

2025 HOUSE HUMAN SERVICES

HB 1373

2025 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee

Pioneer Room, State Capitol

HB 1373

2/5/2025

Relating to the definition of human being and person as the terms relate to the offenses of murder and assault, and civil actions for death caused by wrongful acts.

8:50 a.m. Chairman M. Ruby opened the hearing.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Dobervich, Fegley, Hendrix, Kiefert, Rios, Rohr

Members Absent: Representative Holle

Discussion Topics:

- Concerns of morality
- Rights for the unborn
- Plausibility of enforcement
- Consistency
- Necessity of criminalization
- Legal flaws

8:55 a.m. Representative VanWinkle, District 3, introduced the bill and submitted testimony, #35286.

9:06 a.m. Ginna Cross, Executive Director of the Alliance Family Services, testified in favor and submitted testimony, #35049.

9:19 a.m. Jody Clemens, Founder of Forgiven & Set Free North Dakota, testified in favor and submitted testimony, #34786.

9:33 a.m. Bradley Pierce, President of the Foundation to Abolish Abortion, testified in favor.

10:00 a.m. Lori Hinz, Private Citizen, testified in favor and submitted testimony #35236.

10:01 a.m. Bryan Conwell, Gospel Ministry/Abolition lobbying of the Fortis Aequitas Christi, testified in favor and submitted testimony, #33363.

10:01 a.m. Amber Vibeto, Executive Director of North Dakota CAN, testified in favor and submitted testimony, #33366.

10:02 a.m. Ben Easling, District 4 Republican Party Chairman, testified in favor and submitted testimony, #34511.

10:02 a.m. Kollette Kramer, Private Citizen testified in favor.

10:02 a.m. Jasahd Stewart testified in favor and submitted testimony, #35028.

10:03 a.m. John Rice-Cameron, Private Citizen, testified in favor and submitted testimony, #33366.

10:04 a.m. Lanny Kenner testified in favor and submitted testimony, #35147.

10:04 a.m. Chris VanWinkle, Private Citizen testified in favor.

10:05 a.m. Representative Hanson, District 44, testified in opposition and submitted testimony, #34947.

10:25 Christopher Dodson, General Counsel/Co-Director of the North Dakota Catholic Conference, testified in opposition and submitted testimony, #35194.

10:42 a.m. Christina Broadwell, Reproductive Endocrinologist, testified in opposition and submitted testimony, #34755.

10:54 a.m. Alli Harrison, Nurse Practitioner, testified in opposition and submitted testimony, #35126.

11:02 a.m. Mark Jorritsma, Executive Director of the North Dakota Family Alliance Legislative Action, testified in favor and submitted testimony, #35226.

11:08 a.m. Steffen Christensen, Reproductive Endocrinologist, testified in opposition and submitted testimony, #35174.

11:08 a.m. Melissa Hauer, General Counsel for the North Dakota Hospital Association, testified in opposition and submitted testimony, #34845.

11:09 a.m. Ruth Jorritsma, Private Citizen, testified in opposition.

11:09 a.m. Ellen Johnson, Licensed Genetic Counselor, testified in opposition and submitted testimony, #35114.

11:10 a.m. Dina Butcher, Private Citizen, testified in opposition.

11:10 a.m. Emily Lindquist, Private Citizen, testified in opposition and submitted testimony, #34358.

11:10 a.m. Braden Lindquist, Private Citizen, testified in opposition and submitted testimony, #33450.

11:11 a.m. Alexa Swanston, Private Citizen, testified in opposition and submitted testimony, #35116.

11:11 a.m. Ana Tobiasz, High-Risk Pregnancy Specialist, testified in opposition, and submitted testimony, #35103.

11:11 a.m. Donna Thrensen, North Dakota Medical Association, testified in opposition.

11:11 a.m. Lisa Hermacios, testified in opposition.

11:12 a.m. Jordan Duraney, Emergency Physician, testified in opposition.

Additional written testimony:

33052	33477	34056
33080	33497	34066
33222	33522	34069
33234	33524	34070
33241	33542	34082
33253	33543	34089
33268	33544	34093
33308	33583	34118
33343	33587	34120
33344	33596	34129
33349	33622	34130
33350	33710	34139
33356	33758	34173
33357	33780	34178
33363	33806	34191
33366	33827	34198
33377	33856	34214
33381	33871	34217
33383	33875	34219
33384	33878	34225
33388	33886	34227
33392	33907	34228
33393	33919	34258
33398	33933	34259
33399	33940	34281
33400	33941	34282
33401	33942	34298
33407	33944	34300
33411	33946	34302
33414	33955	34314
33418	33960	34326
33424	33963	34358
33427	33970	34371
33435	33980	34412
33436	33991	34422
33438	33995	34443
33447	33999	34450
33450	34041	34451

34454	34730	34948
34458	34737	34952
34460	34745	34953
34470	34746	34957
34475	34755	34958
34478	34756	34959
34484	34757	34961
34488	34760	34962
34496	34764	34966
34497	34769	34969
34505	34773	34970
34509	34779	34972
34511	34781	34973
34512	34786	34975
34514	34789	34976
34517	34794	34979
34519	34795	34981
34524	34796	34982
34540	34807	34984
34544	34811	34986
34560	34813	34989
34562	34836	34990
34564	34839	34992
34567	34845	34997
34580	34870	35000
34586	34877	35006
34590	34879	35007
34610	34880	35009
34613	34885	35010
34614	34887	35013
34615	34892	35019
34619	34896	35020
34622	34900	35026
34640	34904	35027
34655	34911	35028
34656	34912	35029
34663	34921	35033
34666	34926	35042
34671	34928	35045
34676	34930	35048
34683	34931	35049
34685	34932	35051
34690	34937	35057
34692	34940	35058
34699	34941	35061
34701	34942	35062
34717	34946	35064
34718	34947	35066

35068	35135	35255
35069	35138	35257
35072	35139	35259
35074	35142	35260
35075	35146	35263
35079	35147	35286
35083	35148	35192
35089	35157	35193
35090	35229	35194
35091	35230	35195
35092	35232	35204
35101	35235	35207
35103	35236	35208
35104	35237	35210
35106	35240	35211
35110	35241	35221
35114	35243	35159
35116	35244	35160
35119	35245	35174
35120	35246	35184
35123	35247	35187
35126	35248	35223
35129	35249	35226
35130	35250	
35131	35254	

11:12 a.m. Chairman M. Ruby closed the hearing.

Jackson Toman, Committee Clerk

Human Services Committee
HB 1373
February 5, 2025

Chair Ruby and members of the Committee,

My name is Kaitlin Schmitz, and I was born and raised in western Minnesota near the North Dakota border. I completed my bachelor's and master's degrees at North Dakota State University, left the state for a few years to complete a PhD, and have now returned to establish my career here. I've always been proud to call this state my home. I'm writing to express my opposition to House Bill 1373.

My husband and I are currently struggling with infertility. We've experienced the heartbreak of multiple miscarriages and are currently pursuing fertility treatments. IVF may be a part of our journey in the future, but this legislation threatens to take away that option. Personhood laws could restrict access to IVF by imposing legal complications, making it harder for families like mine to grow.

This legislation could also complicate miscarriage management. The pain of losing a pregnancy is devastating enough without adding the fear that essential medical care might be delayed or denied because of restrictive laws. Patients and doctors should be free to make decisions based on health and compassion, not legal uncertainties.

Legislation like this makes me question whether North Dakota is the right place for us to stay and build our future. I want to live in a state that values families and supports access to the compassionate care we need, not one that creates additional barriers during already difficult times.

Vote "Do Not Pass" on HB 1373. Please don't make it harder for people like me to stay and thrive here.

Thank you for considering my perspective.

Sincerely,

Kaitlin Schmitz
District 21
Schmitz.kait@gmail.com

January 30, 2025

Chairwoman Larson and members of Judiciary,

I am writing on behalf of myself as an individual citizen of North Dakota asking that you oppose HB 1373.

Though I feel strongly about a woman's right to do what she believes is best for herself and her family, I am not asking you to oppose HB 1373 based on this right. I am asking you to oppose this bill because North Dakota is facing an extreme shortage of medical providers.

I have been very fortunate to get to know many medical students, medical residents, and professionals in the healthcare field over the last several years. Most of these young professionals are not from North Dakota and many are in the field of women's health. And sadly, most of them will not stay in North Dakota because of bills like HB 1373.

Medical professionals do not want to work in a state where they could face criminal charges for doing their jobs. This is not a guess or based on my opinion – I have been told this by young professionals who, quite frankly, would never consider staying in North Dakota with such lack of support from governing officials to do their job as they were trained to.

No matter how many exceptions are included in this bill, there is always room for interpretation when faced with criminal charges. Each of you has occupations outside of your elected positions and I ask you this: Would you want politicians questioning your job performance and possibly pressing charges against you if they thought you made a mistake? I know I wouldn't.

All states are facing this shortage of healthcare workers, but North Dakota already faces challenges getting healthcare workers here and also faces a maternity desert so why would you add another challenge by passing HB 1373? Please don't do your citizens the disservice of making healthcare even more difficult to obtain.

Respectfully submitted,

Janet Anderson

Burlington, ND

House Human Services Committee
Chairman Matt Ruby
Jan. 24, 2025
HB 1373

Chairman Ruby and members of the House Human Services Committee,

My name is Brooke Maatz, and I am a board-certified nurse practitioner who has lived in Grand Forks for three years. Prior to that, I spent twelve years in Fargo. Thank you for the opportunity to testify in opposition to HB 1373.

I am here today not only as a healthcare professional but, more importantly, as a mother. My husband and I married in 2021 with the hope of starting a family right away. Unfortunately, we faced heartbreaking struggles with infertility. After our first two pregnancies ended in loss, we were diagnosed with recurrent pregnancy loss and unexplained infertility. Our journey led us to the Sanford Reproductive Clinic in Fargo, where we pursued multiple fertility treatments, including intrauterine insemination (IUI), in vitro fertilization (IVF), and embryo transfers. After numerous setbacks—including a pregnancy loss with a genetically normal embryo—we were finally able to welcome a healthy, beautiful son through IVF.

Without the care and support from Sanford's reproductive clinic, we would not have our son today. We are incredibly fortunate to have had access to such vital services right here in North Dakota.

I am asking the committee to vote **no** on HB 1373. The bill could have devastating unintended consequences for families like ours who rely on IVF to build their families. Specifically, if this bill passes, it could create legal liabilities for fertility clinics and healthcare providers if an embryo does not develop or if an embryo transfer does not result in a live birth. This would likely end access to IVF care in our state but also place unnecessary risks on both patients and healthcare providers.

One in six couples struggles with fertility, and for many, IVF is the only option for achieving a family. This bill would limit access to the very services that allow people to build their families, while also introducing severe risks to healthcare providers' ability to practice their professions.

In conclusion, I strongly **oppose** HB 1373. It would harm North Dakota families, jeopardize healthcare providers' livelihoods, and place unnecessary restrictions on the life-changing care that IVF provides.

Thank you for your time and consideration. I appreciate your service, and I am happy to answer any questions you may have.

Sincerely,

Brooke Maatz, DNP, NP-C

**Do Pass Testimony
of Doug Sharbono, citizen of North Dakota
on HB1373
in the Sixty-ninth Legislative Assembly of North Dakota**

Dear Chairman Ruby and members of the House Human Services Committee,

I am writing as a citizen and believe HB1373 is desirable legislation. This legislation clarifies and codifies what rational citizens already know in their heart, that an unborn child is human. No other characterization could be taken as superior to this basic definition. Currently lacking in Century Code is an unborn child definition that makes it plainly simple for those who struggle to understand these concepts. This bill gracefully provides this understanding, so that there is no confusion.

Please give HB1373 a Do Pass.

Thank you,

Doug Sharbono
1708 9th St S
Fargo, ND 58103

Representative Van Winkle and Sponsors of HB 1373,

My name is Ashley Rost and I am a doctoral social work student, licensed clinical social worker, and mother of two beautiful boys conceived via IVF. I am also a concerned citizen in the State of North Dakota. I am writing to let you know I OPPOSE your introduction of HB 1373 regarding “an Act to create and enact a new section to chapter 12.1-16, a new section to chapter 12.1-17, and two new sections to chapter 32-21 of the North Dakota Century Code, relating to the definition of human being and person as the terms relate to the offenses of murder and assault, and civil actions for death caused by wrongful acts.

This bill would make the process of IVF impossible for medical experts to perform. I have reviewed each of your biographies. Included on this bill we have a realtor, clergy, farm wife, etc. but I do not see biologists or even physicians who do this important work daily. Can you clarify, are you and your sponsors are proposing this bill due to your religious or personal beliefs? I do not see anything scientific included in your backgrounds that would indicate any of you have education or training on embryology.

A fertilized egg is NOT a human being. It is normal for eggs to fertilize but not result in pregnancy. It is also normal for fertilized eggs to not always grow into an embryo. With the wording of this bill, medical practices are only protected under “diagnostic procedures” which does not include IVF. As a social worker, I also do not have training in this field; however, I spent many years of my life working with specialized physicians who assisted my partner and I in having children via IVF. Without their support, we would have not had our two beautiful boys.

I see some of you and your sponsors are also introducing HB 1430 which attempts to depict conversion therapy as an ethical to offer by therapists. I do have expertise in that area and when the ND Board of Social Work Examiners updated their administrative rules in 2021, they included language that explicitly stated that practicing conversion therapy would be an ethical violation. Conversion therapy has many negative effects, and is known to increase suicide attempts and completions to individuals who have been subjected to it. It appears if these fertilized eggs you wish to protect develop into a member of the LBGTQIA population, you will NOT protect them but harm them by encouraging conversion therapy. This bill ignores the multiple mental health and medical associations who renounce conversion therapy as dangerous and ineffective.

I am asking you to reconsider these bills as a concerned citizen of North Dakota who has experience and knowledge using IVF AND knowledge that conversion therapy will increase the amount of suicide seen in the very fertilized eggs you wish to protect should they identify differently than you determine acceptable.

Sincerely,

Ashley Rost

Licensed Clinical Social Worker

Mother of two beautiful boys born via IVF

Prepared Testimony of Shauna Erickson-Abou Zahr, M.S., LMFT

Testimony in Opposition to HB 1373

Chairman Ruby and Members of the Committee:

I share my testimony in opposition to HB 1373 as a person who has spent her life in our state, built my career serving the mental health of others in our state, and whom now needs you to protect one of the most sacred medical treatments of my life; which is saying something after nearly dying of breast cancer. I wanted to be a mom for decades and raise my children in Fargo where I had grew up and built a career. In 2019 I met my now husband, Dr. Abdallah Abou Zahr, an oncologist/hematologist who ended up literally saving my life. Weeks before we were set to marry in 2021, he found a mass in my breast. Unfortunately, days later our fears were confirmed, breast cancer at age 32. My dreams immediately halted, particularly my dream of motherhood.

My oncologist wanted to treat the cancer aggressively due to my age, which meant chemotherapy, surgery, and radiation, however she green lighted ONE round of IVF to try to get embryos banked prior to starting the chemotherapy that is known to cause infertility. The embryos we secured were saved for after treatment, but the hope of what they could one day be (my children) was truly what got me through losing my hair, intensive treatments, and despair over cancer derailing my life. Imagining the possibilities of the embryos in my arms one day gave me reason to live, fight, and have hope through the uncertainty, hence why I named her "Nadia" (meaning hope) back when she was just a cluster of cells. Certainly, I knew she was a cluster of cells at that point, and not a baby, but the dreams of what she could be brought me so much peace. Fast forward to 2024, and Nadia debuted on the happiest day of my life in January, and has been nothing short of a miracle brought to us by modern medicine via IVF and embryo banking by the only fertility clinic we have in ND.

My message is that families end up having to utilize IVF because of unforeseen personal, diverse, and devastating complications in their lives. Infertility is a disease, just like the horrific cancer I had to face. No one signs up for having to build a family in this intensive, expensive route, but having access to IVF gives North Dakotans the greatest gift of all- the privilege to become parents, and that has to be protected. This bill is written in a way that we have seen jeopardize access to IVF across our country. We cannot criminalize our doctors or neighbors that are trying to follow their North Dakotan values to build families and raise them in our communities. Had I not had access to local, high caliber fertility treatments, I wouldn't have been able to secure embryos before my life saving chemotherapy. IVF isn't some elective procedure, it is a necessary intervention to couples becoming families in our state. As a life long resident of our region, I know what North Dakotans invest in their community, and we need to protect their access to building families, however they and their doctor determine is necessary. And let me tell you with more pride than I have ever had over anything, If there is one thing this world needs, it is more medical miracles like my sweet "Hope" baby, Nadia. If we want more families to be able to live out North Dakotan values, then we need to protect the avenues couples need to take to become families, which means voting this bill out.

Please consider the horrific ramifications of a poorly written, extreme bill such as HB 1373.

Sincerely,



Shauna M. Erickson-Abou Zahr

1/31/25

Statement of Opposition to House Bill 1373**1/31/2025**

Dear Members of the House Human Services Committee,

I am writing to express my strong opposition to House Bill 1373, which seeks to redefine "human being" and "person" to include "unborn child" from the moment of fertilization. While the bill claims to provide exceptions for certain medical practices and unintentional losses, its sweeping changes would create profound legal, medical, and societal challenges for individuals, families, healthcare providers, and the justice system in North Dakota.

It is worth noting that North Dakotans have already spoken on this issue. In 2014, voters rejected a similar personhood measure, Measure 1, by a decisive margin of 64% against. This overwhelming rejection reflects the will of the people to avoid enacting laws that create legal uncertainties, infringe on personal rights, and interfere with healthcare.

Expanded Criminal Liability

Redefining "human being" to include fertilized embryos under murder and assault statutes significantly broadens the scope of these laws. It risks exposing pregnant individuals to criminal liability for behaviors or actions that *might unintentionally* harm an embryo, such as medical treatments, accidents, or even lifestyle choices.

Healthcare providers could face charges of murder, manslaughter, or assault for medical procedures involving embryos, including fertility treatments like in vitro fertilization (IVF) or life-saving interventions during pregnancy. Pregnant individuals could face legal scrutiny or prosecution for pregnancy outcomes beyond their control, such as miscarriages or complications.

Negative Impact on Medical Practice

Doctors may hesitate to provide essential care, including treatments for ectopic pregnancies, miscarriages, or other life-threatening conditions, fearing criminal charges or wrongful death lawsuits. Fertility clinics may limit services like embryo freezing or disposal due to liability risks, significantly reducing access to reproductive healthcare in North Dakota.

Healthcare providers could face civil and criminal liability for necessary medical procedures if these are perceived to harm an embryo, even when they are life-saving for the mother or when the embryos are not viable. The threat of prosecution or lawsuits could drive healthcare providers out of North Dakota, reducing access to quality care for all residents.

House Bill 1373 introduces significant legal, medical, and ethical challenges that would harm individuals, families, and healthcare providers in North Dakota. It disregards the will of the people, as clearly expressed in the rejection of Measure 1, and undermines reproductive autonomy and access to quality healthcare.

I urge the Committee to respect the voices of North Dakotans and oppose this bill.

Sincerely,

Kara L. Geiger
Mandan, ND

January 31, 2025

Jessica O'Day - resident of District 22
944 39 1/2 Ave W
West Fargo, ND 58078

Opposed - HB1373

This written testimony is presented in opposition to HB 1373.

My name is Jessica O'Day. I am a lifelong resident of the state of North Dakota, and the mother of two children, a son who is seven and a daughter who is four. I am writing this letter in opposition to House Bill 1373.

This bill would effectively replace the rights of a pregnant person with the rights of the embryo, **limiting essential health care for pregnant people** and making their care subordinate to that of the embryo. According to the American College of Obstetrics and Gynecology, it would also have a direct impact on embryonic stem cell research, infertility treatments such as IVF, and treatments for cancer and other conditions.

Personhood laws directly violate the Hippocratic oath, "first do no harm." Regardless of the circumstances in which a child is conceived, the pregnant individual's life, health, and wellbeing need to be the priority. Anything less than that is a violation of the hippocratic oath, as the potential for harm to the pregnant individual should be avoided at all costs.

In accordance with the Ohio State Law Journal, **personhood proposals carry serious threats to women's constitutional rights** to access contraceptives, as well as deny women safe and effective methods to protect their own health.

As a mother, I have had the fortune to have carried two pregnancies to term, and delivered two healthy babies via cesarean section. Women's health is not to be left to having "good fortune," as I was able to have. All women deserve protection and healthcare throughout their pregnancy experiences, and best practices need to be determined by medical professionals, who then consult with their patients to determine the best plan of care for a mother, her children, and her family.

Please oppose HB 1373.

Jessica O'Day
944 39 1/2 Ave W
West Fargo, ND 58078

January 31st, 2025

Hello,

My name is Jessi Erdmann. I am a resident of Minot where I was proudly born and raised. I am writing in opposition to HB 1373, hoping you will do the same.

Like many other couples, my husband and I have gone through the extreme ups and downs of infertility treatments over the last 5 years. When planning for a family, I never would have imagined needing to rely on IVF to have children. However, I promise you we pursued many other options before we got to that point, and we didn't make the decision lightly for many reasons.

Do I wish we could have children naturally without medical intervention, the money and time required, and the emotional toll, of course. Of course, I wish we didn't have to go through IVF, but it was the tipping point of having more children of our own or not at all.

