

Introduced by

1 A BILL for an Act to create and enact a new section to chapter to 14-10 of the North Dakota
2 Century Code, relating to consent to prenatal care for a pregnant minor.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 14-10 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Consent for prenatal care.**

7 1. As used in this section:

8 a. "Clergy" means a minister, priest, rabbi, or other similar functionary of a
9 religious organization.

10 b. "Prenatal care" means medical, mental, and other health care services to
11 determine the presence of or to treat pregnancy and conditions associated
12 with pregnancy, but does not include an abortion.

13 c. "Relative" means any individual having the following relationship to the minor
14 by marriage, blood, or adoption: brother, sister, stepbrother, stepsister, uncle,
15 aunt, or grandparent.

16 2. If a pregnant minor requests confidential services for prenatal care and the minor
17 does not involve her parents or guardian, those services may be provided with the
18 consent of an adult relative of the minor or the minor's consulting clergy. The adult
19 relative is not responsible for the cost of the services provided to the minor.

20 3. If the physician or other health care professional has knowledge of or reasonable
21 cause to suspect that the minor is abused or neglected by her parents or guardian,
22 the minor may consent to receive prenatal care, and the consent of no other
23 person is required.

- 1 4. A physician or other health care professional who pursuant to subsection 2
2 provides prenatal care services to a minor may inform the parent or guardian of the
3 minor of any health care services given or needed if the physician or other health
4 care professional discusses with the minor the reasons for informing the parent or
5 guardian prior to the disclosure, and in the judgement of the physician or other
6 health care professional:
- 7 a. Failure to inform the parent or guardian would seriously jeopardize the health
8 of the minor;
- 9 b. Major surgery or prolonged hospitalization is needed; or
10 c. Informing the parent or guardian would benefit the minor's physical and
11 mental health.
- 12 5. Nothing in this section is intended to supercede the requirements of chapter
13 14-02.1.