

House Education Committee
Representative Pat D. Heinert, Chair
March 12, 2025
SB 2244

Good morning, Chair Heinert and members of the House Education Committee. I am Dr. Danielle Thurtle, a board certified pediatrician and pediatric hospitalist with Sanford Health Bismarck. I serve as Sanford Bismarck's chief of pediatric medicine and medical director of pediatric units.

We ask that you give this bill a **Do Not Pass** recommendation.

Parental rights are assumed and implied in North Dakota Century Code. This is exemplified in the fact that exceptions to this – for example when medical providers are allowed to perform drug testing on newborns – are clearly outlined in century code as special exceptions. This bill is duplicative and unnecessary from a regulatory perspective, adding undue burden to medical providers and educators, among others who work with children in the state.

While I appreciate the amendment put forth by Sen. Paulson, there are still inconsistencies with current century code as it stands. Specifically in section 5e, which would require parental consent prior to a physical or mental health care decision of the child. There are times medical providers are allowed to examine/perform tests without parental consent as outlined in century code, even outside of those allowed with the amendment. The reason these instances are specifically granted to be performed without parental consent is because parental consent is assumed to be required in other instances.

It is the stance of the American Academy of Pediatrics and central to training in pediatric medicine that children benefit from family-centered care. We value the participation of parents in children's health and incorporate their preferences, principles, and beliefs into the care of their child. But there are also times it is proven that adolescents would not receive necessary care if they were required to disclose care or involve their parents. It is for the safety of children and teens that these carve outs have been designated already in century code as noted above. I have also been involved in cases when parents cannot be contacted – whether because the parent is traveling or

working and unavailable, or the parent themselves is suffering from addiction or other condition that makes them unable to act in the best interest of their child.

Additionally, as a physician who has cared for many children who have been abused, both physically and sexually, by their parents or other trusted caregivers, this makes disclosure of the abuse to the school or medical provider substantially more difficult for the child or anyone else. Children have a fundamental human right to live protected and free from abuse and I do worry this bill impinges on that human right of the child. I have filed reports of suspected abuse more times than I can count as a pediatrician, and there have been many times I do not notify the parents for many different reasons. A common example would be suspecting a parent's significant other of abuse. Although we would like to assume this is not the case, parents do not always have their children's best interest at heart.

In summary I cannot see what value this adds to the lives of families in North Dakota.

Thank you for your consideration.

I would be happy to answer any questions.

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