The journey to becoming a family is drastically different for every couple and there is no one-size-fits-all solution. Passing this vague bill, which leaves too much to interpretation for IVF clinics and staff members, can make an already nearly unbearable process even more difficult for couples. Again, no one has IVF at the top of their list for growing their family, but some have no other choice to have children of their own.

Thank you for considering my testimony and listening to my experience.

Sincerely,
Jessi Erdmann
Minot, ND

1/31/25

Honorable Human Services Committee,

Good morning! My name is Alida Arnegard. Thank you for listening to my testimony. I am a mother and grandmother. I appeal to you today to vote in favor of HB 1373!

We have gotten things wrong here in ND & we need to get things right!

This bill was crafted to protect and defend our unborn, innocent citizens.

We are quick to protect the life in a sacred eagles egg. All the more so should we protect and guard human life.

ND made allowances for the murder of the unborn in the past. We cannot do that anymore! Its got to stop! Murder of all humans is wrong. The unborn are humans and the murder of them is a crime.

For he who avenges murder cares for the helpless. He does not ignore the cries of those who suffer. Psalm 9:12

Please protect the voiceless by voting yes to HB 1373. Thank you for your consideration.

Sincerely,

Alida Arnegard
McKenzie County

Re: HB 1373

Dear Chair Ruby and Members of the Human Services Committee:

Hi, my name is Erin Lee. I live in Fargo and work as a nurse practitioner at Sanford Health in the OB/GYN clinic. I will soon also be working at Sanford Reproductive Medicine (I did in the past from 2008-2015 and will be doing so 1 day/week again starting February 3). I'd like to convey **OPPOSITION** for HB 1373—a bill to define life at fertilization.

I have major concerns with this bill. One is that the ONLY clinic performing IVF (in vitro fertilization) in ND won't be able to operate anymore. This is due to the liability that would come if something happened to even a day 1 embryo (the fact is a large percentage of embryos DON'T survive beyond this stage and only a small percentage grow to Day 5 which is when they are transferred or frozen for later implantation into the uterus). If something happened to an embryo, the lab staff, nurses, providers, and/or health care organization could be potentially charged with murder based on each different judge's interpretation of the bill. Is that example far reaching? Possibly, but no one is going to want to take that chance, as there could be a judge who interprets the law that way. SO many couples experience infertility (approximately 15%) and some need to utilize IVF in order to conceive. Do you really want to limit and make these couples who already have to drive a long distance (for example a Williston patient driving to Fargo) have to go even further? They are already under so much stress and financial strain.

It would also potentially affect early pregnancy management. I work in OB and see many patients in the first trimester of pregnancy. There are situations where a woman has a live (with a heartbeat) embryo in her fallopian tube. That embryo has zero chance of surviving, but if not removed, will likely cause the fallopian tube to rupture which then the mother could bleed to death if not treated quickly. Providers may be reluctant to treat the mother (since the embryo under this law is a "person" and could be charged with murder), even though the only option is to remove that to save her life. Again, is this far reaching? Maybe, but as a health care provider with my license and my family's livelihood on the line if I go to jail, I am not going to want to take that chance.

North Dakota already has an abortion bill in, so what is the purpose of this bill anyway? It is just so extreme and affects so many women/families. I currently have two daughters, in 9th and 11th grade. If laws like this pass, once my youngest graduates in 3 years, I will definitely be moving out of this state so I can practice elsewhere. I've lived in ND in 44 of my 45+ years. I have been an NP for almost 17 years. I don't want to move, but I sure don't want to practice in states with laws such as this. Conversations about fertility and early pregnancy need to stay between a woman and her health care provider, NOT with the government. This will affect retention of health care providers and also hamper recruitment of new ones to move here (or move back if they did their training elsewhere). There are many articles on this if you are interested. My daughters and other young women are watching and want to have autonomy in choices about contraception and their bodies. Please, do not pass bills that are going to make our young people want to leave our state, too!

Please consider **OPPOSING** HB 1373. I would also be happy to answer questions you have regarding IVF and also early pregnancy care, as I do provide both. You can email me at erinlee79@outlook.com or erin.lee@sanfordhealth.org.

Thank you for your time!

Respectfully,

Erin Lee, FNP-C/Sanford Health Broadway OB/GYN Clinic & Reproductive Medicine

ND Resident: 6207 17th St N, Fargo, ND 58102

Re: HB 1373

Dear Chair Ruby and Members of the Human Services Committee:

Hi, my name is Jon Lee. I've been a Fargo resident for 30+ years. My wife is a nurse practitioner at Sanford and works in both OB/GYN and the fertility clinic. I write in **OPPOSITION** for HB 1373—a bill to define life at fertilization.

I don't have health care training, but through discussions with my wife I realize how this bill would create a lot of liability concerns for the IVF clinic and prevent couples that need it from utilizing IVF to build their families. She has also talked about her limitations in treating early pregnancy conditions such as ectopic pregnancies or miscarriages.

We have 2 **teenage** daughters. I hope that in the future if they want to build a family that they won't need to utilize IVF, but if they do, I want them to have access to that option. They are getting to the age where they are watching the news and realizing what some of these far-reaching bills are doing, and I'm afraid it is going to make them want to live out of state. My wife has also talked about wanting to move after our youngest graduates, if it affects her ability to provide appropriate care to women.

Please vote **IN OPPOSITION TO** HB 1373.

Respectfully,

Jon Lee

6207 17th St N

Fargo, ND 58102

No, HB 1373 Does Not Ban IVF.

On January 14, Representative Lori VanWinkle filed HB 1373 to protect every unborn child in North Dakota. Since we know that human life begins at conception, we know that every human life is deserving of equal protection under the law. The bill is as simple as this. Immediately following the filing of this common-sense pro-life bill, the abortion industry went into full attack mode to stop this bill from passing. Planned Parenthood North Dakota Advocate published a statement against HB 1373, calling it a "a harmful bill redefining human being and personhood to apply at the moment of conception" that would "undermine the rights of pregnant people." "Pregnant people," you heard that right.

In the wake of Planned Parenthood's opposition to the bill, a slew of lies have been circulating about the bill, claiming that it would "ban IVF" in North Dakota. The claim that a bill designed to protect unborn babies from abortion would ban IVF is a flat out lie frequently deployed by the abortion industry to advocate against pro-life legislation.

Here are the facts: this bill criminalizes homicide and assault against an unborn child. The core of the IVF process involves the creation of fertilized human embryos, the storage of these embryos through cryogenic freezing, and the implantation of these embryos in the mother's womb. Since none of these actions constitute homicide or assault, IVF would remain legal in North Dakota following HB 1373 becoming law. The bill would simply ensure that the IVF industry is treating the tiny human beings it creates with a proper standard of care.

Don't fall for the abortion industry's lies. Planned Parenthood and their allies are lying about how HB 1373 would impact IVF in order to keep elective abortion legal completely legal in North Dakota. These opponents of HB 1373 are perpetuating fear among couples who are going through the process of IVF, but their concern does not lie with them.. They are leftists who want zero limits on abortion up until the moment of birth: that is their true agenda.

The choice is clear: stand for LIFE by supporting HB 1373 or stand with Planned Parenthood and their pro-abortion agenda.

Taya Sakala
Watford City, ND
District 26
208-881-1040

No, HB 1373 Does Not Ban IVF.

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Emmanuel Sakala
Watford City, ND
District 26
208-360-8068

Honorable Members,

My name is Bryan Conwell, I rise today in support of HB 1373. I rise as a Christian, a man who has made many mistakes and done many terrible and sinful things in my life, and has found that the love of God is found in Jesus Christ through the grace that was purchased for us on the cross, and that by repentance and faith we can be made right, reconciled, and shown mercy by our Creator. I rise as a father of a thoughtful and kind young man, whose name is Logan. I rise as a Marine, who at one time was willing to die for what we said was everyone's right to live. To live in peace, safety, and prosperity. Serving a nation whose people claim to believe that governments are instituted among men, and that chief among their duties is to secure life, liberty and the pursuit of happiness for all its citizens. That government which does not secure these things for all its citizens is a government that has failed in their duty and itself should be abolished and remade. I rise in accordance with the words of my Lord Jesus Christ the KING of kings and the LORD of Lords as an ambassador of one kingdom to another: "love the Lord your God with all your heart, soul, mind and strength and love your neighbor as yourself." I rise in accordance with the 14th amendment of the US constitution which you, our leaders swore to uphold, and that sent men like me to die for in the sands of far-off lands. Which says in part "No State shall deprive any PERSON of LIFE, LIBERTY OR PROPERTY, WITHOUT DUE PROCESS OF LAW AND THAT NO STATE SHALL DENY ANY PERSON UNDER THEIR IN CHRISTO NOMINE DOMINI VICTOR

JURISDICTION EQUAL PROTECTION UNDER THE LAW."

Honorable Members, are we really ready, to say, here and now that the child in the womb, that the precious image bearer that is your neighbor and my neighbor, that is being knit together in their mother's womb is not a person and therefore not human and unworthy of the same protections we demand for our own lives? Is the child frozen in a vat also unworthy? Will we once again repeat the mistakes and sins of our fathers and fail to protect a class of citizens that is being oppressed by those who have more power, claiming they aren't human therefore we can do what we wish? Will we stop merely at words on the campaign trail in order to compromise for political expediency? I too desire a golden age of America, but I know that God, who's Son raises kingdoms and knocks them over will not redeem a land that sheds the blood of its innocent neighbor. I ask you now, what did my blood and sacrifice truly purchase in those lands that I was sent to if this is what we are willing to do to preserve this holocaust? What did the blood of my slain brothers still buried in those lands purchase for my people great and small if not the right to live and have that life protected from murder? Tell me, now. What kind of people are we? How can you say that you believe in the shed blood of Jesus Christ who died so that those who repent and believe in His name may live, then turn and deny life to those whom you have the power to save?

Christ also warned about ignoring the weightier matters of the law, one being mercy. The state has been given the authority from God according to His word to bear the sword of justice,

and to avenge the blood of the innocent. To do so without partiality, equally, to all, the only way to have mercy is on someone who is guilty. I was shown mercy by the justice system of this land. It was up to the State to weigh the matters surrounding the crime and justly decide the measure of mercy if any that satisfies justice and the weightier matters of the law. No one seeks to criminalize a certain class of people, we simply ask that you recognize that our laws that protect you and I from murder also apply to those in the womb and frozen in vats, who are people, who are image bearers, whom you are charged with their care to protect their lives from those that would spill their blood.

I plead with you here today, to do what you know to be right, what you would demand for yourselves, and that God commands you do as a Magistrates of the Great State of North Dakota. Honorable Members, my brothers and sisters all gathered here today, I love you all and I bid thee farewell.

Sincerely,

Bryan Conwell

A Response to False Claims about HB 1373:

From: Amber Vibeto

On January 14, Representative Lori VanWinkle filed HB 1373 to protect every unborn child in North Dakota. Since we know that human life begins at conception, we know that every human life is deserving of equal protection under the law. The bill is as simple as this.

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In the wake of Planned Parenthood’s opposition to the bill, a slew of lies have been circulating about the bill, claiming that it would “ban IVF” in North Dakota. The claim that a bill designed to protect unborn babies from abortion would ban IVF is a flat out lie frequently deployed by the abortion industry to advocate against pro-life legislation.

Here are the facts: this bill criminalizes homicide and assault against an unborn child. The core of the IVF process involves the creation of fertilized human embryos, the storage of these embryos through cryogenic freezing, and the implantation of these embryos in the mother’s womb. Since **none** of these actions constitute homicide or assault, IVF would remain legal in North Dakota following HB 1373 becoming law. The bill would simply ensure that the IVF industry is treating the tiny human beings it creates with a proper standard of care.

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The choice is clear: stand for LIFE by supporting HB 1373 or stand with Planned Parenthood and their pro-abortion agenda.

Amber Vibeto

Director, North Dakota Can

Lori VanWinkle

Representative, District 3

Dear Members of the House,

I am writing to express my strong opposition to House Bill 1373, which seeks to impose restrictions on reproductive rights within the state of North Dakota. As a concerned citizen, I believe this bill undermines the fundamental rights of individuals to make personal decisions about their reproductive health and freedom.

At the heart of this legislation is the assumption that the state should have greater authority over personal, medical decisions that should remain between a patient and their healthcare provider. House Bill 1373 seeks to impose unnecessary and restrictive barriers to reproductive health services, which could disproportionately impact women, particularly those from marginalized communities, low-income families, and rural areas who may already face challenges accessing adequate healthcare.

By limiting access to abortion services and further restricting reproductive healthcare, this bill would harm North Dakota residents in profound ways. It would not stop people from seeking reproductive care; instead, it would force many to travel out of state, often at great personal and financial cost, or resort to unsafe methods. This will only increase the risk of physical harm, psychological distress, and socioeconomic inequality.

Additionally, the right to make decisions about one's own body is a fundamental aspect of personal freedom. Forcing individuals to carry pregnancies against their will, especially in cases of rape, incest, or severe health complications, is an unacceptable infringement on bodily autonomy. House Bill 1373 disregards the personal and medical circumstances that may require an individual to make decisions in their own best interests.

Furthermore, North Dakota is already facing significant challenges when it comes to healthcare accessibility, especially in rural areas. Rather than imposing additional burdens on reproductive healthcare, we should focus on increasing access to comprehensive family planning, contraception, and sex education to prevent unwanted pregnancies in the first place.

The restrictions proposed in House Bill 1373 are not only harmful to the physical and mental health of North Dakota residents, but they also undermine the state's commitment to personal freedom and choice. It is crucial that we protect the right of individuals to make decisions regarding their reproductive health in a way that is safe, accessible, and free from political interference.

I urge you to reconsider this bill and to prioritize policies that protect and expand access to reproductive healthcare for all North Dakotans. Our state should be a place where individuals are empowered to make their own healthcare decisions without fear of unnecessary governmental intrusion.

Thank you for your time and consideration.

Sincerely,

Kayla Darling
Minot, ND

Testimony in Support of HB 1373
Submitted by Stephanie Webber

Dear Chairperson and Members of the Committee,

I am writing in strong support of HB 1373 because I believe that every human life is created in the image of God and is sacred from the moment of fertilization. From the instant the sperm meets the egg, a unique, living human being with distinct DNA is formed. This is not a matter of opinion or belief—it is a scientific fact. Human life begins at fertilization, and from that point forward, it deserves full protection under the law.

Abortion is not just a political issue—it is the unjust taking of innocent life. As a Christian and someone who loves my fellow neighbor, I stand firmly on the conviction that no law should permit the intentional killing of preborn children. No one, including mothers, should be allowed to murder their unborn child. The bond between a mother and her child should be one of protection and care, not one where the law gives permission to take that innocent life. Just as no one has the right to end the life of a newborn or any other person, no mother—or anyone else—has the moral or legal right to end the life of a child in the womb.

This bill represents a necessary step toward recognizing the humanity of the unborn and upholding true justice. It is the government's duty to protect all lives, especially the most vulnerable among us who cannot speak for themselves. Abortion is not healthcare—it is the destruction of a human being, and our laws must reflect that truth.

We must stand for life, uphold justice, and ensure that our laws protect every human being from fertilization to natural death. Failure to do so will invite judgment from a holy and almighty God who sees and knows every life, every heart, and every act. I urge you to pass HB 1373 without exception or compromise, for to fail in this duty is to fail to honor God's command to protect the innocent.

Thank you for your time and consideration.

Respectfully,
Stephanie Webber
Amory, Mississippi

In Support of HB1373

-

All human beings in North Dakota should be entitled to legal protection against homicide and assault.

Yet, this right has been wrongfully withheld from the most vulnerable group of human beings: unborn children.

The slaughter of the unborn is antithetical to the Constitution. North Dakota must not stop fighting for the unborn until abortion is seen and treated as what it truly is: murder.

To protect unborn children, and their mothers, the unborn must also be returned their legal right to not be assaulted. Purposeful injury of an unborn child is exactly the same as purposeful injury of a human at any other stage of development and life: immoral and abhorrent.

Legislators, you are entrusted to uphold justice for all. To do so, you must act to protect society's most vulnerable.

I pray that this bill is passed and signed into law. Please protect the unborn as you would protect your family: with unrelenting care, compassion, and resolve.

Sincerely,

Mariah Holtz
Fargo, North Dakota

Golden State Abolitionists

In Support of North Dakota House Bill No. 1373

To: North Dakota House Human Services Committee

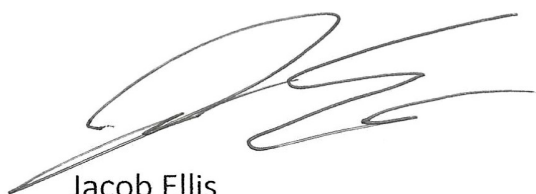
"If you really fulfill the royal law according to the Scripture, "You shall love your neighbor as yourself," you are doing well. But if you show partiality, you are committing sin and are convicted by the law as transgressors." -James 2:8-9

Our country was founded on the basic principle that all human beings were endowed by their Creator with basic rights, chief of these being life itself. It is the Civil Magistrates God-given obligation to protect this right for all human beings.

It is scientifically undeniable that human beings come into existence at conception, and thus personhood cannot logically be ascribed at any other gestational period without embracing inconsistent logic and gross partiality towards less-developed human beings. Likewise, to show partiality by allowing the mother of an unborn child to escape judgement for the willful termination of her child is an abomination.

With these truths, along with the Biblical command to seek justice for the fatherless and the oppressed, it is mandatory for all legislators in the United States to support equal protection and equal justice for all human beings, immediately and without compromise. HB 1373 provides a clean yet thorough solution to the current gaps in North Dakota law: any attempt or action to end the life of another human being should be treated as homicidal in nature and should be appropriately prosecuted.

Anything short of complete abolition is an abomination before God.



Jacob Ellis

Founder, Golden State Abolitionists.

[HTTPS://GOLDENSTATEABOLITIONISTS.COM/](https://goldenstateabolitionists.com/)



My name is Ben Zeisloft. I am a journalist, an anti-abortion activist, and most importantly a Christian who lives in the suburbs of Philadelphia, Pennsylvania. I am writing to encourage the passage of House Bill 1373, also known as the North Dakota Prenatal Equal Protection Act.

In my work covering the battle over abortion in America over the past several years as a reporter, both before *Roe* was overturned and after *Dobbs* was handed down, I can attest that the single greatest blind spot among anti-abortion Christians and conservatives in our current context is the self-induced abortion crisis. Many of us still view abortion as happening at Planned Parenthood or similar surgical abortion centers, when in reality abortion increasingly happens in the privacy of the home, since mothers can simply order abortion pills rather than endure the inconvenience and shame of traveling to an abortion mill to murder their children.

Almost two-thirds of abortions in our nation now happen [by means of abortion pills](#), according to data from multiple sources. That phenomenon includes the massive number of abortion pills sent to mothers through the mail, [including in states like North Dakota](#) with laws that claim to ban abortion, but instead grant immunity to mothers who willfully choose to murder their babies.

While some pro-life organizations try to address the self-induced abortion crisis with bills that specifically address abortion pill providers, [merely targeting one method](#) of prenatal homicide will simply ensure that North Dakota is unprepared when the next popular method emerges. In my work as a reporter and activist, I have paid close attention to the online chatter from abortion supporters, and they are already pioneering new ways for mothers to self-induce their abortions beyond abortion pills, even by rediscovering the herbal mixtures used by ancient shamans to murder preborn babies. The pro-death pharmaceutical cartels would likewise jump at the opportunity to bring new methods of abortion beyond the abortion pill to the marketplace.

House Bill 1373 would address all of these issues, from the self-induced abortion crisis to the reality that new methods of self-induced abortion will always emerge, once and for all by simply establishing equal protection of the laws for preborn babies made in the image of God.

If the state of North Dakota merely applies the exact same homicide and assault laws that protect born people to protect preborn people as well, without exceptions for mothers who willfully choose to murder their innocent preborn babies, then lawmakers will not need to find new and creative ways to regulate other methods of prenatal homicide. More importantly, they will be affirming what God already says about preborn babies, namely that they are fully human and equal in value with all other human beings, in the laws of the state of North Dakota.

I and so many others long for the day when abortion is abolished. Beyond my work as a journalist, I have ministered for six years outside of various abortion mills in Philadelphia on the weekends, and I have seen thousands of parents make the decision to murder their babies. As a civil official appointed by God to wield the sword of justice, you have not only the glorious opportunity, but the distinct duty, to obey God and remove the absurd portions of North Dakota law that treat preborn babies like subhumans. Jesus Christ, the risen and ascended King of Kings, requires your obedience, and you will answer for your decision on House Bill 1373 on the day of judgment. I urge you to honor God and love your neighbor by supporting House Bill 1373.

Hello,

I am writing this statement in support of HB1373 that would abolish abortion and provide equal protection for babies in the womb in the state of North Dakota.

Abortion is not only devastating to our nation culturally and morally, it is also an abomination in the sight of the Lord our God. As state lawmakers, you have a God given duty and responsibility to protect the innocent and to establish justice for all in your state. Submit to Jesus Christ as Lord and vote yes on this bill, lest there be blood on your hands from the many babies who will be slaughtered if you should fail to pass this bill into law.

