either a medical background and the staff providing counseling and procedures should be qualified to do so. Any other clinic or medical facility has standards their employees must meet to be hired including licensing and specific educational backgrounds and ongoing competencies and training that needs to be competed in order to continue seeing patients. I am uncertain why pregnancy crisis centers to this date have been exempt from this considering the number of patients they see and give medical advice to.

I recommend a Do Pass on House Bill 1509. Women seeking resources about pregnancy and reproductive healthcare otherwise will continue to receive inaccurate information about their healthcare from untrained individuals.

House Bill 1509

January 30, 2023 – 68th ND Legislative Session

Chair Weisz and members of the Human Services Committee my name is Erica Hofland and I am a practicing Obstetrician and Gynecologist from Dickinson North Dakota. I am writing to urge your support for House Bill 1509.

The Legislature has been hearing testimony this session in regards to appropriations for various pregnancy counseling services. It is imperative that if counseling centers are financially supported by the state that they provide evidence based medical information. House Bill 1509 is important to ensure that funding being provided by the tax payers is being used appropriately. The minimum standards of this bill are essential for patient safety. While many of these centers are established to dissuade individuals and families from seeking termination of pregnancy care they also tout their ability to provide additional medial services. I can attest to having encountered various misdiagnoses and medical misinformation from a local center. This has ranged from incorrect and lacking counseling on contraceptive services, diagnosis without treatment of sexually transmitted infections, and also misdiagnosis of ectopic pregnancies. All of these scenarios and various others could be avoided by ensuring that medical care is meeting the standard of care. This requires certain education, training, and oversight of these centers. House Bill 1509 would help achieve this.

Please feel free to reach out to me if I can be of any additional help. I would be happy to answer any questions the committee may have.

Sincerely submitted,

Erica Hofland, MD, FACOG

Dickinson, North Dakota

HB 1509

Chair Weisz, Vice Chair Ruby and member of the committee,

For the record, I am Representative Liz Conmy, serving District 11 in Fargo.

Today, I am presenting to you House Bill 1509, which originated at the request of several of my constituents.

HB 1509 sets a standard of professional care for pregnancy counseling clinics that may receive state funding. Clinics that receive state funding would be required to have a licensed physician, a registered nurse, a college graduate with a three years of health care management experience and an individual with six years of health care management experience.

The bill also requires at least one individual to provide counseling services, who does not practice outside the professional scope of practice for that individual.

And, in order to ensure quality patient care, the bill requires an organizational chart that includes a description of each service offered, the policies and procedures pertaining to each service, a job description for each discipline and a description of the system for maintaining patient records.

Any patient seeking pregnancy counseling or care should know the credentials of the people from whom they are seeking information. Counselors or staff with no medical training should not be providing medical advice. Not only is that deceptive, but it is unsafe for the patient.

We know access to quality healthcare before, during and after pregnancy can affect outcomes. Inadequate prenatal care can miss important milestones in pregnancy, for example ultrasounds that wrongly predict gestational age, information that could possibly prevent unnecessary procedures later in the pregnancy.

In 2022, there were over 10,000 births in North Dakota and there are about 150,000 women of childbearing age. A state funded pregnancy resource center would provide valuable services for this population, if done professionally and responsibly.

To get the best outcome for a patient, pregnancy care needs to be provided by trained professionals.

I urge you to seriously consider this bill with the patients best interests in mind and provide a do pass.

Thank you for your consideration.

I stand for any questions.

North Dakota Women's Network

Kayla Schmidt – Interim Executive Director, North Dakota Women's Network
Support – HB 1509
North Dakota House Human Services Committee

January 30, 2023

Chair Weisz and members of the House Human Services Committee,

My name is Kayla Schmidt and I am the Interim Executive Director of the North Dakota Women's Network. We are a statewide organization working towards improving the lives of women and their families. I am providing testimony in support of House Bill 1509.

Our mission includes empowering women to take an informed role in their health care decisions. We rely on medical experts to guide us in making these personal choices.

Any entity that promotes themselves as a medical or health-services provider should be maintained by individuals that specialize in those areas. This legislative session, several bills have been put forward which would designate state funds to pregnancy counseling services, including SB 2129 in which the alternatives-to-abortion program includes "medical services" within the definition of "support services."

When the state financially supports an entity, it implicitly endorses the authenticity of that entity.

Whereas the entities offering these counseling services may offer moral and spiritual support and can serve as a connection to community support networks, they may lack the professional healthcare training; best practices policies; and ability to record, analyze, and report data that demonstrates the program is operated effectively and without harm to those it serves.

HB1509 would create minimum standards to ensure those served by North Dakota's pregnancy counseling entities are receiving adequate, informed care. From a public health standpoint, any entity stating they provide medical or health-related services should be required to meet specific standards of care, including transparency in the types of services and procedures they provide, and a system that protects a patient's records and privacy.

Enforcing minimum standards can reduce the risk that an individual could receive misinterpreted or misrepresented medical advice given by an unqualified practitioner.

North Dakotans expect regulatory oversight from our government, especially for government-funded programs. HB1509 would help ensure that women seeking informed care from pregnancy counseling services are assisted by qualified professionals. We ask that HB1509 receives a "Do Pass" recommendation from this committee.

Thank you.

Kayla Schmidt
director@ndwomen.org