All glory be to Christ

Shawn Clinton

I strongly support HB 1373 in North Dakota, a bill aimed at abolishing abortion by recognizing the equal protection rights of all human beings, including the unborn. I believe that all life, regardless of stage or development, deserves equal protection under the law. This bill is a significant step towards ensuring that every individual, from conception to natural death, is afforded the same legal safeguards and rights as any other person. It's crucial that we acknowledge the humanity and dignity of the unborn, aligning our laws with the principle that every life is precious and worthy of protection.

Sincerely
William Meyer
138 Golf Lane
Medford NY 11763

In the coming session, you are afforded another opportunity to fulfill our duty. Our duty is to keep all the commandments given to us by our creator, God in heaven. Some of us are placed in roles to follow, some are placed in roles to lead, but all of us share the role to serve. Who do we serve? Maybe you think there is a real decision to be made here, like a guy has to weigh the pros and cons of everything, and bring forth a balanced equation in the end. Take the bad with the good, mix a little lie with the truth, a bit from column A, a measure from column B, so on and so forth. ☒ Do we REALLY need complete abolition of child sacrifice? ☒ ☒ Surely I will not be unworthy in God's eyes if I lean on my own understanding of Justice ☒ These might be thoughts that go through your head at times. They go through my head at times. Temptation to seek approval from man is a powerful weapon of the devil, and he comes with reason and sensibility, when

he seeks our corruption. As the serpent told Eve in the Garden, ☒Did God REALLY say not to taste this fruit?☒ The prima facia sin of substituting our own detestable perverse understanding of justice in place of the incorruptible truth of the gospel, and the immutable righteousness of the laws given from above is a grave error.

The time for a show of faith is not when the truth reigns supreme, but when we are told that the lie has won. The time to be courageous is not when the battle has been decided, but when the fear demands retreat. The time to make a stand is not when you have full support, but when you are prepared to do it alone. This coming session Magistrate, put forth a bill that will abolish abortion to the glory of God. Do what you know needs to be
Work together if need be, pray for guidance, and wield our most powerful weapon against the sin of child sacrifice. The blood of 75 million murdered image bearers are crying out for justice. Justice will be served, whether we like it or not. I

don't know if you have a healthy fear of the Lord, but since fear of the Lord is the beginning of all wisdom, I suspect you share in this understanding.

Jeremy from Clarion

Our founding fathers for this great nation and long before it held tradition that inside moral code that was observable and followed was enshrined into every state's law and every country's law known to man that murder is abhorrent and should be stopped.

I am asking the legislatures of this great state to show an example of following long-held human tradition of stopping murder and not supporting murder. Abortion is murder of a baby and should be stopped.

Hello representatives. My name is Riley Warren. Im a Christian and I was hoping you would give HB 1373 a do pass recommendation. Please stand for LIFE and not with Planned Parenthood which is loudly opposing this bill. God bless

I am writing this in opposition to HB 1373:

First, let me preface this with "There is already an abortion bill in ND, so why make it so extreme that couples who need "fertility treatment" cannot pursue having a family.

My daughter and son-in-law had tried unsuccessfully to achieve the dream of becoming parents. With the help of the wonderful and caring professionals at the Sanford Fertility clinic in Fargo, they now have a beautiful son whom they treasure. There are many many stories just like this.

Every single person has the right to be able to receive treatment for a medical diagnosis which is something we ought to protect and preserve. Infertility is a medical diagnosis. Politics should not play a role in this.

My name is Travis Cowdrey. I am a husband and father of three precious children. I have served as a church planter and pastor in Clarkston, Washington, and was compelled to provide testimony in support of this bill of equal protection for all people. God has appointed governing institutions to be His servants for doing justice by rewarding good and punishing evil (Romans 13:1-4). Our governing authorities in this nation have greatly failed to fulfill this role by slaughtering over 65 million babies since 1973.¹ Even after the Dobbs decision, abortion remains legal in all 50 states, even increasing in many states with so-called “abortion bans.”²

The legislators of North Dakota are under obligation to God Almighty, their Creator to do justice for the preborn babies who are treated as less than human in our current laws. The only way to do this is by passing this bill of equal protection. There will certainly be opposition to this bill that honors God’s holy standard of justice, but I urge every single legislator who reads this to know that their obligation before God is to stop the shedding of innocent blood in our land. Many “pro-life” organizations will even oppose this bill, claiming that mothers are victims of abortion, not their babies they help kill. I have stood outside of Planned Parenthood and pleaded with mothers who know full well what they are doing despite our pleas and offers to help in any way possible.

May North Dakota be the first of many states to make murdering anyone illegal for everyone. May our nation be brought swiftly to repentance for our great holocaust. I exhort every person who hears this to stand firm, no matter the opposition you face. Honor your Creator by passing this bill and establishing justice for our preborn neighbors.

“If you faint in the day of adversity, your strength is small. Rescue those who are being taken away to death; hold back those who are stumbling to the slaughter. If you say, “Behold, we did not know this,” does not he who weighs the heart perceive it? Does not he who keeps watch over your soul know it, and will he not repay man according to his work?” (Proverbs 24:10-12, ESV)

Travis Cowdrey
February 1, 2025

¹ <https://nrlc.org/uploads/factsheets/FS01AbortionintheUS.pdf>

² <https://faa.life/sma>

Terri Hedman, 5524 16 Street South, Fargo, ND 58104

Oppose HB 1373

Dear Committee and Chairperson:

Thank you for considering the potential negative outcomes of this bill. As a registered nurse for over 40 years, I have seen the pain of people who are childless and wish to have a biologic child. I fear that a bill stating an *"unborn child" means an individual living human child before birth from the beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum*" will mean that infertility clinics and assisted reproduction will end.

In addition, a majority of North Dakota citizens believe a woman has a right to govern her own body and have voted strongly against similar legislation in the past.

Please oppose HB 1373.

Terri Hedman

5524 16 Street South

Fargo, ND 58104

House Human Services Committee Members,

I urge you to give HB 1373 a do pass recommendation.

The 14th Amendment is crystal clear: Nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

It is a scientific fact that a distinct human being is formed at fertilization. To deny his or her personhood at any stage of development is to believe that some human beings are expendable depending on subjective and arbitrary factors. The preborn are persons because they are human beings, and as the most vulnerable and discriminated among us, not only do they deserve to be protected under the same laws that protect you and me, the supreme law of the land demands that we must, regardless of our personal opinions or political leanings.

There is vast [legal precedent](#) that makes it clear that the word 'person' included the preborn person in the 14th Amendment's original public meaning.

Those who oppose equal protection under the law for the preborn either:

1. Do not believe the preborn human being is a person; or
2. Support violating the U.S. Constitution and God's Law when it suits political purposes or personal opinions

HB 1373 would protect the lives of every preborn person in ND by extending to them what they have been denied for over 50 years - equal protection under the law. As legislators, the choice before you is to obey both [God's Law](#) and the Constitution that you swore to uphold or bend to political fears and the propaganda of Planned Parenthood and the Pro-Life Establishment who together reject the 14th Amendment and advocate for the legal right of all pregnant women to murder their preborn child.

My prayers are with you as you weigh this monumentally important decision. Thank you for your service to the state of North Dakota.

Sincerely, Amber Vibeto

Committee members-

"So God created man in His own image; in the image of God He created him; male and female He created them."- Genesis 1:27

Thus says the LORD, your Redeemer who formed you from the womb: "I am the LORD, who has made all things, who alone stretched out the heavens, who by Myself spread out the earth- Isaiah 44:24

6th Commandment- "You shall not murder"- Exodus 20:13

Jesus Christ said in Luke 18:20- You know the commandments: 'Do not commit adultery,' 'Do not murder,' 'Do not steal,' 'Do not bear false witness,' 'Honor your father and your mother.'

Jesus also tells us in Mark 9:42- "But whoever causes one of these little ones who believe in Me to stumble, it would be better for him if a millstone were hung around his neck, and he were thrown into the sea." If Jesus says that regarding someone causing a little one to stumble or sin, how much worse would it be for someone who takes the life of the most helpless human possible?

Leviticus 24:17- "And if a man takes the life of anyone else, he must surely be put to death."

Proverbs 6:16-19- "These six things the LORD hates, Yes, seven are an abomination to Him: A proud look, A lying tongue, HANDS THAT SHED INNOCENT BLOOD, a heart that devises wicked schemes, feet that run swiftly to evil, a false witness who gives false testimony, and one who stirs up discord among brothers

These truths & warnings from our Creator & Lord were taken seriously by our Founders & they put them in our Declaration of Independence by affirming our creation & our right to life. Governments are instituted to secure our rights, not carve out exceptions for innocent human life to be taken at the whim of anyone, including the mother. Then the Founders put our right to life in the Constitution in the 5th Amendment & that was affirmed later in the 14th, that life shall not be taken unless the person has had due process of law. How is an unborn human person supposed to get due process? It can't, therefore it should be off the table for government to make allowances for that life to be taken.

Please support HB 1373 to honor God & our Constitutional right to life. Thank you

Mark Peterson, Grand Forks ND, District 17

Greetings to the esteemed legislature of North Dakota. My name is Grant Ross. I believe in the importance of sharing my story with those listening, so that you can understand the significance of passing House Bill 1373, also known as the North Dakota Prenatal Equal Protection Act. I am writing to you today on behalf of the unborn children that have already been ended as well as those whose lives hang in the balance. Their lives are in fact in your hands, and so too is the soul of your state. I write on behalf of the aforementioned because my unborn life was also once in the hands of another, who had been advised it would be best to sacrifice me for her own safety. My umbilical cord was wrapped around my neck, and the doctor said that if I did not untangle it on my own, he would have to perform a risky cesarean section. God bless my mother, who in her selflessness chose to bear the responsibility of the parent to the child, despite the potential cost. Many would argue that it would have been “her right to choose” had she decided to deliver me into the hands of death for her own safety, but I ask you to consider the choice of a child. Certainly, it is not to be born, as they are not there to give their thoughts on their conception. Children are brought into the world without choice, and their only choice from the time they are conceived can be seen as they grow. It is the choice of all life, to continue on for as long as it can. This is the natural desire of all living things, and only the evil of the world can create a desire to end life. The world is full of exceptions, but not so when it comes to this matter. There is not one unborn person that desires to die. Evil is what creates the desire for the death of the innocent, and there is none more innocent than the unborn.

My mother was faced with such an evil choice. The time of my birth drew close after she received her recommendation to consign me to the slaughter, and I still had not turned to unwrap the cord from my neck. My mother, who I can now love for her mercy until we part ways in this life, was adamant that whatever happened to her would not change her love for me. She loved me even before seeing me, and she was willing to give her life for mine. I would ask each person that hears my words to consider if they wish to live in a state that supports the selfless or embraces the selfish. Do you want to live in a state that creates parents who would give their lives for their children, or a state that creates parents that would give their children for their lives? The law of the land is a schoolmaster, and it teaches us what our people believe about themselves. Does North Dakota believe that all life is sacred, or does it believe that each life is only to be used and consumed for the benefit of others? Evil exists in this world, and as I said, it leads people to the conclusion that sometimes the innocent must die for others' sake. This is a deception. There are numerous reasons argued in many different ways that sometimes it is necessary for innocent life to be taken. The health of another, the future of another, the potential of a hard life for the innocent. All arguments of this nature are made in the dark. They are made in the

dark and evil places that our souls are forced to walk through in this life. All those who live find themselves in these places at some point in their lives. The innocents that may be spared on the decision today will also inevitably find themselves in these dark places in their lives, but it is in this conclusion that one finds the answer to the question of the sacrifice of the innocent. If we allow the sacrifice of the innocent, the darkness infecting our worlds grows greater. The people that may argue against this legislation are in darkness, and the light of the innocent shining in the world is what can bring them out. The children whose lives are at stake today are needed to help the very people who would snuff them out.

In this country, the right to life is foremost in our laws. It is a principle upon which our society stands. A society without a right to life is a society that falls into darkness. Those against this legislation seek unknowingly their own desolation. They are enthralled and blinded by deception, to the point that they would argue there is no legal right to life. They would argue that my mother had every right to snuff me out like a candle, on the chance that I might burn her. I tell you that each person is a candle, their design is to bring light and warmth to the world. Those too accustomed to the dark fear the light and the warmth they need. Some may say that the darkness is their right. Even if I was willing to accept that, I could never accept the idea that their desire to embrace evil permits the premature end to the life of another. With every loss of another innocent unborn person, the law of this land is cast aside, and the state gets darker. If we do not have a right to life from our conception, if the unique DNA that belongs to only us from the time our existence sparks into being cannot be legally defended, it is only a matter of time until there aren't enough lights in the world to shine on the truth of our value as human beings. I ask this legislature to consider the consequences of this legislation as though their very future depends on it. Think of the innocence you have seen in the world and ask what you would give to make sure it was protected. Offer your children this protection. Face the evils of this world and embrace your responsibility as the carriers of our ancestors' light. Each of us is here today only because another protected us from death and darkness. It is now your turn to decide if you will embrace life, or if you will consign the future to death.

Human Services Committee

House Bill 1373

Chairman Ruby and members of the committee:

First, let me note that there are many reasons I believe you must put your support behind this bill, but one of those reasons is particularly close to my heart, and that is its impact on in-vitro fertilization (IVF).

I am a mother of two, made possible through IVF.

For two years, I wished for a baby every day. For close to 18 months, I spent countless hours at Sanford Reproductive Medicine, until we finally tried IVF as one of our last resorts to realize our dream of becoming a family. The IVF treatment that brought me our firstborn, Arthur, was no small feat—it was physically and mentally draining, and I would never wish the struggle of infertility on anyone. However, it was so worth it because it helped bring us him. Arthur brightens my world every single day.

When I unexpectedly became pregnant with my second-born, Eliza (the greatest surprise ever!), Sanford Reproductive Medicine took me right back into their care, to ensure that my hormone levels could continue to sustain my pregnancy with her all on my own. The doctors there care so much about their patients. I feel so blessed to have had access to quality reproductive healthcare right here in North Dakota, but I worry that other families in the future will not have this access because of HB 1373.

HB 1373 would effectively end access to IVF in North Dakota and impose criminal and civil penalties on doctors, like mine at Sanford, and mothers, like me. This bill is not only a violation of privacy but also a direct attack on families like mine who rely on reproductive medicine to realize their dreams of parenthood.

Many politicians tote themselves as “pro-family,” but I find myself questioning how truly “pro-family” policies like HB 1373 are. IVF helped me build my family. Proceeding with IVF was a deeply personal choice between myself and my husband, and I feel fortunate that the government and politicians did not need to be a part of our decision then, but unfortunately, they have become part of our decisions now, as we have conversations about our remaining embryos. Is this really the appropriate role of government? To tell us how to build our families?

I ask that you vote in opposition of this bill and move forward with a “do not pass” recommendation for the House.

Thank you,

Megan Homuth

February 2, 2025

Members of the Committee,

I am writing on behalf of the University of Wisconsin-Stout's Students for Abolition chapter to express our support for HB 1373.

For the past five decades, this nation has failed to uphold the very principles it was founded upon and has denied the right to life of the unborn. This has resulted in the violent, legal destruction of millions of innocent lives.

Any legal standard that grants born persons protection from homicide while denying the same to the unborn is both unconstitutional and morally indefensible. Anything less than what HB 1373 calls for is blatantly in violation of the 14th Amendment and is an affront to God. To refuse equal protection to the unborn is to abandon the very foundation of justice.

I urge the committee to fulfill its duty as legislators to protect the helpless and innocent. You have been entrusted with the authority to eliminate injustice rather than allow it to persist. The lives of countless unborn children depend on your willingness to act decisively and pass HB 1373. Uphold justice by ensuring that the laws of North Dakota protect all people from murder—born and unborn alike.

Sincerely,

Jeremiah Hubbard
President, Students for Abolition, UW-Stout Chapter

**Hi, please support and vote yes
on HB 1373. Let's be the
generation to protect the
innocent children in the womb.
Thank you and God bless!
Pastor Kurt Chaffee**

Testimony on HB 1373

Chairman Ruby and Members of the House Humans Service Committee:

I write as someone who, as an ordained United Methodist Minister, taught an Ethics in Medicine class to college nursing students.

HB1373 is a seriously misguided effort by the sponsors to put their **personal religious beliefs** into state law. The bill is based on a **very specific religious view** of when human life begins, namely the position of the Roman Catholic Church and some Protestant Evangelical Churches. Virtually all mainline Protestant Churches--United Methodist, Lutheran, Presbyterian, United Church of Christ, Episcopal, in addition to most of Judaism reject such a misleading and unscientific definition of a child or a person.

The Webster dictionary defines a child as “a young person especially between infancy and puberty.” This is the commonly accepted understanding of “a child.” The meaning of words actually matters and has consequences.

HB 1373 defines “unborn child” as “an individual living human child before birth from the beginning of biological development....” This definition is based on a lack of understanding of the development of human life and is also based on **a religious belief** rather than on medical science.

According to medical science when the human sperm and egg join together, they form a single cell called a zygote. A zygote is not a child or a person.

According to the Mayo Clinic website, “the zygote travels down the fallopian tube toward the uterus. At the same time, it will begin dividing to form a cluster of cells resembling a tiny raspberry — a morula.” The morula, which is a microscopic cluster of cells, is not a child or a person.

Also from the Mayo Clinic website, the next stage is: “The rapidly dividing ball of cells — now known as a blastocyst -- has begun to burrow into the uterine lining (endometrium). This process is called implantation.” A blastocyst is not a child or person.

Thankfully, in this country we are all free to hold our own religious beliefs, but this bill is an example of legislators who believe it is their job to impose their **personal religious beliefs** onto the rest of us via state law.

If the committee believes that this is NOT the job of the legislature it will give this bill a “DO NOT PASS” recommendation.

Daniel Rice, Fargo

February 2, 2025

Chairman and Members of the Council,

My name is Braden Lindquist. I am a concerned ND resident asking you for a **Do NOT Pass on House Bill 1373**.

I believe HB 1373 was written with no prior education or research on what it relates to. It seems, based on attempts to get clarification from the Representative who wrote the bill, that she is unwilling to listen to the concerns of the people the bill will directly affect or take the opportunity to learn more about it. The vagueness of the bill's language leads me to believe it was rushed or intentionally written in a way that will have the largest impact; either way, it is bad for North Dakota.

As evidence of the lack of research done, VanWinkle claims the main elements of IVF will remain legal under this bill, referring to the creation, freezing and implantation of embryos. These things are far from all that is involved in IVF. There are necessary steps to the IVF process that will become illegal under HB 1373. Some of these steps include the time the fertilized egg has to grow in the lab between fertilization and freezing, and the fact that not all embryos transferred to a woman's uterus are guaranteed to implant. Neither of these things are caused by human error, but both would be considered the wrongful destruction of embryos and therefore be illegal. The only remaining IVF clinic in North Dakota cannot and will not continue helping families create life under the threat of criminal liability.

It's true that my wife and I are utilizing IVF for our future pregnancies after having six unexplained miscarriages and no living children. This bill will negatively impact our ability to have a living child. However, that is far from my only concern related to this bill.

Other states have passed similar bills without clarification on what it pertains to or the proper exclusions to provide necessary protections. They are now seeing the ramifications of additional things being affected that were not discussed when the law was a bill (see articles about Alabama and other states' anti-IVF law for examples). I am concerned that this is going to happen in North Dakota, too.

In states with bills like this, there are notable drops in OB-GYN residencies and a decrease in women's health practitioners in general. Pregnant women carrying non-viable pregnancies or who are pregnant from rape (including incest) or after being forced into sex trafficking have to travel to another state for emergency medical care.

North Dakota HB 1373 has no exclusions to protect a woman in relation to abortion, not even if there is rape or incest.

As previously mentioned, my wife and I have had six unexplained miscarriages. I am fearful of the effect this bill will have on medical management required after miscarriage. I have watched my wife undergo four D&C surgeries to remove our dead baby from her body. I asked the Representative who proposed this bill if the procedure will be protected in the case of miscarriage. She did not answer.

Women are not protected under HB 1373. Families dependent on IVF for pregnancy are not protected under HB 1373. I do not think due diligence has been done to ensure the impacts of this bill are fully understood. Passing this bill is irresponsible without being educated on its effects.

Please protect the right to parenthood and necessary medical intervention for citizens of your state by recommending **Do NOT Pass on House Bill 1373**.

Thank you for your time and for ensuring you know what HB 1373 will do to our state before making your decision.

Respectfully,

Braden Lindquist
Minot, North Dakota

Esteemed members of the committee,

I write before you today to voice my opposition to the proposed changes regarding the definition of “human being” and “person” as they relate to the offenses of murder and assault, as well as civil actions for death caused by wrongful acts. The current legal framework sufficiently addresses these issues, and the proposed modifications may have unintended and detrimental consequences.

The existing definitions of “human being” and “person” within our legal system are deeply rooted in established jurisprudence and have been consistently applied to ensure justice. Altering these definitions risks creating ambiguity and inconsistency in the application of law. This could lead to increased litigation and a backlog in our already burdened court system, ultimately hindering the pursuit of justice.

Current definitions adequately protect the rights and well-being of individuals. Expanding or modifying these definitions may inadvertently dilute the protections currently afforded to victims of murder and assault.

Changes to legal definitions often have far-reaching and unforeseen consequences. By altering the definitions of “human being” and “person,” we risk creating loopholes that can be exploited by those seeking to evade justice. For example, broadening the definition of “person” could allow perpetrators of heinous crimes to manipulate the system to their advantage, undermining the very principles of accountability and justice.

The definitions of “human being” and “person” carry significant philosophical and ethical weight. These terms are not merely legal constructs but also reflect our societal values and moral beliefs. Any changes to these definitions should be approached with utmost caution and deep reflection. Rushed or poorly considered modifications could lead to a disconnection between our laws and the ethical principles they are meant to embody.

In conclusion, I urge this committee to carefully consider the potential ramifications of altering the definitions of “human being” and “person.” The current legal framework has served our society well, providing clarity, consistency, and protection for individuals. Any proposed changes should be thoroughly examined to ensure they do not inadvertently weaken the very foundations of our legal system.

I respectfully request that you oppose the proposed modifications and maintain the current definitions to ensure justice and fairness for all.

Thank you for your time and consideration.

Do Pass testimony of Rob Muntz,
Citizen of North Dakota
for HB 1373 of the 69th Legislative Assembly of North Dakota

Dear Chairman Ruby, Vice Chair Frelich, and Members of the House
Human Services Committee,

I am writing today as a citizen of North Dakota and as a Registered Diagnostic Medical Sonographer (RDMS OB/Gyn, AB). I hold registries with the American Registry of Diagnostic Medical Sonographers (ARDMS) and am licensed by the State of North Dakota (License #408) to perform diagnostic ultrasounds. This gives me the unique perspective of seeing the dawn of life on a daily basis.

Before describing what I see in early first trimester ultrasounds, I believe its important to understand the parameters of death. North Dakota Century Code Chapter 23-06.3 states in part: "An individual who has sustained ... irreversible cessation of circulatory and respiratory functions..., is dead." To me, logic would dictate that identification of circulatory function would prove life and to that point, I have personally visualized & quantified circulatory function in a fetus as early as 5w 2d gestation. My ability to verify viability of a pregnancy is limited more by technology, than fetal development.

It is perplexing to me that we use different standards to prove an individual's status of alive or dead. From the moment of conception, everything that baby needs to develop and thrive is available to it. Not recognizing this potential is no different than euthanizing individuals based simply on age even though technology exists to support their life.

Each baby is an individual, their genetics dictate that, and I believe that at the moment of conception they have the right to Life, Liberty and the Pursuit of Happiness that every other individual has guaranteed to them under the 14th Amendment of the US Constitution and Article I of the North Dakota Constitution.

I am asking that you give HB 1373 a Do Pass

Thank you,

Rob Muntz

6624 27th St S

Fargo, ND

Dear Members of the House,

I am writing to express my strong opposition to House Bill 1373, which seeks to impose restrictions on reproductive rights within the state of North Dakota. As a concerned parent and citizen, I believe this bill undermines the fundamental rights of individuals to make personal decisions about their reproductive health and freedom.

At the heart of this legislation is the assumption that the state should have greater authority over personal, medical decisions that should remain between a patient and their healthcare provider. House Bill 1373 seeks to impose unnecessary and restrictive barriers to reproductive health services, which could disproportionately impact women, particularly those from marginalized communities, low income families, and rural areas who may already face challenges accessing adequate healthcare.

The restrictions proposed in House Bill 1373 are not only harmful to the physical and mental health of North Dakota residents, but they also undermine the state's commitment to personal freedom and choice. It is crucial that we protect the right of individuals to make decisions regarding their reproductive health in a way that is safe, accessible, and free from political interference.

I urge you to reconsider this bill and to prioritize policies that protect and expand access to reproductive healthcare for all of North Dakotans. Our state should be a place where individuals are empowered to make their own healthcare decisions without fear of unnecessary governmental intrusion.

Thank you for your time and consideration.

Sincerely,
Annie Gehring
Minot, ND

Testimony in Support of ND HB 1373

My name is Brittany Poppe, and I am writing to you today to support HB 1373. I am writing this from the point of view of a woman who has lived through the pain and regret of an abortion. When I was 17 years old, I went against my parent's wishes and chose to end the life of my unborn child, and was able to do this legally due to the laws in place. I so deeply wish this would have never been possible for me, as it would have saved me from years of anguish and turmoil.

I know firsthand that abortion is a decision that can leave a forever wound. I have carried the emotional and spiritual weight of what I did for the last 14 years. I have also experienced physical complications due to my abortion that have affected my pregnancies with my living children. I was told that abortion was the best option for me, but what I didn't fully understand then—and what I wish I had known—was that abortion does not take away the consequences of that choice. It only adds more pain, more grief, and more regret.

The child I lost at my own hand that day had the fundamental right to life. I now realize that I had a responsibility to protect that life, not end it. I believe that every unborn child deserves dignity, regardless of the circumstances surrounding their conception. The truth is, every single life is valuable from the moment it is created, and that life deserves the same legal protection as any other.

HB 1373 is an important step toward acknowledging and protecting all human life. This bill recognizes that every human being—whether unborn or born—deserves equal protection under the law. I support this bill not only because I have come to see the value of all life, but because I believe that no one should ever feel coerced into making a decision that can cause so much lasting harm. No young woman, or young girl like I once was, should be left alone to face such a devastating choice without understanding the full extent of what it means. Ending the life of a human being should never be a solution to a “problem.”

As a woman who has walked the painful road of regret, I want to encourage you to protect the unborn. Abortion should not be a solution. Instead, we should offer women a path forward, one that allows them to choose life, and to choose hope, not murder.

I am writing to ask you to support HB 1373 because I believe that every human being, regardless of their circumstances, has value and should be protected to the fullest extent of the law.

Thank you for your time.

Sincerely,
Brittany Poppe

Dear Committee Members,

Thank you for the time you have spent serving our state and encouraging good laws to be passed in this legislative session. House Bill 1373 is a VERY good law. It simply clarifies that all humans deserve to be protected from harm and murder, regardless of their development status.

The Law is a teacher. It teaches society what is acceptable in culture and what isn't. Unfortunately we have become a society that accepts the disregard of small human lives based solely on if a mother wants them, and not on the fact that they are their own independent person deserving of protection.

HB 1373 is a great step in renewing the value of life in North Dakota.

Some false information about this bill is stating that it would restrict miscarriage care, IVF, or a situation to save the life of a mother. None of those instances are not what HB 1373 is about. Women can absolutely still get the healthcare they need.

A miscarriage is the unfortunate and natural death of a child's life in the womb. It is heartbreaking, but is absolutely not the same as an elective abortion. Abortion is the INTENTIONAL ending of a human life in the womb. They are not the same and have never been the same. Death happens every day, but Murder is what is outlawed. HB 1373 is simply clarifying that a woman can NOT kill her own child in the womb. She cannot kill her 2 day old, 2 month old, or 2 year old child, outside of the womb, so why should she be able to kill her 6 week old child inside the womb? The child is his or her own person deserving protection.

For too long, many pro-lifers (me included!) have only looked at clinics like Planned Parenthood as the "enemy" trying to perform as many abortions as possible. We have made it illegal for medical professionals to perform abortions in North Dakota (which is great!) But as long as there are no consequences for the actual woman seeking the abortion, the number of abortions will remain the same. Again, the law is a teacher. It teaches what is right and wrong. It is wrong to intentionally kill a child (in the womb, or outside of it) and it only makes sense to make laws that teach that.

Providing equal protection to all our citizens is the only logical, loving, and reasonable way to end the mass numbers of abortions still happening legally in North Dakota.

Please vote YES on HB 1373.

Thank you for your time,

Grace Deal
Berthold, ND
District 38

No state has the right to force a woman or any human being who can become pregnant to continue a pregnancy under any circumstances. No government or jurisdiction has the right to tell a person what they can and cannot do with their bodies. It is ludicrous to define life as beginning at conception or to define a cluster of cells as a human being. This bill will only serve to punish, demean, and potentially endanger women.

I am writing in serious opposition of House Bill 1373.

House Bill 1373 defines an unborn baby as a person from the moment sperm meets an unfertilized egg. This language would create insurmountable obstacles for Sanford Reproductive Medicine in Fargo, the only clinic in North Dakota that provides in vitro fertilization services. And without this clinic, I would not be a mother to my two young children, Samuel and Annie.

No one ever expects to require fertility treatments to conceive, but that became my husbands and my reality. After undergoing several unsuccessful months of trying medications and intrauterine inseminations, we moved onto IVF. After an egg retrieval surgery, we were able to retrieve 29 eggs. 17 of these eggs fertilized. 10 of the fertilized eggs became embryos, five of which were considered euploid, or likely to become a baby. HB1373 would have made all of this impossible for us. According to the incredibly misguided language in HB1373, the providers at Sanford Reproductive Medicine would have been criminalized for these efforts in making us parents.

For a nation that values family and aims to see an increase in birth rates, this bill would be detrimental. Men and women in North Dakota dreaming of becoming parents deserve better.

I look at Samuel and Annie every day and I am reminded of the blessings that Sanford Reproductive Medicine gave us.

I urge you - do NOT pass HB 1373.

With sincerity,

Emma Waloch
Gwinner, ND

Dear Chair Ruby and Members of the Human Services Committee,

I am baffled why this continues to be a contentious debate in the North Dakota Legislature! I am a retired embryologist from the Sanford Reproductive Medicine Laboratory in Fargo, ND.

If a couple struggles to have a family by "natural methods," why on Earth would you make their path to parenthood even more difficult?

It should be common knowledge that not every fertilized egg becomes a viable birth. How many couples do you know who have experienced miscarriage? Perhaps it's not personal for you. There are a multitude of reasons why an embryo doesn't continue to grow - genetic defects, failure to implant in the uterus, along with many other reasons.

This bill is designed to threaten the doctors and staff at any IVF clinic with prison time and loss of licensure and jobs. The liability would prevent them from continuing to practice. The idea that you would charge doctors or staff with MURDER is heinous! It is called Assisted Reproductive Medicine for a reason. We assist the process, but there is a Higher Power who controls life and death.

If you consider yourself "pro-family," it should be an easy decision to defeat this bill. Please OPPOSE HB 1373 and stop this assault on a valuable medical practice!

Sincerely,
Linda Olson

Dear Chairman Ruby and members of the House Human Services,

I am writing to you as a post abortive mother and current resident of North Dakota.

I was born and raised here, and my childhood can be best explained as your 'average' childhood for a child with divorced parents up until the age of 12. At the age of 15, I found myself in an unplanned pregnancy and panicked. I disclosed my pregnancy to my high school nurse who informed me that I had ruined my life and future not only for

myself, but for the father of my child. My high school nurse told me of all the reasons I could not thrive in my future and told me that I MUST have an abortion. I used the phone in her office to make a call to the closest abortion clinic which then was in Fargo, ND. The clinic staff informed me that I could have an abortion and that I would never have to tell my parents through a process called judicial bypass. What this means is that I could go and testify in front of a judge at the age of 15 and plead why I was mature enough to make this decision and why I didn't want to tell my parents. The truth is, I didn't want to tell my parents because I didn't want to be held accountable for the choice, I had made of having sex with my boyfriend and I began to believe there was no way

I could have a baby and still have a future. I walked alone to the courthouse on the date of my hearing and testified my 'circumstances' (which I now recognize as plain fear and panic) before a judge in which he deemed me 'mature enough' to make this decision on my own. May I ask you; can any minor testify before a judge and prove they are mature enough to purchase and consume alcohol? Obtain a driver's license? Vote? Get their ears pierced? Yet there I was at 15 years old being deemed mature enough to end the life of my child.....and it was approved. My parents lost their God given right to parent me, guide me, love me, and help not only me but their future grandchild in that moment. On that day, their grandchild was scheduled to die and

their daughter left traumatized, and there was nothing they could do to stop any of it because they didn't know a thing was transpiring. This process was far too easy for a child. My high school nurse was willing to write me a note excusing me from school on the day of my procedure so that I could be dropped off at school like any other day and my parents wouldn't be notified that I was missing class.

I arrived at the clinic and wasn't even sure how to fill out the forms as I had never been to a doctor's appointment without my mom present, how is that safe or healthcare? Yet there I was "mature enough" to choose death for my own very alive baby. At the moment of my abortion, I entered into a world of

darkness. For 22 years, I lived battling self-hatred, shame, regret, remorse, suffered depression and anxiety, and was metaphorically bleeding over every person I came in to contact with. There is nothing natural about a mother choosing death for her baby and the self-hatred led to promiscuity and additional unplanned pregnancies although I am pleased to share abortion was never again a choice I was willing to make. I was in weekly professional therapy services for 5 years consistently and thought I was as healed as I could get until I found true healing in January 2023 after attending a post abortive women's healing retreat. It is only after fully healing that I can now share my testimony of the ways my choice to end the life of my child was impacting me

and everyone around me without anyone ever knowing it. Had abortion been illegal at the time of my pregnancy, we would have one more beautiful soul on this Earth, and I wouldn't have had to live in the self-constructed prison I made for myself knowing an innocent life had ended, that I was guilty, and that the guilty were going unpunished. As to the lie of abortion being healthcare or a decision between a woman and her doctor allow me to be clear, never once did I speak with the doctor, nor did I see him/her up until they point, they walked in to end the life of my child on my behalf. There is no other medical condition in which one can conspire with a physician to end another person's life, we call that murder. Should a father choose death for his preborn baby, he

too would be charged with murder. Abortion is murder as it ends the life of a separate, distinct human being whose body is whole at the moment of conception. We either get serious about murder and stop giving exceptions to mothers committing this act or we allow them to live in self-made prisons in which the public also suffers without knowing it. My choice of abortion impacted every single part of my life and only after healing can I see that. Am I guilty of murder? Ultimately it was my follow through that ended the life of a distinct human being and admitting that truth is the only thing that set me free.

I'm writing to you in support of HB1373

and respectfully request that you would render a "DO PASS" on this bill.

Respectfully,

Sadie Olson

Dear committee members,

My name is Naudia Watterud. I am a concerned North Dakota resident asking you to vote No on House Bill 1373 proposed by State Representative Lori VanWinkle.

The purpose of HB 1373 is to define an unborn child as a human being as soon as sperm fertilizes an egg as it relates to offenses of murder, assault, and death by wrongful acts. Please allow me to share my story and why I believe this bill is harmful to North Dakotans.

Ultimately, HB 1373 will make the IVF process illegal in North Dakota.

VanWinkle claims the core of IVF will remain legal under this bill, referring to the creation, freezing and implantation of embryos. There are necessary steps to the IVF process not mentioned by VanWinkle that will be illegal under HB 1373.

After retrieved eggs are placed with sperm, they naturally fertilize in the lab. After fertilization, the embryos grow for 5 days in the lab before they can be frozen so they are strong enough to survive the freezing and thawing process. It is extremely unlikely for every fertilized egg to survive the necessary days in the lab. Under HB 1373, the lost embryos would be considered wrongfully destroyed.

Another critical piece of information VanWinkle excluded when listing the parts of IVF that will remain legal is that during the transfer of an embryo to a woman's uterus, there is no guarantee the embryo will implant. Implantation depends on the women's body and though medical professionals ensure the highest chances of implantation before a transfer, no human action can force it to be successful. Under HB 1373, embryos that are

transferred and do not implant will be considered wrongfully destroyed.

Even though the “the core of the IVF process” will remain legal, the only remaining IVF clinic in the state of North Dakota will not be able to practice because of the threat of criminal liability.

If this bill passes, my family risks no longer having the opportunity for growth in our home state and would have to resort to even further travel to try to start our family.

My husband and I have been trying to conceive for almost 9 years. In March 2024 I underwent the egg retrieval process. In May 2024 we did our first IVF transfer which ended in early loss. Recently in November 2024, we suffered a loss of our twins Emberlyn and Sterling at 18 weeks gestation. Now we worry about the future of IVF and our embryos as this bill has come up and we are scared for the future. All I have ever wanted was to be a mom and this bill will make that dream even farther from reality for my husband and I. We already have to travel 6 hours to Fargo as that is the only reproductive clinic in North Dakota.

This bill is written broadly and will impact a variety of topics that I fear have not been thoroughly considered by its presenter or supporters. The exclusions in HB 1373 as proposed do not protect North Dakotans dependent on IVF for our families.

Not every family is created the same way. HB 1373 will, intentionally or unintentionally, take away the method that my spouse and I need to grow our family. Please protect the right to parenthood for citizens of your state by voting No on House Bill 1373.

Thank you for taking the time to read and consider my story.

Sincerely,

Naudia Watterud
nwatterud@outlook.com
701-715-5764

February 2, 2025

RE: Opposition to North Dakota House Bill 1373

Chairman Ruby and Members of the Committee,

My name is Kevin Dill, DVM. As a concerned former North Dakota resident of 30+ years, I am sharing my opposition to North Dakota House Bill 1373.

A bill written the way this one is has implications far more dangerous than perceived. The Representative who proposed the bill publicly states that it is an anti-abortion bill, but the exclusions written in the bill do not protect other rights of your state's citizens. The bill has negative impacts to reproductive services, miscarriage management, and necessary medical care during dangerous pregnancies (like life-threatening ectopic pregnancies) or pregnancies of multiples.

My niece is undergoing fertility treatments that this bill will directly affect. She has ova collected and frozen and is awaiting the financial resources for the in-vitro fertilization and then the transfer to a gestational carrier to have the child for her and her husband. The wording of this bill will make any fertilized eggs be considered a human being, regardless of the health of the ova. If there is a genetically abnormal fertilized egg that has no chance of viability, they will be considered murders if they dispose of this embryo. If something occurs during the transfer of the ova that results in it dying, they will be considered murderers, including the medical professionals involved. This bill will have terrible consequences for people who are trying to have a child through medical help.

It is your responsibility to protect the rights of citizens in North Dakota by recommending Do Not Pass on ND House Bill 1373. I passionately urge you to OPPOSE this bill.

Thank you for your time and consideration as you decide what is best for the residents of your state.

Respectfully submitted,

Kevin J. Dill, DVM

Fargo, ND

January 31, 2025

Dear Members of the Committee,

My name is Jena McKay and I am writing testimony **opposing** bill HB1373.

I would like to start by highlighting a few key points about myself that will help put this testimony into perspective:

- I believe life begins at time of conception.
- I don't believe in most non-medically necessary performed abortions. Please note, this is a loose statement, for there's too many scenarios to mention that would thus allow me to remove the word "most".

Pointing out these beliefs, sounds like I may be in favor of an anti-abortion bill such as this, doesn't it? However, that is not the case. Because if this bill's definition of an unborn child becomes law, it not only affects abortions, but it will also affect other medical professionals and procedures, like those involving in vitro fertilization (IVF). Therefore, I would like to explain why I may agree with the proposed definition of an unborn child but disagree with it being law by sharing my fertility journey.

I have experienced unsuccessful intrauterine inseminations (IUI), an implanted embryo that did not take, an implanted embryo that resulted in a missed miscarriage in which I had to have a dilation and curettage (D&C), an implanted embryo that defied the odds and resulted in a live birth after science statistically cautioned it shouldn't have, and I have two beautiful children as a result of IVF.

I will never forget the first time my husband and I went to North Dakota's only reproductive medicine clinic in Fargo. As we sat awaiting our appointment, there was a man, with a child, across the street on the sidewalk protesting IVF holding up a sign. I remember thinking how ironic that moment was: a man protesting outside of a reproductive clinic, with his child, where individuals who desperately want to have children go to try to fulfill that dream. But I get it, some don't believe in IVF, comparing it to "playing God". Growing up with religious beliefs, I admit, I too initially struggled with the thought of the process and that if we were lucky enough to have extra embryos, are they considered to have life at that point or once there's a heartbeat? But that's the funny thing about beliefs versus experiences: once one is forced to experience things they weren't even sure they believed in, viewpoints can change as one becomes more educated.

I may be against most non-medically necessary abortions, decided to believe that life starts at conception (and will treat any embryo as such), and believe that science only goes so far and then there's God, but I too understand that writing one-sided beliefs that come down to a matter of opinion such as this into law, would be unjust. We all don't have to share the same beliefs or agree. But for those that are trying to make this bill law, of which, would drastically change the trajectory of many individuals' lives, I would like to ask them this: who's trying to "play God" now? Some things just can't simply be

written into law and must be left up to choice. Regardless of your views on abortion or where to draw the line of when a life begins, please don't hinder those who want to have children and can't without intervention in our great state.

Sincerely,

Jena McKay

Meridith L. Smith

3 February 2025

Written Testimony in Support of HB 1373

Our Lord Jesus Christ entered this world not as a baby in a manger but as a baby in the womb, so that He would identify with every aspect of our human existence. Both the Christ Child and John the Baptist exhibited life in the womb upon the meeting of their mothers, where John the Baptist “leaped for joy” in his mother’s womb (Luke 1:41-44). Unborn babies are persons. The lives of all people should be protected under the law without discrimination; this is justice. Do right today to your fellow man and before God.

North Dakota House of Representatives
Human Services Committee
North Dakota Legislative Assembly
600 E Boulevard
Bismarck, ND 58505

Re: VOTE DO NOT PASS ON HB 1373

February 3, 2025

Dear Chair Ruby and Members of the House Human Services Committee:

My name is Anastassiya Andrianova. I am a 43-year-old woman who became a mother at age 36 after struggling with infertility. I had a high-risk, so-called “geriatric” pregnancy and was fortunate to give birth, with complications, to a healthy beautiful girl. If it were not for Sanford Reproductive Medicine in South Fargo and the informed care of Sanford Women’s, I might have given up. Throughout my reproductive years (from age 11), I’ve been under the care of a gynecologist for various reasons, including severely painful periods that made the use of contraceptives medically necessary to alleviate symptoms and enable me to get back to school and work. As a middle-aged woman entering early perimenopause with a history of fertility issues, I will likely require hormonal treatments to maintain my physical health moving forward.

That is why I write **in opposition to House Bill No. 1373** – relating to the definition of human being and person as the terms relate to the offenses of murder and assault, and civil actions for death caused by wrongful acts.

Bills like these will not prevent abortions; rather, they will make reproductive care more difficult to access, make providers potential criminals aiding and abetting in murder and assault, and prevent couples who want to have children from accessing IVF and other hormonal treatments.

Instead, I urge you to support HB 1478, which relates to contraception and HB 1477, which affirms that decisions about reproductive care should be left to the patient and their medical provider, not subject to political influencing or governmental intrusion. I have submitted those testimonies accordingly.

Many women, myself included, have experienced infertility issues and have benefited from individualized reproductive and fertility health care. For the prospective parents and their families, it is difficult enough to have to experience such medical conditions and the psychological burdens they carry. To let governments meddle in such personal affairs is just gross and obscene.

Vote DO NOT PASS on HB 1373.

Thank you for your time and consideration.

Sincerely,

Anastassiya Andrianova, woman, mother, wife, and concerned ND citizen - Fargo, ND

February 2nd, 2025

To the North Dakota Legislature,

I am writing in opposition to HB1373. Anyone who has been through (or who knows someone well who has been through) the process of IVF or dealt with an unplanned pregnancy, knows that the decisions related to both can be agonizing, highly personal, and that they are not taken lightly.

It is simply stunning to me that lawmakers promoting their own agendas can possibly think they know what is best for individual women and/or couples, or that they think issues of the heart and body are somehow partisan in nature. House Bill 1373 is not about being a Democrat or Republican or about what any individual feels about IVF or abortion; it is about imposing the will of a few on the masses and, specifically, on women.

For these and other reasons, I am writing in opposition of HB 1373.

Dr. Heidi L. Dyrstad, Ph.D.

Human Services Committee
HB 1373
February 5, 2025

Dear Chair Ruby and members of the Committee,

My name is Kelsey Lubbers, and I moved to North Dakota ten years ago. My husband, Jon, has spent his entire life here. We write to you today from a place of vulnerability to express our strong opposition to House Bill 1373.

Jon and I married in June 2020 and immediately began trying to grow our family. After 14 months of heartbreak, we sought help from a fertility clinic. Following nearly two years of treatment without success, we turned to IVF. In November, we welcomed our son into the world. Without access to quality care and the freedom for our doctors to perform their jobs without restriction, we would still be childless. If HB 1373 passes, we may be unable to grow our family and provide our son with future siblings.

As proud parents of an IVF baby, we plan to continue growing our family with the help of our clinic. We currently have five frozen embryos but only plan to have one more pregnancy. If we are fortunate enough to have another successful transfer, will we be considered criminals for making decisions about the remaining embryos? IVF is a scientific process, but it's not perfect. Losses and unforeseen circumstances are a part of both IVF and natural conception. No one undergoes IVF hoping for an unsuccessful transfer. By the time we reached our embryo transfer, we had spent tens of thousands of dollars on treatments, medications, and supplies. I took medication to manipulate my menstrual cycle for optimal implantation conditions, had a week of daily injections to prepare my body prior to the transfer, and faced an agonizing nine-day wait for a pregnancy test while continuing injections. Once we were blessed with a positive pregnancy test, we continued daily injections for a grueling nine weeks. Families endure this process to create life, not to end it.

Infertility is isolating, heartbreaking, and deeply personal - a struggle no one chooses. Adding political interference to this already painful journey is unimaginable. Our clinic is facing a shortage of doctors, and this bill would make North Dakota even less attractive to medical professionals. HB 1373 will cause more harm than good for our state.

The bill's vague language leaves too much room for interpretation. While its intent may be to prevent abortion, such legislation cannot be one-size-fits-all. Under HB 1373, if we experience a failed embryo transfer, our doctor could face homicide charges. The idea that a medical professional dedicated to helping families conceive could be labeled a criminal for a failed procedure is mind-boggling.

Consider some other possible implications: What about a woman whose life is at risk unless she terminates her pregnancy? This legislation prioritizes the unborn child over the living woman. What about a 14-year-old girl who has been abused and is now pregnant? As a mother, I cannot fathom the trauma she would endure being forced to carry that pregnancy. What about the family carrying an unborn child who has no chance of viability outside of the womb? Again, as a mother, I cannot fathom carrying out a pregnancy and delivery knowing I wouldn't be able to bring my child home. These heartbreaking scenarios highlight why politics should not dictate medical decisions. Imagine

if it were your sister, friend, or daughter. Would you want them to face legal obstacles or be forced to seek care out of state to save their life?

We love North Dakota and want it to remain a state that values families and the care often needed to create them. Infertility is a harsh reality for many. Please help protect the ability of North Dakotans to build their families through science and compassionate medical care. **We urge you to vote against HB 1373.**

Sincerely,
Kelsey and Jon Lubbers



ABOLITIONISM

101

We, as an abolitionist organization, agree with the pro-life position that abortion is bad, but further, we believe that abortion is murder and that it ought to be completely abolished as murder in the name of the Lord Jesus Christ.

While many who call themselves pro-life agree with us that abortion is murder, abortion has not been opposed by the Pro-Life Movement in a manner consistent with its being murder. The root of this difference between the Abolitionist Movement and Pro-Life Movement is theological.

THE FIVE TENETS OF ABOLITIONISM

These foundations are the key to the difference between the Abolitionist Movement and the Pro-Life Movement. This presentation from abolitionist pastor Dusty Deevers explains well abolitionist theological foundations:

The Five Tenets of Abolitionism: Dusty Deevers at the Abolition Now ...



You can also read about the five tenets of abolitionism **here** <
<https://abolishhumanabortion.com/abolitionism/the-five-tenets-of-abolitionism/>> .

THE BIBLICAL ARGUMENTS FOR ABOLITIONISM

This episode of The Liberator Podcast addresses abolitionism proof texts like 2 Corinthians 4, Exodus 23, Isaiah 1, 10, & 30, Acts 5, & 2 Kings 18.

The Biblical Arguments for Abolitionism: The Liberator Podcast #4



While these differences are theological at their root, unbiblical beliefs lead to unbiblical actions. Because of the pro-life leaders' unbiblical theological commitments, their political actions are often heinously unbiblical. For example, the vast majority of the pro-life leaders actively oppose legislation to immediately abolish abortion. 76 pro-life groups signed an **open letter** <
<https://abolitionistsrising.com/wp-content/uploads/2024/09/Open-Letter.pdf>> which killed the Abolition of Abortion in Louisiana Act.

Pro-Life Groups Condemn Louisiana Abolition Bill: The Liberator Podc...



In addition to opposing justice, many pro-life leaders also promote injustice. As a particularly egregious example, National Right to Life VP Tony Lauinger is behind legislation to add rape and incest exceptions for abortion into Oklahoma State law.

SHOCKING: Pro-Life Politicians Working to Re-Open Abortion Clinics



Add all of this up, and what you get is a Pro-Life Establishment that calls good evil and evil good; a Pro-Life Establishment that is the primary impediment to the abolition of abortion in many states. Accordingly, it is necessary for Christians to come out from among them and become abolitionists.

If you have more questions about why Abolitionists *oppose* the Pro-Life Movement, and want to know more about the difference between pro-life and abolitionist, start with our page: **Abolitionist, Not Pro-Life** < <https://abolitionistsrising.com/abolitionist-not-pro-life/>> .

If you want to get join the Abolitionist Movement, a great first step is signing the petition! **Sign it here!** < <https://www.abolitionistsrising.com/petition>>

LOOKING FOR ABOLITIONISTS NEAR YOU? FIND YOUR STATE HERE:

☰ Vie... < <https://www.abolitionistsrising.com/states>>

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<https://w>



2/3/2025

RE: Opposition to North Dakota House Bill 1373

Chairman Ruby and Members of the Committee,

My name is _Chris Dill_. As a concerned former North Dakota resident of _30_ years, I am sharing my opposition to North Dakota House Bill 1373.

As expected, a personhood bill such as HB 1373 has gotten a lot of attention in North Dakota and outside of your state. A bill written the way this one is has implications far more dangerous than perceived. The Representative who proposed the bill publicly states that it is an anti-abortion bill, but the exclusions written in the bill do not protect other rights of your state's citizens. The bill has negative impacts to reproductive services, miscarriage management, and necessary medical care during dangerous pregnancies (like life-threatening ectopic pregnancies) or pregnancies of multiples.

It is your responsibility to protect the rights of citizens in North Dakota by recommending Do Not Pass on ND House Bill 1373.

Thank you for your time and consideration as you decide what is best for the residents of your state.

Respectfully,

Chris Dill

Shakopee, MN 55379

Megan O'Neil
3725 N Sedona Ct
West Fargo, ND 58078
701-388-2064
meganfpalmer@gmail.com

January 24, 2025

69th Legislative Assembly (2025-27)
Representative Lori Vanwinkle
600 E. Boulevard Ave., Dept. 127
Bismarck, ND 58505-0599

Re: Opposition of HB1373

Dear Representative Vanwinkle,

My name is Megan O'Neil and I live in West Fargo, ND with my husband and two children – two children we would not be able to have without the assistance of reproductive medicine here in North Dakota.

During our journey to grow our family, we pursued IUI (intrauterine insemination) and were fortunate to welcome our son. When we decided to try for a second child, several additional IUI attempts were unsuccessful. Ultimately, we were advised that IVF (in vitro fertilization) would give us the best chance for another baby.

While IVF is often described as a mainstream option, it's rarely discussed how complex and uncertain the process can be. Through our experience, I learned that IVF is, in many ways, a numbers game where each step reduces the likelihood of success. Let me share an example:

By the time we pursued IVF, I was 36 years old. In a typical IVF cycle for a healthy woman my age, about 13 eggs might be retrieved through an intensive medical procedure involving medications, professionals, and anesthesia. Of those 13 eggs:

- About half (6–7) may successfully fertilize.
- Half of the fertilized eggs (3–4) might grow into blastocysts.
- After genetic testing, about half of the blastocysts (1–2) are viable embryos.

From there, the remaining embryos must survive freezing, thawing, and implantation. And even with a successful transfer, there's no guarantee of a full-term pregnancy.

This brings me to House Bill 1373. This bill aims to redefine personhood at the fertilization stage, which fundamentally misunderstands the science of human reproduction. Fertilization is just the first step in a lengthy, complex process. By focusing on this early stage, the bill ignores the biological realities of embryo development and viability. Additionally, it is scientifically inaccurate to equate fertilized eggs—many of which will not progress into viable embryos—with living, fully developed humans.

As someone who has lived through the challenges of infertility, I urge you to consider the profound consequences of passing HB 1373. This bill would not only disregard the science but also jeopardize the reproductive options and choices of families like mine.

For these reasons, I strongly oppose the passage of HB 1373.

Respectfully,



Megan O'Neil

Lexi Hendricks

Regarding HB 1373 for the State of North Dakota

2/3/2025

To Whom it May Concern,

My name is Lexi Hendricks, and I am a resident of Fargo, ND. I am writing in support of HB 1373 to protect the life of unborn children. I am testifying to stand and protect those that cannot protect themselves. We as people cannot allow the murdering of our children, the next generation, while we stand by silent at the genocide that is taking place across our nation. These are children – not a clump of cells or unalive member – heart beating, beautiful, and worthy of the same right to life that we outside of the womb have as well.

I am writing this as a woman. I do not view this issue as “my body, my choice”. The uterus is the only organ in a woman’s body that is not meant for her. It was solely created by God to nurture and protect the life of the baby while it grows before being born. It pains me to see men and women across our nation dampen down the legitimacy of life that is created at conception by the choices of the mother and father. Not only is abortion murder, the act of abortion is extremely unsafe and unhealthy to the mother. Statistics and studies show the horrific effects of terminating a pregnancy on a woman’s body, as well as the horrible effects it can have on future pregnancies the woman may have. So not only does abortion kill the baby and seriously harm the mother mentally and physically, future children bear the weight of this decision. God himself lays this out in His Holy Word in Exodus 34:7: “keeping steadfast love for thousands, forgiving iniquity and transgression and sin, but who will by no means clear the guilty, visiting the iniquity of the fathers on the children and the children's children, to the third and the fourth generation.”

Every life is created by God. It is precious and worthy of protection. I can list statistics all day long, but at the end of the day, I am pleading with you because I am a Christian. I answer to a Holy, Living God who has commanded the abolishment of murder of the innocent. We cannot allow our children to continue to be murdered while we stand by and watch. I pray for the abolishment of murder not only in North Dakota, but across the United States and the world. We have already lost more than 63 million children since 1973 to this horrific genocide. Children who could not defend themselves.

I encourage you to listen to a podcast episode of [Culture Apothecary with Alex Clark titled The Devastating Physical Impact Abortion Has On Women](#).

Thank you for taking the time to read this letter. Most importantly, thank you to our state representatives who are fighting for the right to life. I hope you will consider mine, as well as all the other letters of support, in your vote. May God Bless this fight.

Subject: Support for HB 1373 Protecting Life from Fertilization

Dear House Human Services Members,

I am writing to express my strong support for HB 1373 and urge you to give it a Do Pass recommendation.

All human life begins at fertilization and deserves equal protection under the law. From the moment of conception, every human being possesses inherent dignity and the right to life. Our laws should reflect the fundamental truth that all life, no matter how small or vulnerable, has value and is worthy of protection.

Passing HB 1373 is a critical step in ensuring that the most defenseless among us receive the recognition and rights they deserve. I encourage you to stand for life and uphold justice by advancing this important bill.

Thank you for your time and consideration.

Sincerely,

Nancy Tschetter
Minot, ND

House Human Services Members,

Please give HB 1373 a do pass recommendation. All life begins at fertilization and deserves to have equal protection under the law.

Thank you for your consideration.

I am in complete favor of HB 1373! All life begins at fertilization and deserves to have equal protection under the law. If you are not convinced please see the attached article <https://endabortionnow.com/abortion-is-murdering-humans/>

Please honor and submit to the Lord Jesus Christ with your life and end abortion now in our state!

Chairman Ruby and Members of the Committee,

I am writing this testimony in **OPPOSITION** to HB 1373.

I am an Andrologist at the only IVF fertility clinic in North Dakota. I directly work with patients who are working to create a family. As someone with firsthand experience and day to day interactions with patients going through fertility struggles, I strongly encourage you to OPPOSE HB 1373 so that we can continue to provide care to our patients. Infertility is a medical diagnosis, and North Dakotans should have access to treatment of this medical disease. We care strongly for the women and men of our state, and for the 1 in 6 couples that battle infertility. Please take this opportunity to show your support for your friends, family, coworkers and the citizens of your state to access these services by Opposing HB1373.

Medical professionals do not want to work in a state where they could face criminal charges for doing their jobs. No matter how many exceptions are included in this bill, there is always room for interpretation when faced with criminal charges. Each of you has occupations outside of your elected positions. Would you want politicians questioning your job performance and possibly pressing charges against you if they didn't agree with you?

The bill could have devastating unintended Consequences for families who rely on IVF to build their families. Specifically, if this bill passes, it could create legal liabilities for fertility clinics and healthcare providers if an embryo does not develop or if an embryo transfer does not result in a live birth. This would likely end access to IVF care in our state but also place unnecessary risks on both patients and healthcare providers.

Sincerely,

Joie Thompson

Testimony of support for HB 1373,

My support for the bill is due to these reasons: life begins at conception, the murder of human life is murder, and life is precious. Children are wonderful things that bless parents' lives. If a child was killed outside of the womb, it would be considered murdered or involuntary slain. Even when a pregnant woman is killed it is considered a double homicide, why cannot it not be the same when a baby is murdered in the womb. Regardless, it would be taken seriously as a loss of life. We need to then take the situation serious when considering that ending human life is murder.

Our children in the womb need to be protected. They are not burdens; they are precious human beings that need to be protected. Animals in the womb have more rights than a human, a sad circumstance that needs to change. Changing the terminology is not new, but this needs to be addressed: life begins at conception and a child in the womb is life. Changing the terminology and specifying when life begins is a must. We have terminology for all stages of life except for conception.

I approve of HB-1373 and it needs to be passed, not only for North Dakota's sake but for the country as a whole. I stand firm in my convictions and will hold steadfast to them. As God as my witness, this needs to be passed.

Cade Powers

February 3, 2025

North Dakota Legislative body
Re: Definition of a human being.

Dear North Dakota Legislators,

36 years ago, I was a newlywed college student in Texas. We were hoping to wait until school was finished, and did our best to use birth control well, but still ended up pregnant. My husband used all his best arguments to convince me to have an abortion. It is legal, it is no big deal, we can have more children later. I knew that THIS baby only gets one chance at life and said "no." He threw every cup in our house at my head trying to change my mind. He gave me the silent treatment first, then he yelled for days. I never wavered, thank goodness, and I have a beautiful daughter and 3 grandchildren because I knew the truth. THAT child matters.

We live in a crazy world that understands that eagle eggs are eagles in need of protection; sea turtle eggs are turtles in need of protection, but humans inside their mother are only protected in some parts of the country. The sad reality is that as long as abortion is legal in most of the country, babies aren't safe anywhere, but we need to keep standing up and doing the right thing. We need to set the example in our state so that they finally get the message in Washington.

Thank you,
Bonnie Spies
Fargo, North Dakota

Hi my name is Tate Hendricks and I am writing to the Chair, Vice Chair, and members of the committee today in favor of HB 1373. I am writing this from the point of view of a Christian abolitionist. I agree with the pro-life position that abortion is murder and that it ought to be abolished in the name of the Lord Jesus Christ. Of course, there is forgiveness to be found in Christ for abortion, but that does not mean it ought to be legal, and it does not negate the necessity of establishing justice.

If abortion is murder, and we all know it is, it ought to be criminalized as such. Abolitionists believe that abortion must be totally abolished through a law which makes preborn children equal under law. Equal protection for preborn children would mean that preborn children would be afforded all the same legal protections that all of us enjoy. It would mean that nobody -- not father, mother, doctor, or anyone else -- is permitted to participate in the murder of a child in the womb. It would mean the available penalties for murdering any other person would be available for anyone found guilty of knowingly murdering a preborn human being. Equal protection would not mean that every mother or father who murders their child would receive murder charges. There are all sorts mitigating and exculpating factors that might lessen or eliminate the penalty for an aborting parent in a given situation. Some women are victims who are coerced into having abortions, and will not face any charges. Some will deserve second- or third-degree murder charges based on the circumstances. Some will receive immunity by testifying against the abortionist or pill trafficker. Each person charged with murder by abortion would receive all the same due process and opportunities for appeal that all defendants receive. This is the abolitionist position.

Put simply, equal protection is the American legal term for the Biblical principle of impartiality. Leviticus 19:15 commands to Israel's judges, "You shall do no injustice in court. You shall not be partial to the poor or defer to the great, but in righteousness shall you judge your neighbor." Equal protection is the fulfillment of this principle. The 14th amendment of the U.S. Constitution reads, "No state shall...deny to any person within its jurisdiction the *equal protection* of the laws." This means that every state is prohibited from separating out classes of people who get varying levels of legal protection. Everyone must be treated as legal equals. Properly understood and applied, the 14th amendment prohibits any state from allowing crimes like homicide to be committed against preborn human beings, and further prohibits states from treating preborn children differently under law. Rather than making political calculations, abolitionists simply proclaim the truth that abortion is murder and must be abolished without shying away from any of the perceived consequences of that position. We demand justice through equal protection of the law for all image bearers of God. Equal justice and the abolition of abortion are thwarted by the pro-life movement's refusal to fully criminalize abortion.

I have seen first hand the destruction and wickedness of abortion and pray that it would come to an end. There is great pain and suffering and even wrath that awaits those who do not repent of their sins and turn to Christ. This matter is crucial in upholding the foundations which our country was founded upon, which is Christianity. From the moment of conception, a baby deserves equal protection. All humans are made in the image of God and deserve to be treated as such. I pray that everyone would recognize that they were created for a larger purpose to enjoy God and glorify Him forever. I am in FULL support of HB 1373 and the abolishment of abortion.

House Bill 1373
House of Representatives
Human Services Committee

Chairman Ruby and members of the House Human Services Committee, we are Michael and Stacey Gussiaas of rural New Rockford. We are submitting this written testimony in opposition to certain language included in HB1373, more specifically: “terms relate to the offenses of murder and assault and civil actions for death caused by wrongful acts” and “unborn child” means an individual living human child before birth from the beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum.’ This language signals a direct statement that In Vitro Fertilization (IVF) should no longer be allowed.

We have recently come to know firsthand how modern medical treatments, in particular, IVF, can positively impact a married couple’s life. Not all married individuals desire to become a parent, but for those who have anticipated this as a part of their life, nothing can feel more devastating, heartbreaking and even straining on a marriage than the inability to conceive.

The willingness of married couples to seek out the expertise of fertilization clinics cannot be an easy decision, feeling that one or the other is to blame for the inability to procreate. IVF offers those seeking to grow a family of their own bloodline an opportunity to become ecstatic and share together the love and appreciation for a life they have created together, just as they would through a natural conception if possible.

We personally know eight children who have been conceived into this world through IVF; their parents would not take back the opportunity to do it all over again. The sadness, heartache and depression that can fill one’s spirit and mind can be

alleviated by given the opportunity to seek out fertilization treatments, and as a last resort, IVF treatment. The wording of this bill will remove all hope and promise for those choosing to become parents as no provider will take on or should be expected to take on the risk of assuming criminal negligence as the result of an embryonic death.

If HB1373 is approved with the current language, the IVF treatment centers will be paralyzed in providing their expertise and proven medical procedure to those longing to become parents, because of the risk associated should a fertilized egg discontinue to grow subjecting the provider to any criminal negligence laws. How is this different than a mother who might experience a heart-wrenching miscarriage? The fertilized egg dies as well only within the womb; are we to say the mother wasn't appropriately taking care of her body and her unborn child - absolutely not! Unfortunately, it is a natural occurring process that sometimes happens. The mere thought of making a medical provider out to be a killer is wrong! The mere thought of taking away a proven scientific treatment is wrong!

Two of our most loved people in this world were recently conceived through IVF. Their parents were fortunate enough to endure the financial aspect, to be there to support each other through their emotions, and are now surrounded by the tremendous sound, joy and love in the two children they were able to bring into this world, all through the help of science and excellent care teams.

Becoming a mom and/or a dad is something most people take for granted. We no longer view becoming a parent as something that is easily done; it can be downright heartbreaking to some. Do we have the right to take away the ability to procreate even if not through intimate practices? We say no and urge you to vote no on the current

language of HB1373, protecting the rights for responsible providers and allowing hope for wanting parents-to-be.

IVF treatments are time consuming, emotionally challenging and extremely expensive. No parent or medical provider enters into this decision lightly.

Making the provider responsible to any criminal action caused through the death of an embryonic egg in their care could inhibit the growth of one of our most precious, valued and natural resources - the future generation - the birth of children - your children, your grandchildren, your great grandchildren and on for generations to come.

House Committee,

My name is Mikayla Hankey, and I urge you to vote yes on House Bill 1373. The question of when life begins is not complex—it begins at conception. From that moment, a new human life exists, with a unique and complete set of DNA that defines the person they will become. This is a biological fact, and it is imperative that the legislature upholds and communicates this truth.

Recognizing this truth can be difficult in a world where unintended pregnancies occur, where mistakes are made, and where unspeakable crimes such as rape and abuse tragically happen. However, the response to hardship and suffering should never be the taking of an innocent life. Two wrongs do not make a right, and abortion compounds the trauma rather than erasing it.

The only way a person can remain unaffected by abortion is if they are utterly convinced that they have not taken a life. But the reality remains—life begins at conception. Failing to acknowledge and uphold this truth has devastating consequences. Killing an unborn child does not heal the trauma of rape. It does not leave women unaffected, either physically or emotionally. As someone who has personally endured two miscarriages, I can attest to the deep and lasting emotional pain of losing a child. Abortion, far from being an easy solution, leaves many women grappling with profound regret and grief.

Some argue that abortion is a necessary option to avoid the hardships of parenthood, citing financial struggles, emotional strain, or systemic challenges like foster care. But the answer to these difficulties is not the destruction of innocent life. True care for women means offering real support—resources that empower them to carry their child to term, whether they choose to parent or pursue adoption. Our state must not justify abortion under the guise of compassion while failing to acknowledge its devastating consequences.

It is time for North Dakota to stand for truth and for life. We must invest in pregnancy centers that connect women with adoption agencies, counseling, financial assistance, and childcare. We must foster a culture where both mother and child are supported, where women are not abandoned to despair but empowered to choose life. The role of the legislature is to uphold what is right and true, and that means ensuring that women are given real choices—not the false promise that ending a life will erase their pain.

I urge you to vote yes on House Bill 1373. The decision you make is one of life and death, and history will remember whether you stood for truth or for convenience. Let us be a state that chooses life, not only for the unborn but for the mothers who need our support now more than ever.

Sincerely, Mikayla Hankey

Dear Members of the Committee,

I am writing to strongly urge you to vote in opposition to HB 1373, which aims to redefine a “human being” to include an “unborn child” from the moment of fertilization. This change would have severe implications on reproductive health, the ability to utilize IVF to start a family, and much more. This bill is too vague and too dangerous to pass.

This bill lays out what they’re willing to make exceptions for: spontaneous miscarriage, acts during diagnostic medical testing, and a procedure undertaken to save a mother’s life. None of those three things cover the life-threatening condition of an ectopic pregnancy, which can be deadly if left untreated. This is beyond anyone's control and does not fall under any of the protected categories listed above. In addition to ectopic pregnancies, this bill would essentially eliminate the ability to utilize IVF as an option to help them achieve pregnancy. This bill is too unclear that medical teams are not going to want to risk their license and the possibility of getting criminally charged due to the ambiguous way this bill was written.

I ask of you as a North Dakota resident, a mother, and a patient who had to undergo IVF myself to oppose HB 1373. North Dakota already has an abortion ban put into place and this bill is just a disgusting overreach which could negatively affect those who are actively trying to grow their families or harm those who are helping those grow their family. Those are the ones who are caught in the crossfire. People like myself. People you know and love who need these reproductive services. People who are experiencing ectopic pregnancies. People who are trying to help will become collateral damage.

Please protect the people of North Dakota by voting as a do not pass.

Thank you for your consideration,

Lindsey Olander

Fargo, ND

February 3, 2025

I am strongly opposed to Bill 1373 and honestly, see absolutely no purpose to it, other than to shove religious ideology down the throats of North Dakotans. It's also uninformed and quite honestly, dangerous. Are we really trying to prevent people from trying to have families, using any and all methods possible, by threatening the providers with a possible MURDER charge? Absolutely insane.

It should never be up to a governing body to make choices for people, especially women, when it comes to making decisions for their bodies. There are multiple reasons women make the choices they do with reproductive care, and they are all very personal. Oftentimes, access to some of these options is also medically necessary and government should never be allowed to implement laws to restrict medical care. I'm so tired of people trying to force their religious beliefs on others by attempting to take away choice or medical care options.

Vote NO on 1373

RaNae Jochim

South Bismarck Resident

Testimony Against HB1373

Honorable Members of the Committee,

I am writing to express my strong opposition to HB1373, which proposes to grant personhood under a new definition of unborn child. The language of this bill poses significant risks to women's health and well-being, not only in North Dakota but potentially for individuals seeking reproductive health care nationwide.

Furthermore, this bill has dangerous implications for women's health. If a woman fears criminal charges after a miscarriage (or God forbid, needs life-saving measures from an ectopic pregnancy), it will discourage open and honest communication with health providers, who are critical to supporting women during these difficult times. This could result in women delaying necessary care or avoiding important medical advice, ultimately putting their health at risk. While the bill says it "does not apply to the unintentional death of an unborn child resulting from: spontaneous miscarriage", the overarching language in this bill undermines the medical knowledge that is needed in situations like this one. Doctors are the ones who need to be deciding medical treatment for women.

The bill also threatens to undermine fertility treatments like in vitro fertilization (IVF). IVF requires the creation and handling of embryos, and this bill could make many IVF procedures impossible or legally precarious, effectively shutting down the options for couples who seek to grow their families. The implications for individuals and families hoping to use IVF to achieve pregnancy are profound, and the negative effects on reproductive rights cannot be overstated. My husband and I wish to grow our family and want to continue to reside in North Dakota, but knowing that this bill is being discussed affects our entire family plan. I want to be supported in my state, not targeted.

This bill does not simply restrict choice—it imposes criminal consequences on personal, deeply emotional, and medically complex situations. It diminishes the autonomy of women in making health decisions, treating them as criminals for matters outside their control. This harms not only women's ability to make decisions about their own health but also undermines trust in the healthcare system.

I urge you to reconsider the passage of HB1373 and instead focus on legislation that respects and supports women's health, autonomy, and access to care. Thank you for your time and consideration.

Sincerely,

Hannah James
201 Forest Ave N
Fargo, ND 58102
hannahlynnebalko@gmail.com

01/31/2025

RE: Opposition to North Dakota House Bill 1373

Chairman and Members of the Committee,

My name is Megan Kontinakis. I am a North Dakota resident asking you to vote **No on House Bill 1373**. This proposed bill is not black and white as the proposed writer may hoped and does not protect the medical practice of IVF. This bill creates too many complications for doctors and laboratory personnel to safely conduct IVF, that they would have no other choice but to be forced to shut down. This proposed bill states in section one 14-20 reasonings in which it would be considered unintentional death of an unborn child, but you see this complicates the IVF process directly as the process discards embryos that would not sustain life known through extensive testing and phd knowledge. This process of discard selection mimics the natural fertilization process of a woman's body and if implantation doesn't occur she just doesn't become pregnant. The medical advancement and practice of IVF gives HOPE and expands families that would physically not be made possible by natural conception. It also gives hope to the future of North Dakota to ensure the generational growth and history this state holds.

It is no secret that the representative who proposed this is strong within their religious beliefs, but who is to cast judgement onto those when one has no self knowledge or experience in these medical processes. I myself am a mother who conceived naturally and consider myself a christian teaching my child to know the loving and forgiving God who has given us the free-will to make our own choices. Who are we to play that role and take away the rights of others to make their own free-will choices? It is important to protect that right and vote NO. I am self aware that just because I was able to naturally conceive once does not guarantee for the next, I could be in the position to need IVF to expand my own family with goals to build deep roots here in North Dakota. Please protect the right in giving the opportunity and blessing of parenthood for citizens of North Dakota by voting **No on House Bill 1373**. You never know if this could impact your family: wife, daughter, sister, brother, friend, or neighbor.

Thank you for reading and considering my testimony as you make a decision.

Megan Kontinakis
Minot, ND

Chairman Ruby and Members of the Committee,

I am writing this testimony **IN OPPOSITION** of HB 1373.

I am an embryologist at the only IVF fertility clinic in North Dakota. I am appalled that this is even a bill. As someone with specialized training in IVF laboratory procedures, the passing of this bill would stop infertility treatments for the residents in the state of North Dakota. The bill does not directly state that IVF would stop; however, anyone who performs these types of procedures would see that this house bill is big red flag.

In order for IVF to be successful, multiple eggs need to first be retrieved from the female after ovarian stimulation. Then a procedure called ICSI, intracytoplasmic sperm injection, is performed where sperm is directly injected into the egg. Of those eggs that are injected, only around 70-80% of those are successfully fertilized. Of those that continue to develop about 30-50% will make it to blastocyst stage. Of the transferred embryos only around 40% result in a live birth.

Under this bill, the eggs that do not fertilize successfully and the embryos that arrest or simply stop growing in development would be considered "unborn children". That would be a huge liability to the IVF laboratory as this bill would make those situations "offenses of murder or assault". Doctors and laboratory staff would no longer risk their licensures or jobs in this state to help infertility patients.

I strongly encourage you to oppose bill HB1373 so that we can continue to provide care to our patients. Infertility is a medical diagnosis, and North Dakotans should have access to treatment of this medical disease. We care strongly for the women and men of our state, and for the 1 in 6 couples that battle infertility. Please take this opportunity to show your support for your friends, family, coworkers and the citizens of your state to access these services by passing HB1373.

Sincerely,

Jennifer Wadeson, MT (ASCP)^{CM}

Hello,

I am writing to express my strong support for House Bill 1373, which seeks to amend the North Dakota Century Code to define "human being" and "person" in relation to offenses of murder, assault, and civil actions for wrongful death. This legislation is a critical step toward ensuring that the law recognizes and protects all human life appropriately within our legal system.

As a mother, educator and child care center owner, I believe that legal clarity on these definitions is essential for justice and consistency in our legal framework. The proposed bill provides necessary legal recognition that aligns with both ethical and scientific understandings of human life. By explicitly defining these terms, House Bill 1373 strengthens protections for individuals who may otherwise be overlooked in current legal interpretations.

Providing clear definitions helps prevent ambiguity in legal proceedings and ensures accountability for those responsible for harm.

I urge you and your colleagues to support House Bill 1373 and advance its passage to reinforce the principles of justice and protection for all members of our society. Thank you for your time and consideration of this important matter.

Kenzi Brown

My name is Rodney King. I am writing to support HB1373.

The Bible clearly states that human life begins at fertilization (Psalm 51:5; 139:13-16, Jeremiah 1:5) and that each human is made in the image of God (Genesis 1:26-27; 9:6). It is also clear that God hates the shedding of innocent blood (Proverbs 6:16-17). Abortion is the murder of the most innocent among us with malice aforethought, and God hates it.

Christ commands us to love our neighbor as ourselves (Matthew 19:19), and this would include our preborn neighbors. In addition, He has ordained civil magistrates to be "an avenger who carries out God's wrath on the wrongdoer" (Romans 13:4) and "to do justice, and to love kindness, and to walk humbly with your God" (Micah 6:8). He has commanded that justice be carried out without partiality (Deuteronomy 16:19, Proverbs 24:23; 28:21). According to Proverbs 17:15, anyone who justifies the wicked is an abomination to the LORD.

Given these facts, it is incumbent on you, as leaders appointed by the Almighty, to pass this bill and establish justice in North Dakota. Thank you for your time.

I am writing this testimony **IN OPPOSITION** to HB 1373:

I am a Medical Technologist/Andrologist at the only IVF fertility clinic in North Dakota. I directly work with patients who are working to create a family. I am also a patient that would not have my kids had it not been access to these services in our area. The amount of anxiety and stress involved in this procedure was hard enough – even with access to a local clinic. I can't imagine having to drive 4...5...6+ hours on top of what we already endured to pursue growing our family. Please don't do that to your residents, so so so many people (1 in 6!) rely on our services, expertise and passion to assist in their dreams of growing their family.

As someone with specialized training as an Andrologist at the state's only Reproductive Medicine clinic, I strongly encourage you to **NOT PASS** HB1373 so that we can continue to provide care to our patients. You have actual Reproductive Medical Professionals who work in this field of medicine, every day, testifying that they cannot risk practicing this medicine in ND if the bill is passed as written. ACTUAL LOCAL REPRODUCTIVE MEDICAL PROVIDERS WHO ADVISE AGAINST THIS BILL! Yet a relator who claims "IVF wont be affected" is being believed by many over the actual providers from ND who work at the ONLY reproductive clinic in the state. Not 1 person, to my knowledge, from this bill has reached out us to just have a conversation about our concerns and how real they are to us, our practice and liability, and how this will affect our patients.

Infertility is a medical diagnosis, and North Dakotans should have access to treatment of this medical disease. We care strongly for the women and men of our state, and for the 1 in 6 couples that battle infertility. Please take this opportunity to show your support for your friends, family, coworkers and the citizens of your state to access these services by **NOT PASSING** HB1373.

Sincerely,

Marie Ackerman, MT (ASCP)

Madison Rodgers
PO Box 1176
Stanley, ND 58784

February 3, 2025

Chairman Ruby and Members of the Human Services Committee:

I am submitting testimony for HB 1373. I am neither for nor against the bill. However, I believe there needs to be an amendment made regarding reproductive medicine clinics, especially ones that offer in-vitro fertilization (IVF).

One of my concerns is when an egg is fertilized by a sperm, but fails to keep growing or "arrests". Would the clinic be liable for murder if this were to happen? That would hardly seem justifiable since the clinic has no way of keeping an unviable embryo growing if the embryo fails on its own.

Another concern is when an embryo is transferred into a woman, but fails to implant. Would the clinic be charged with murder then? This would also seem unjustifiable since there is no way that the clinic can "make" the embryo implant.

The way the new statutes are written do not account for either of these situations. They only account for "acts performed under the usual and customary standards of medical practice during diagnostic testing". I take that to mean amniocentesis, chorionic villus sampling, etc. which all happen AFTER a viable pregnancy is confirmed. There are no protections for clinics trying to give their patients a child.

I bring up these concerns because both experiences have happened to me. I have done one round of IVF and only five eggs were retrieved. Three were able to be fertilized. One embryo arrested, leaving my husband and I with two embryos.

We transferred the healthiest one first, which resulted in a handsome baby boy in May of 2023. We transferred our last embryo in October of 2024, knowing there was less likelihood of implantation because our second embryo (a boy) had a deletion on his first chromosome. Unfortunately, our embryo did not implant. (And just in case anyone wonders if those embryos that fail to implant get names - they do. We named our embryo Ezra Jett.)

If my husband and I want to continue to grow our family, we need to do another round of IVF. If this bill passes, the implications it could have on growing my family and giving our only living son a sibling earth-side could be devastating. There is only ONE reproductive medicine clinic in North Dakota. I want that clinic to be able to practice confidently and give their patients the very best care.

Please send this bill back to be amended and protect North Dakota's only reproductive medicine clinic.

Thank you,

Madison Rodgers

February 3, 2025

Chairman and Members of the Council,

My name is Anne Gehring. I am a concerned ND resident asking you for a Do NOT Pass on House Bill 1373.

I believe HB 1373 was written with no prior education or research on what it relates to. It seems, based on attempts to get clarification from the Representative who wrote the bill, that she is unwilling to listen to the concerns of the people the bill will directly affect or take the opportunity to learn more about it. The vagueness of the bills language leads me to believe it was rushed or intentionally written in a way that will have the largest impact; either way, it is bad for North Dakota.

As evidence of the lack of research done, VanWinkle claims the main elements of IVF will remain legal under this bill, referring to the creation, freezing and implantation of embryos. These things are far from all that is involved in IVF.

There are necessary steps to the IVF process that will become illegal under HB 1373. Some of these steps include the time the fertilized egg has to grow in the lab between fertilization and freezing, and the fact that not all embryos transferred to a womans uterus are guaranteed to implant. Neither of these things are caused by human error, but both would be considered the wrongful destruction of embryos and therefore be illegal. The only remaining IVF clinic in North Dakota cannot and will not continue helping families create life under the threat of criminal liability.

Its true that my son and daughter in law are utilizing IVF for their future pregnancies after having six unexplained miscarriages and no

living children. This bill will negatively impact their ability to have a living child. However, that is far from my only concern related to this bill.

Other states have passed similar bills without clarification on what it pertains to or the proper exclusions to provide necessary protections. They are now seeing the ramifications of additional things being affected that were not discussed when the law was a bill (see articles about Alabama and other states anti-IVF law for examples). I am concerned that this is going to happen in North Dakota, too.

In states with bills like this, there are notable drops in OB-GYN residencies and a decrease in womens health practitioners in general. Pregnant women carrying non-viable pregnancies or who are pregnant from rape (including incest) or after being forced into sex trafficking have to travel to another state for emergency medical care.

North Dakota HB 1373 has no exclusions to protect a woman in relation to abortion, not even if there is rape or incest.

As previously mentioned, my son and daughter in law have had six unexplained miscarriages. I am fearful of the effect this bill will

have on medical management required after miscarriage. I have watched my daughter in law undergo four D&C surgeries to

remove her dead baby from her body. I asked the Representative who proposed this bill if the procedure will be protected in the case of miscarriage. She did not answer.

Women are not protected under HB 1373. Families dependent on IVF for pregnancy are not protected under HB 1373.

I do not think due diligence has been done to ensure the impacts of this bill are fully understood. Passing this bill is irresponsible without being educated on its effects.

Please protect the right to parenthood and necessary medical intervention for citizens of your state by recommending Do NOT Pass on House Bill 1373.

Thank you for your time and for ensuring you know what HB 1373 will do to our state before making your decision.

Respectfully,

Anne Gehring

Minot, North Dakota

Kristina Myers

420 6th Ave SW

Surrey, ND 58785

smilesnme@hotmail.com

701-833-9346

Date: 02/03/2025

To:

House Human Services Committee Members
North Dakota State Legislature

Subject: Testimony in Support of HP1373 to
Abolish Abortion in North Dakota

Dear Members of the Committee,

I am writing to express my strong support for
HP1373, the bill to abolish abortion in North

Dakota. This proposed legislation is not only a step toward preserving the sanctity of life but also a crucial reflection of our state's values regarding human dignity and the protection of the most vulnerable among us.

As a parent, concerned citizen and healthcare worker, I am deeply moved by the need to uphold the principle that every life, no matter how small or how early in its development, has intrinsic value. Abortion, in its many forms, ends a life with potential, and as a society, we must prioritize the rights of the unborn who cannot speak for themselves.

The passage of this bill would demonstrate North Dakota's commitment to preserving the right to life for all people, regardless of their stage of development. It is my belief that society is judged by how we treat those who are most vulnerable, and that includes the unborn. Through thoughtful legislation like HP1373, we can affirm the dignity of life and protect those who cannot protect themselves.

I urge you to consider the far-reaching implications of allowing the continuation of abortion, not just for our state but for the moral direction we choose to follow as a society. In supporting HP1373, you are standing up for life, for the future of our children, and for a North Dakota that values every person.

Thank you for your time and for your consideration of this crucial issue.

Sincerely,
Kristina Myers

Dear Chairman Ruby and members of the House Human Services,

I have been residing in North Dakota since I was 4 years old. I can tell you that my upbringing was above average. I had parents who were married my entire life and very devoted to each other and their family. My father worked hard to support our family while my mother was a stay-at-home mom and ran the house and took care of us kids. I was the youngest of 3 older living siblings. I had one sister pass away from leukemia as a young child. I attended church, was baptized, confirmed and was very active in the youth group.

When I graduated from high school I could not wait to get out on my own. I wasn't gone from home long when I found myself in an unplanned pregnancy. I turned to the father of the baby, and he was not in support of having the baby. Next, I called my dad at work, knowing he would be my voice of reason. He told me I needed to call home and talk to both him and mom that night. That night, I called as recorded in my mom's diary, "At 9:18 tonight Tanya called, and told us that she was pregnant, we did not tell her what she wanted to hear, but that now was the TIME TO GET RID OF IT!" They told me that if he was not going to marry me that abortion was the only answer. That they were not going to help me

and that I was not capable of raising a baby on my own. This was 31 years ago this month and, at a time, when kids listened and respected what your parents said, or at least I did. So, the next day I met with my boyfriend, and he decided to make the appointment even though I pleaded with him not to. The appointment was made for 2 weeks later and every single night I was on the phone with my parents trying to get them to realize in my own way that I could do it. I could maybe change their minds or soften their hearts. The night before the abortion I even sent my mother roses, trying to change her mind. I had my abortion that forever changed my life 31 years ago. I wasn't offered any counseling, nor did I get to see my baby on an ultrasound. I was told it was pregnancy tissue, but little did I know that sound of the machine sucking my baby out would forever scar me! I can't go to the dentist without reliving it, because of the suction sound! The smell of the room would haunt me to this day! But to get back to them telling me that it was just pregnancy tissue, but then after sucking it out, the doctor would have to reassemble the baby he had just helped me murder! To make sure he had not left any limb behind....sick! If I only knew then what I know now!! They told me that while I was bawling on that table it was all going to be ok, no it wasn't! I suffered for 22 years in fear that someone was going to find out what I had done. I was depressed, ashamed, angry,

suffered with anxiety, and basically held myself hostage in my personal prison of hell. I finally sought out healing 9 years ago through a pregnancy help centers after abortion healing program. It is only after that program and healing that I have been able to share my testimony about how abortion truly affected me. Had an abortion been illegal at the time of my pregnancy, I know for a fact that my parents would never have suggested that I do it! I lived in a home where if I got a speeding ticket, I got grounded so I highly doubt they would support me or tell me to commit an illegal act of murder! And I would have had another beautiful child on this earth! And I would not have had to live in the self-made prison I had made for myself, knowing that I had killed my baby. An innocent life separate from mine, I had a part in ending and was guilty and was going unpunished by law. As to the lie of abortion being healthcare, there is no healthcare that purposely ends one life, and that's what abortion does! They came into the exam room and physically ended the life of another human being, two of us went in that day but only one very wounded mom left. There is no other medical condition in which a woman can conspire with a physician to end another person's life, we call that murder! If a father chose death for his preborn baby, he too would be charged with murder! Abortion is murder as it ends the life of a SEPARATE, distinct human being whose body is whole at the

moment of CONCEPTION!!! We need to get serious about murder and stop making exceptions to mothers committing abortion or we continue to let them live in their self-made prisons in which the public also suffer but don't know why! My choice to follow through with the coercion that I faced with my abortion still ends with the same result, I committed murder, and it changed every aspect of my life for 22 years of my life until I received healing. The only thing that has set me free is God's forgiveness and admitting my truth.

I am writing to you in support of HB1373

February 3rd, 2025

Re: HB 1373

Members of the House Human Services Committee,

My name is Samantha Harrison, a current resident of Mandan, and I am writing to you to urge a “Do Not Pass” recommendation and a “No” vote on HB 1373.

This bill puts North Dakotans’ rights, health, and lives at risk. Bills like this open the door for further attacks against bodily autonomy, as well as putting the rights and lives of pregnant individuals at risk and making it impossible for health care providers to uphold their oaths of practice. We have seen how across the country, bills like this one have put services like IVF in jeopardy, caused irrevocable health complications to women and pregnant people seeking care, and led to the very preventable death of some patients in states where laws like these have been adopted.

Furthermore, from a legal simplicity standpoint, North Dakota already has an abortion law in effect, so this is another time-wasting culture war bill meant to create issues where there are none and push a radical religious agenda that contradicts the principle of freedom of religion upon which our country was founded.

I urge a “Do Not Pass” recommendation from the committee and a “No” vote on the floor on HB 1373.

Sincerely,

Samantha K. Harrison
District 34 Constituent

February 2, 2025

RE: Opposition to North Dakota House Bill 1373

Chairman Ruby and Members of the Committee,

My name is Kathleen White. As a concerned North Dakota resident of 43 years, I am writing to express my strong opposition to North Dakota House Bill 1373, which seeks to impose restrictions on reproductive rights in North Dakota.

I am the Mom of Emily Lindquist. If this bill passes, Emily and her husband, Braden, will never hold their baby in their arms. After the loss of SIX babies, the only option they have for a biological child is through IVF and a gestational carrier. If this bill passes, they will NEVER bring a biological child home.

A bill written the way this one is has implications far more dangerous than perceived. The Representative who proposed the bill publicly states that it is an anti-abortion bill, but the exclusions written in the bill do not protect other rights of our state's citizens. The bill has negative impacts to reproductive services, miscarriage management and necessary medical care during dangerous pregnancies (like life-threatening ectopic pregnancies) or pregnancies of multiples.

As a concern citizen and Mom, I believe this bill undermines the fundamental rights of individuals to make personal decisions about their reproductive health and freedom. The government shouldn't be able to decide these things as law because situations impacted aren't black and white. The state should NOT have greater authority over personal, medical decisions that must remain between a woman and her healthcare provider.

It is crucial that we protect the right of women to make decisions regarding their reproductive health in a way that is free from political interference. Our state should be a place where individuals are empowered to make their own healthcare decisions without the fear of unnecessary governmental intrusion.

It is your responsibility to protect the rights of citizens in North Dakota, and help Emily and Braden bring their baby home, by recommending Do Not Pass on ND House Bill 1373.

Thank you for your time and consideration as you decide what is best for North Dakota.

Respectfully,
Kathleen White
Minot, ND

I support HB 1373.

I respectfully urge you to support HB1373.

Andrew Frohlich

4600 Haycreek Dr

Bismarck, ND 58503

I am writing in support of HB 1373. In the state of North Dakota, over 200 preborn babies are murdered every single year, in spite of the state's pro-life laws. HB 1373 provides equal protection of the laws to all human beings, including those in the womb. Every child is created in the Holy Image of God. HB 1373 simply recognizes this reality by treating babies in the womb as human beings worthy of protection.

Right now, abortion remains legal for mothers as ND law creates a loophole that allows mothers to self-manage their own abortions at home. North Dakota law discriminates against preborn babies by allowing mothers to have special murder rights over their babies. This violates God's command to show no partiality in legal judgment. By protecting babies in the womb with the same laws that protect our lives, we are simply loving our preborn neighbors as ourselves.

Nobody can say that they are pro-life and vote against this bill. HB 1373 would protect every unborn child from abortion. Planned Parenthood has mobilized to stop this bill and thus, the choice is clear: stand for life and vote for HB 1373, or stand with Planned Parenthood in opposition.

You cannot say you are pro-life and then vote against the most pro-life bill of the legislative session.

February 3, 2025

Testimony in Opposition to HB1373

Dear Chair Ruby and Members of the Human Services Committee,

I write to you as a lifelong North Dakota resident and as someone who has faced the emotional and physical challenges of infertility, including the journey of in vitro fertilization (IVF). I am here to express my strong opposition to HB 1373, which, as it is currently written, poses a serious threat not only to women's health in the event of a reproductive health emergency but also to the complex realities faced by those of us navigating assisted reproductive technologies.

As someone who is undergoing IVF with my husband to create our family, I deeply understand the desire to create and protect life. However, HB 1373 fundamentally alters the landscape of reproductive healthcare in North Dakota, creating numerous ethical and legal complications that could jeopardize the very processes that help individuals and couples achieve their dreams of parenthood. With existing legislation already restricting abortion in our state, it is unclear to me what purpose this bill serves other than to further jeopardize the already limited assisted reproductive technologies available in our state.

The definition of "Unborn child" in the bill — as "an individual living human child before birth from the beginning of biological development at the moment of fertilization, upon the fusion of a human spermatozoon with a human ovum" — is problematic for the IVF community. In IVF, multiple embryos are often created, but not all are viable. The decision regarding our embryos is deeply personal and made in consultation with our medical team. However, if embryos are granted personhood status, the consequences could be devastating. Clinics will be forced to halt IVF treatments, leaving those of us who desperately want to start families with fewer options. Those in favor of this bill insist IVF is not at risk, but how could it not be at risk based on the language in this bill as it is currently written?

The emotional and financial toll of infertility is already significant, and this bill only adds another barrier. As a member of the IVF community, I implore you to consider the implications of this bill not just as a legal issue but as a deeply personal matter affecting real lives. Please vote DO NOT PASS HB 1373.

Thank you for your time and consideration.

Sincerely,



Katie Richter
District 31
Mandan, ND

DO PASS Testimony for HB 1373

February 3, 2025

From Everett Duckworth, citizen of West Fargo, ND

1536 8th ST E

Dear chairman,

I am in support of Pro Life and I believe that this bill will help ensure that abortions, the killing of babies is reduced. Who wouldn't want that !

Thanks for your consideration !

February 3, 2025

Dear Chairman Ruby and House Human Services Committee,

I stand in support of HB 1373 defining personhood. Please give this bill a "Do Pass".

Thank you!

Kristin Sharbono
District 11

February 3, 2025

Testimony in Opposition to HB 1373

Dear Chair Ruby and Members of the Human Services Committee,

I am writing to oppose HB 1373. As someone navigating IVF with my wife, I am deeply concerned about the impact this bill could have on couples like us. The bill's definition of "unborn child" could result in unintended consequences for assisted reproductive technologies, potentially limiting or even halting IVF treatments. This would only add to the already significant emotional and financial challenges of building a family.

Please vote DO NOT PASS on HB1373

Sincerely,

Matt Richter

District 31

Mandan

Life is precious and it begins at conception. This bill acknowledges that a person is entitled to equal protection, beginning at conception. No amount of argument changes the fact that abortion ends an innocent life. No amount of money makes it worth it. No hard circumstance justifies murder.

North Dakota MUST protect our tiniest, most vulnerable citizens. I support this bill of abolition wholeheartedly and I urge the committee to vote to pass this bill.

Dear Members of the House,

I am writing to express my concern and opposition to the proposed House Bill 1373. I was born and raised in North Dakota. I'm a daughter, a sister, a wife, a best friend, a hard-working employee, a coach, and most importantly, I'm a mom. The full extent of this bill weighs heavily on myself and my family; redefining the definition of a "human-being" is valid, however what comes after the fact needs to be reconsidered, restructured, and educated on.

The termination of an embryo at any stage after fertilization to be considered unlawful, unless falling under the very minimal exceptions, is jarring for healthcare professionals and families across the state. Have victims of assault resulting in pregnancy been considered? What about the husband and wife who heard the terrible news that they will never be able to conceive their own baby naturally, or the newlywed husbands who are wanting to start their own family in the near future? If this bill passes as currently written and you were one to vote in favor, you have not only brought your own personal beliefs into the law but you've overlooked and have not done your due-diligence in educating yourself in what the full effects will be.

My question to you is this: if you know that you're meant to be a parent but, for whatever the circumstance may be, you are unable to have a baby on your own and adoption is not a fit for you, wouldn't you do what you can to have a baby with your own DNA? My sister and brother-in-law will be amazing parents one day, and are currently in the process of that through IVF with a surrogate. She has had more miscarriages and D&C procedures in the last four years than one should ever have to physically or mentally endure, and the only viable and safe option for them at this point is surrogacy. They are longing to hold their own child in their arms one day and know that being parents is what they are meant to be in this life, so why should they be restricted and limited? If this bill passes, they will be robbed of ever having that opportunity. There are many individuals in the world who are so easily capable of having their own children, but are unfit to do so and nothing is stopping them. My husband and I are extremely lucky and

grateful that we have been able to have our own children without any complications; however we know that if the roles were reversed for us there would be no question in regards to IVF.

I beg you to please put personal beliefs and religion aside, and to look at this bill as currently written as a whole. Please consider all situations and future families that this will affect. The majority of North Dakotans want our population to continue growing and to progress with the rest of the country. Please don't let this be a starting point of separating the people against the state and for North Dakotans not feeling wanted or understood. This is said to not be an anti-IVF bill, but they cannot convince us otherwise unless changes are drastically made before approval. We should all take this as an opportunity to better educate ourselves and others, and to look at what is best for our people.

Thank you for your consideration,

Sarah Halladay

Minot, ND

I am in favor of HB1373. We must protect the pre-born's right to life and give the same laws that protect born people from murder, to the pre-born. To quote Dr. Seuss, "A person is a person, no matter how small."

To Whom it May Concern:

I am writing in opposition to HB BILL 1373. The bill, as currently written, would have implications far beyond those I believe are intended. It could interfere with providing reproductive services such as IVF in our state. There are couples desperately wanting to become parents that are unable to do so without IVF. My niece and her husband are one of these couples. It also may affect a woman's ability to receive lifesaving care during a medical emergency such as an ectopic pregnancy.

I implore you to vote no on this bill that will severely restrict health care for women in the state of North Dakota. Thank you.

Sue Dill

Distinguished representatives, please issue a Do Pass recommendation for HB1373. All human life is sacred at every stage of development, whether very young or very old, and deserves the protection that only the North Dakota legislature can provide.

Connie Smalarz

1833 15th St S
Fargo ND 58103
701-793-9219
Csmalarz@gmail.com
3 February 2025

To Whom it concerns:

I am writing in support of HB 1373 Relating to the definition of human being and person as the terms relate to the offenses of murder and assault, and civil actions for death caused by wrongful acts.

As a fifteen year old, my boyfriend and I experienced an unplanned pregnancy. Just five days after dropping out of school at 16 years of age, we married and had and kept our baby just one month later. We survived on peanuts and hard work and some assistance from family. It was not easy, yet today at age 60, it was worth it.

Today, While we eventually divorced, I am a college graduate and self-employed. He is a business owner. We had two babies by the time I was 18 and worked hard to get our family started and self supportive. Together those two children are each married 20 plus years with four children each. All self supporting, one with a four year degree and another supporting our trucking industry. Our generations of wealth in the family has multiplied with productive adults that will populate the upper midwest and fill positions within the community.

Together we both remarried and had four more children.. Our large heritage began young with county assistance for a dr appt. I was luckier than most as I kept the pregnancy to myself for 6 months. Another gal in my class was 10 weeks and was taken to Minneapolis for an abortion. She later listened to her parents' conversation about me and my situation and found out ... had she told them, they would have supported her decision.

It is just a shame the emotional pain she suffered at the hands of well meaning solution makers. The choice is not easy when it is easy to follow your friends and organizations to make a decision that will affect you for many years to come. Lets make the best choice be prevention and if it happens, Let us be supportive in the powerful stories of that conceived life. My one decision, easy for me, is now 8 Healthy and happy teen grandchildren. All know the story of where they began. Young foolish Love living on a shoestring.

Sincerely, Connie Smalarz

Re: HB 1373

Dear Chair Ruby and Members of the Human Services Committee:

Hi, my name is Erin Lee. I live in Fargo and work as a nurse practitioner at Sanford Health in the OB/GYN clinic. I will soon also be working at Sanford Reproductive Medicine (I did in the past from 2008-2015 and will be doing so 1 day/week again starting February 3). I'd like to convey **OPPOSITION** for HB 1373—a bill to define life at fertilization.

I have major concerns with this bill. One is that the **ONLY** clinic performing IVF (in vitro fertilization) in ND won't be able to operate anymore. This is due to the liability that would come if something happened to even a day 1 embryo (the fact is a large percentage of embryos **DON'T** survive beyond this stage and only a small percentage grow to Day 5 which is when they are transferred or frozen for later implantation into the uterus). If something happened to an embryo, the lab staff, nurses, providers, and/or health care organization could be potentially charged with murder based on each different judge's interpretation of the bill. Is that example far reaching? Possibly, but no one is going to want to take that chance, as there could be a judge who interprets the law that way. **SO** many couples experience infertility (approximately 15%) and some need to utilize IVF in order to conceive. Do you really want to limit and make these couples who already have to drive a long distance (for example a Williston patient driving to Fargo) have to go even further? They are already under so much stress and financial strain.

It would also potentially affect early pregnancy management. I work in OB and see many patients in the first trimester of pregnancy. There are situations where a woman has a live (with a heartbeat) embryo in her fallopian tube. That embryo has zero chance of surviving, but if not removed, will likely cause the fallopian tube to rupture which then the mother could bleed to death if not treated quickly. Providers may be reluctant to treat the mother (since the embryo under this law is a "person" and could be charged with murder), even though the only option is to remove that to save her life. Again, is this far reaching? Maybe, but as a health care provider with my license and my family's livelihood on the line if I go to jail, I am not going to want to take that chance.

North Dakota already has an abortion bill in, so what is the purpose of this bill anyway? It is just so extreme and affects so many women/families. I currently have two daughters, in 9th and 11th grade. If laws like this pass, once my youngest graduates in 3 years, I will definitely be moving out of this state so I can practice elsewhere. I've lived in ND in 44 of my 45+ years. I have been an NP for almost 17 years. I don't want to move, but I sure don't want to practice in states with laws such as this. Conversations about fertility and early pregnancy need to stay between a woman and her health care provider, **NOT** with the government. This will affect retention of health care providers and also hamper recruitment of new ones to move here (or move back if they did their training elsewhere). There are many articles on this if you are interested. My daughters and other young women are watching and want to have autonomy in choices about contraception and their bodies. Please, do not pass bills that are going to make our young people want to leave our state, too!

Please consider **OPPOSING** HB 1373. I would also be happy to answer questions you have regarding IVF and also early pregnancy care, as I do provide both. You can email me at erinlee79@outlook.com or erin.lee@sanfordhealth.org.

Thank you for your time!

Respectfully,

Erin Lee, FNP-C/Sanford Health Broadway OB/GYN Clinic & Reproductive Medicine

ND Resident: 6207 17th St N, Fargo, ND 58102

Alyssa Braaten
Fargo, ND 58102
February 3, 2025

North Dakota Legislative Assembly
House Human Services Committee

Re: Testimony in Opposition to House Bill No. 1373

Chairman and Members of the Committee,

I am part of the 1 in 9 individuals diagnosed with endometriosis, contributing to the 1 in 6 adults who experience infertility. In 2018, after trying to conceive our first child for 9 months and enduring 15 years of excruciating menstrual cycles, I sought medical answers. A laparoscopic surgery in February 2019 revealed and removed endometriosis, finally providing a diagnosis after years of pain. Shortly after the surgery, I was able to conceive my first child.

When we decided to expand our family, I anticipated challenges given my history. After a year of unsuccessful attempts and worsening pain, I underwent another laparoscopic surgery, which revealed significant progression of endometriosis. Three months later, I became pregnant, which unfortunately ended in a devastating miscarriage. Research shows that individuals with endometriosis have a 75% increased risk of miscarriage—a painful reality we experienced firsthand.

After two years of trying naturally, we turned to IVF. For someone with endometriosis, IVF reduces the risk of complications, increases the chance of successful implantation, and helps regulate the hormones critical for sustaining a pregnancy. We were fortunate to have a successful IVF cycle and welcomed our second daughter this past November.

However, I am deeply concerned about the implications of this bill. By redefining "human being" and "person" to include an unborn child from the moment of fertilization, it creates legal uncertainties that could restrict access to fertility treatments like IVF. The legal ambiguity may deter medical professionals from performing essential procedures out of fear of legal repercussions, limiting options for families facing infertility.

Infertility is not just a medical condition; it impacts entire families. The hope and joy that IVF brought to our family should be accessible to everyone facing similar challenges.

I urge you to oppose this bill to protect access to reproductive health care and ensure that families have the opportunity to grow despite the challenges they may face.

Thank you.

My name is Macaire Maynard. I am writing in support of HB 1373. Human life begins at the moment of conception, when unique DNA first appears. From this moment forward, that tiny, defenseless, and beautiful human life is worthy of all the protections afforded a person after birth. It's easy to see the devastation in our society following the unconstitutional decision in Roe V Wade, the undervaluing of all human life, and the erosion of the nuclear family. What the abortion activists try to hide is the gruesome reality of abortion, to prevent people from having to face the carnage of what happens to the baby and the mother, and why it's couched in dodgy language like "reproductive rights". I'll spare you the same. I am anti-abortion. Anyone with a conscience who witnesses what actually happens in an abortion would be, too.

Dear Chair Ruby and Members of the House Human Services Committee,

My name is Kacie Dorn and I am writing this testimony to express my vehement opposition to HB1373. As a Pediatric ICU nurse, I understand the value of a child's life having actively participated in saving hundreds of those lives for nearly a decade. While I currently do not have any children of my own, it is legislation such as this and actions from our elected officials that have me questioning if I ever want to have children in the state that I have lived in since my own birth.

This bill is not only an outright attack on women, but an attack on the increasingly high numbers of couples that struggle with infertility. An ever-climbing number of ND residents, including numerous personal loved ones, are reliant upon fertility treatments to start a family, and this legislation conveys that the ND government does not care about or support them.

Additionally, this bill undermines the fundamental rights of individuals to make personal decisions about their reproductive health and freedom. This legislation conveys that the government should have greater authority over personal, medical decisions than the patient and their healthcare provider. The right to make decisions about one's own body is a fundamental aspect of personal freedom. Forcing individuals to carry pregnancies against their will, especially in cases of rape, incest, or severe health complications, is an unacceptable infringement on bodily autonomy.

As a woman in ND, I feel unsupported, unwanted, and unappreciated by my own government.

Sincerely,

Kacie Dorn

District 22

Chairman Ruby, Vice Chair Frelich, and members of the Human Services Committee,

My name is Nick Samuelson, and I reside in Fargo. My wife, Elizabeth, and I have been married since 2017. We have been trying to have children since 2023, but due to medical conditions beyond our control, we have had to turn to in vitro fertilization (“IVF”) to grow our family. We’re not alone—about 2% of babies born in the United States are conceived through IVF.¹ This process is long, expensive, and emotionally taxing. After many months, we’re in the home stretch, and I’m hopeful that by the time this bill reaches the House floor for a vote, we will be expecting our first child. However, I am concerned that, as written, House Bill 1373 may take away this option from North Dakota couples in our situation.

I want to be perfectly clear; as written, this law does not outlaw IVF. However, if passed in its current form, the predictable result will be to create an environment in which IVF providers cannot continue to operate in North Dakota.

In 2024, the Alabama Supreme Court held that under Alabama’s Wrongful Death of a Minor Act, the definition of a child included non-implanted, cryogenically preserved embryos created through IVF.² Within days of the decision, several providers ceased or paused IVF services in Alabama.³ At the same time, the University of Alabama at Birmingham Hospital announced that it was unable to locate shipping companies “able and willing” to transport embryos.⁴ Not only were new patients shut out from accessing care, but those waiting to transfer frozen embryos were stuck in a state of limbo as they could not even move their embryos out of Alabama. The liability risk to providers and couriers was so severe that the only option was to stop providing services in the state. In response, the Alabama State Legislature passed a bill granting civil and criminal immunity to IVF service providers and receivers.⁵

¹ MADELINE HOLCOMB, About 2% of babies born in the US are from IVF. Here’s what you need to know about it, CNN (Feb. 21, 2024) <https://www.cnn.com/2024/02/21/health/ivf-egg-freezing-explainer-wellness/index.html>

² LePage v. Center for Reproductive Medicine, P.C., SC-2022-0515 (Ala. Feb. 16, 2024).

³ Alabama Fertility Specialists, FACEBOOK, (Feb. 25, 2024), <https://www.facebook.com/alabamafertility/posts/dear-patients-of-afsw-e-have-made-the-impossibly-difficult-decision-to-hold-new-i/924664096329070/>; EL-BAWAB, NADINE, ELIZABETH SCHULZE, & CHEYENNE HASLETT, Alabama’s Biggest Hospital to Suspend Transfer of Embryos After Court Ruling, ABC News (Feb. 23, 2024), <https://abcnews.go.com/US/2-alabama-clinics-pause-ivf-fertility-treatment-after/story?id=107455469#:~:text=Alabama%27s%20biggest%20hospital%20announced%20it,frozen%20embryos%20are%20considered%20child ren.>

⁴ Id.

⁵ LIZ BAKER, DEBBIE ELLIOTT, & SUSANNA CAPELOUTO, Alabama governor signs IVF bill giving immunity to patients and providers, NPR (Mar. 6, 2024), <https://www.npr.org/2024/03/06/1235907160/alabama-lawmakers-pass-ivf-immunity-legislation>.

As this bill is currently drafted, I would urge the Committee to give it a “do not pass” recommendation. If passed in its current form, I fear the risk of heightened legal liability will likely force North Dakota’s IVF providers to leave the state as Alabama providers did in the wake of the LePage decision. At the very least, please consider amending this bill to add protections for IVF service providers, medical couriers, and patients, as the Alabama Legislature did in response to the LePage decision. Please allow IVF providers to keep bringing hope to couples in our situation.

Respectfully submitted,

Nick Samuelson
Fargo, ND

Statement of Opposition to House Bill 1373

Dear Chairperson and Members of the Committee,

I am writing in opposition to House Bill 1373. While some may see this bill as a pro-life statement, I urge you to look deeper. This is a poorly written bill that fails to account for the real-life circumstances many individuals and families face in their journey to parenthood. Specifically, it does not acknowledge the critical role of in-vitro fertilization (IVF) in helping people build their families.

At first glance, I may not think this bill directly affects me. But does it? Would I have been able to witness one of my best friends battle breast cancer, endure chemotherapy and radiation, and still have the chance to become a mother to a beautiful little girl? No—not if it weren't for IVF. Would I be privileged to hear the stories of friends, acquaintances, and even strangers whose dreams of parenthood were made possible because another one of my best friends helped them conceive? No—not without IVF.

These are not rare or isolated cases. Infertility and medical conditions that threaten fertility impact countless families. This bill disregards the unique and deeply personal struggles these individuals endure. Defining life as beginning at fertilization directly jeopardizes the ability of IVF providers in North Dakota to continue offering care. It places unnecessary barriers in the path of those who simply want to start a family.

House Bill 1373 does not protect life—it restricts access to care and limits opportunities for those who need medical assistance to conceive. I urge you to reconsider the far-reaching consequences of this legislation and vote against its passage.

Thank you for your time and consideration.

Sincerely,

Jennifer Gietzen
Vergas, MN

My name is Emily Curtis. I am a Christian and an abolitionist in Michigan.

I urge you, in reverent fear of God, to pass this bill. Abortion is a wicked holocaust in our nation, a genocide of innocent image-bearers, an evil that we have allowed to exist under law for far too long (for it to exist at all, for any length of time, is evil). Incremental measures will not end it and will more importantly not honor God. He will judge us for our delay, our partiality, and our disobedience.

The only answer to this evil is immediate and uncompromising abolition. This necessitates that abortion be made, under law, a criminal act for anyone who commits it by any means, which primarily includes mothers using abortion pills. Abortion will never be abolished unless it is criminalized in all cases.

Preborn humans are alive and made in the image of God from the moment of conception. Abortion is the murder of an innocent human being. We have the very serious obligation and responsibility to stand against this evil, to seek equal protection and equal justice for our innocent preborn neighbors.

You must pass this bill, to the glory of God.

Emily Curtis

Human Services Committee
HB 1373
February 5, 2025

Chairman Ruby and Members of the Committee:

My name is Minda Villiard and I am submitting my testimony regarding HB 1373. I am a lifelong resident of North Dakota and have spent most of my nursing career in Women's health. The last 10 years I have worked in Reproductive Medicine at Sanford Health in Fargo.

Collateral Damage

Noun

:Injury inflicted on something other than an intended target.

This bill seems straightforward at first – defining a human and granting them full rights if harmed at any point in life. The issue? My work – the job myself and all of my coworkers are so passionate about – will become collateral damage. Our clinic, the ONLY one in North Dakota offering IVF, would be forced to stop providing these services.

I am asking the committee to vote **no** on HB 1373. If this bill passes, it could create legal liabilities for our clinic and providers. This would likely end access to IVF care in our state.

Please take a few minutes and think about the **collateral damage** this bill will cause.

Thank you for your service.

Sincerely,

Minda Martinson Villiard

House Human Services Committee Members:

I am respectfully asking for a Do Pass Vote on HB 1373.

I am a Christian and believe we are all God's children created in His image. My faith says God gives us free will to decide if we will follow his commandment (not to murder). A preborn child has no way to defend itself from being murdered. The main function of government should be the equal protection of every life. You may not agree with my Christian faith and that is ok as our Heavenly Father will be our final judge.

If you are not a Christian then I would ask you to support equal protection of the preborn because our nation's founding documents support this principle. Government's first responsibility is to protect life, liberty and the pursuit of happiness. A preborn child that is aborted has no equal protection of life, liberty or the pursuit of happiness. This bill, if passed, would cure the unequal protection that currently exists.

Thanks for your time and consideration and service to our great state. God Bless.

Bill Kuntz
Towner ND 58788

Dear Chair Ruby and Members of the Human Services Committee,

I am urging you to OPPOSE HB 1373, a bill that hurts ND OB/GYNS practicing medicine in North Dakota and would cause undue harm to the women of North Dakota experiencing miscarriages or who are undergoing fertility treatments.

North Dakota would be better tasked with doing research and investing in preventative measures so that we start lowering North Dakota's overall maternal death rate. ND's maternal death rate is significantly higher than the national average, according to Dr. Dennis Lutz, chair of obstetrics and gynecology at University of North Dakota School of Medicine and Health Sciences.

<https://northdakotamonitor.com/2024/10/28/group-seeking-more-money-answers-to-high-maternal-mortality-in-north-dakota/#:~:text=Based%20on%20the%20committee's%20research,%2C%20actually%2C%20he%20said.>

This bill is designed to threaten the doctors and staff at any IVF clinic with prison time and loss of licensure and jobs. The liability would prevent them from continuing to practice. Losing more medical professionals in North Dakota will only exacerbate the number of ND women who die each year from complications during childbirth.

Please OPPOSE HB 1373 and stop this assault on women and our medical providers.

Sincerely,

Mariah Ralston

I am writing to oppose HB 1373. This bill insists that the religiously based, unscientific terminology be used of "unborn child" rather than "fetus." It requires that measures can only be used to save the life of a mother after "reasonable steps" have been taken to save the fetus which heavily implies that a fetus has more right to existence than does an impregnated human being. "Reasonable steps" is also very vague and vague language will result in women and often also the fetus dying as medical professionals will not know what is truly meant. This bill also insists on the religiously based definition that a human child's life begins at conception, conflicting with a number of other religious traditions. I believe this bill will result in confusion and a rise in both infant and maternal mortality and therefore I cannot support HB 1373 and ask you not to, as well. Thank you.

Testimony in Favor of HB 1373

My name is Cam Leedah. I live in rural Leonard. I urge you to pass HB 1373.

The fetus, the embryo, the unborn baby – are human life. Persons. Hidden from view, inside their mother, does not make them less of a person. They are persons with a different DNA than their mother, not tissue to be tossed aside.

The fetus, the embryo, the unborn baby, cannot speak for themselves. Cannot defend themselves. Cannot ask you to let them live.

Anyone who intentionally causes the death of a person should be punished.

I urge a Do Pass on this bill.

Committee Chair and members,

I thank you for taking time to read my testimony. I lead a civic action group where we engage in various states across the nation promoting liberty and justice. In my line of work, I have come to know many women who have told me that they wish a law would have been in place before they had their abortion because it would have been a deterrent. One woman told me: "My parents talked me into the abortion when I was 18. They were law-abiding people, and if a law were in place, there would have been no way they would have broken it. I still regret what I did that day." One of my good friends, a 62-year-old man, told me with tears in his eyes that he paid for his girlfriend's abortion decades ago. He still feels the heavy weight of what he did.

Abortion is an injustice to an innocent human being who has no voice. Our group is dedicated to being a voice for the voiceless, and in the process of doing that, we sometimes need to point out injustice. Unfortunately, injustice is written into the law in North Dakota with respect to abortion. I would like to point it out and ask for a clear path forward, which is to pass HB1373 and provide equal protection for all human beings.

Please consider the following excerpts from the North Dakota Constitution and the law:

(What is consistent)

Article I Declaration of Rights

Section 1. All individuals are by nature equally free and independent and have certain inalienable rights.

Section 9. All courts shall be open, and every man for any injury done him in his lands, goods, person, or reputation shall have remedy by due process of law.

North Dakota Century Code:

12.1-17.1-02. Murder of an unborn child.

1. A person is guilty of murder of an unborn child, a class AA felony, if the person:
 - Intentionally or knowingly causes the death of an unborn child;

(What is inconsistent)

12.1-19.1-02. Abortion prohibited – Penalty. It is a class C felony for a person, other than the pregnant female upon whom the abortion was performed, to perform an abortion.

It is undeniable that an unborn baby is an individual and, therefore, has by nature inalienable rights. The Constitution guarantees the right to a remedy for injury, by due process of law. If another person would be guilty of murder for intentionally killing an unborn child, then we must ask: Why has the law in 12.1-19.1-02 carved out an exception for the mother to be able to intentionally kill her own child?

Equal Protection Under the Law: The North Dakota Constitution guarantees that all individuals are equally free and independent and have certain inalienable rights. It also guarantees equal protection under the law. If the state recognizes an unborn child as a person for the purpose of protecting them from murder, then it is inconsistent and unjust

to allow the same unborn child to be intentionally killed under the exception carved out for abortion. The principle of equal protection demands that the rights of the unborn be treated the same as the rights of all other persons in North Dakota. To do otherwise is to create an arbitrary and unjust distinction.

Please consider the following:

1. God has made every person in His image.
2. God has commanded that no one may shed the blood of the innocent.
3. The North Dakota Constitution guarantees rights to people.
4. The law has established penalties for murder.
5. The U.S. Constitution guarantees that all people will be treated equally under the law.

Because of the above facts, 12.1-19.1-02 has a glaring legal inconsistency that targets a pregnant woman for legal immunity to kill her own child in the womb.

For this reason, I respectfully ask you to pass HB1373 for the sake of the unborn who are the primary victims and for the sake of all people who may otherwise consider abortion in the future.

God bless you, and may God bless North Dakota with justice for all.

Daryl Groves
Red State Reform

4th of February, 2025

RE: Opposition to House Bill 1373

Chairman Ruby and Members of the Committee,

My name is Emily Lindquist. I am a lifelong North Dakota resident and I am testifying in **opposition to HB 1373**.

HB 1373 defines an unborn baby as a person as soon as sperm fertilizes an egg. But the creation of life isn't that simple.

I have 6 dead children. All of whom were conceived naturally and died within the first 12 weeks of pregnancy. For some reason, my body does not sustain pregnancy. I've had countless procedures and tests done over the past four years to figure out why, but no specialist or medication has been able to keep me pregnant.

Instead of continuing to try naturally over and over again knowing we will likely lose every baby we naturally conceive, my husband and I plan to utilize IVF with a gestational carrier for our next pregnancy. But that will be illegal under this bill. If this bill becomes law, I will never hold my living baby.

Think about that—I can continue conceiving naturally as often as I want knowing I will likely lose every baby without any repercussions under this bill, but the process that will create life with a lesser amount of loss will be against the law.

The Representative who wrote the bill states that the core of IVF will remain legal, referring to the creation, freezing and transferring of embryos.* The reason IVF will be illegal is because this bill includes zero protection for the true process.

My doctor retrieved 26 eggs during my retrieval. All of those eggs were placed with sperm to fertilize. Of my 26 eggs retrieved, 18 were fertilized.

Think about a natural pregnancy for a second. Sperm travels through the women's body to fertilize an egg, typically happening in the fallopian tube. The fertilized egg then travels through the fallopian tube to the uterus, where it will hopefully implant. The entire journey usually takes about 5 days.

In IVF, the same 5 day window is required—but instead of traveling through the body during that time, the fertilized egg is growing in the lab. Under HB 1373, any fertilized eggs that do not continue growing for those 5 days will be considered wrongfully destroyed, and the medical team who is only helping to create life could face criminal charges.

In natural conception, if the fertilized egg doesn't make the journey to the uterus or if it does not successfully implant, the woman just doesn't become pregnant. Nobody is considered at fault nor do they face any charges, even though the outcome is the same.

However, if the transfer of an embryo to a uterus is done during IVF and the embryo doesn't successfully implant, the medical team again could face serious criminal charges.

But this bill doesn't just affect IVF.

Under House Bill 1373, abortion will be illegal without any exceptions. That means if a girl or woman is pregnant because of rape or sex trafficking, she will be forced under law to continue the pregnancy.

When I was a young girl, I was repeatedly sexually assaulted by a male member of my extended family. Thankfully, I was not raped. But if this bill was a law at the time and if I had been raped and became pregnant, I would've had no choice but to continue a dangerous incestuous pregnancy. Then, I would've had to choose between placing my child for adoption or raising them with the constant reminder of the boy who harmed me.

In her public statement after proposing the bill, the Representative who wrote it talks a lot about God and how she is enforcing God's mandate to establish impartial judgement. I'm unsure why she feels she needs to do God's work, but we should trust God to take care of His will. She wrote "every preborn baby is known by God before being formed in their mother's womb".** I am a Christian and I agree that He does. So who is the government to decide what God has planned? Under HB 1373, the government will actually prevent God's will for families in North Dakota.

Personal beliefs should not become law. YOU don't have to utilize IVF if it opposes your religion. YOU don't ever have to ever end a pregnancy if you think it's wrong. But you never know what you would do in a situation until it becomes your reality. The government shouldn't get to take the choice away from women and families who are faced with the decision.

Recommending **Do Not Pass** on this bill does not make you pro-abortion. It does not mean you are against the criminalization of someone who murders or harms a baby in the womb. It does not mean you don't value the lives of unborn children. Recommending **Do Not Pass** means that you understand there is too much gray area with this bill, and that you are protecting the citizens you were chosen to serve by allowing us the choice to do what is right for *us*.

Nobody values the lives of the unborn more than parents who have experienced loss or infertility. Today we are fighting for their lives. I ask you to fight with us, for the future of North Dakota and for our children, by recommending **Do NOT Pass on House Bill 1373**.

Thank you for your time and consideration of all scenarios impacted by this bill. I welcome questions via email.

Respectfully,

Emily Lindquist
Minot, North Dakota
emilyi.lindquist@gmail.com

Sources referenced in testimony on subsequent pages.

* Proposer's comment on "the core of the IVF process" remaining legal



Lori Miska-VanWinkle

[Braden Lindquist](#) friends, I hope to calm your concerns, but this bill does not ban IVF. The core of the IVF process is creating embryos, freezing them, and then implanting them. All three of those steps remain completely legal under the bill. What would not be legal under this bill is intentionally destroying the embryos either in the lab or through selective reduction. It would help ensure that the IVF industry implements a proper standard of care for human beings and continues to help couples practice 'ethical IVF' where no embryos are intentionally discarded or destroyed in the process.

6h Like Reply

** Proposer's public statement after proposing House Bill 1373



Post



Lori VanWinkle
@vanwinkle_lori

Follow

Today I filed HB 1373 to provide equal protection under the law to every preborn child in North Dakota. Please read my full statement below:

Representative Lori VanWinkle Files Bill of Equal Protection for the Preborn of North Dakota

Bismarck, ND - State Representative Lori VanWinkle has filed the North Dakota Prenatal Equal Protection Bill, House Bill 1373, which would provide equal protection under the law to all preborn children.

HB 1373 is co-sponsored by State Representatives Matt Heilman, Donna Henderson, Daniel Johnston, Jeff Hoverson, Desiree Morton, Doug Osowski, Nico Rios, and Christina Wolff. Senators Jose Castaneda, David Clemens and Desiree Van Oosting also co-sponsored the bill.

"Every preborn baby is known by God before being formed in their mother's womb; therefore, every baby is human and deserves to be equally protected by laws that express our dignity and worth," said State Representative Lori VanWinkle.

Abortion is the greatest human rights violation of our time and remains a major problem in North Dakota despite the passage of well-intended pro-life laws. In 2023, over 1,000 North Dakota babies were killed by abortions that remained legal under current North Dakota law. 780 babies were aborted out of state¹ and an additional estimated 221 used of the abortion pill to legally perform self-managed abortions on North Dakota soil².

While current North Dakota abortion law largely prohibits abortionists from performing surgical abortions inside the state, it is still completely permissible for pregnant mothers to obtain the easily-accessible abortion pills with the intent of ending the life of their pre-born child. Thus, North Dakota law denies equal protection under the law to the most vulnerable among us, those in their mother's womb. HB 1373 ensures that we are not allowing one class of people (pregnant mothers) to deny another class of people (their preborn children) their right to life. HB 1373 simply extends the same laws that already protect born people from murder, assault, and wrongful death, to the preborn.

The U.S Constitution and the North Dakota constitution are clear that life is to be protected. The Equal Protection Clause of the 14th Amendment reads, "No state shall deny to any person within its jurisdiction the equal protection of the laws." Article 1 in our North Dakota Declaration of Rights states, "All individuals are by nature free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty;...pursuing and obtaining safety and happiness;..., which shall not be infringed." Failure to pass HB 1373 would violate both our state and federal constitutions as well as God's mandate to establish impartial justice. In addition, the 10th Amendment is clear that the States do not have the power or authority to redefine Constitutional provisions, which emphasizes the need for legislators to end abortion in our state.

In addition to giving preborn babies their constitutionally-required legal protections, HB 1373 would protect mothers from sex traffickers, pimps, and other abusers who would use the legality of self-managed abortion in North Dakota to coerce vulnerable women into an abortion.

North Dakota has an historic opportunity to abolish abortion completely by establishing equal justice under the law for the most discriminated and vulnerable among us: the preborn child. Please join us in supporting HB 1373.

¹ The Guttmacher Institute

² <https://faa.life/sma>, Journal of the American Medical Association

Good morning,

I am writing this testimony in opposition of HB1373.

My wife has spent her entire career caring for women and families. She sits face to face every single day working with patients that suffer from infertility. North Dakota has one IVF fertility clinic in the state and the work they do each day to help people reach their goal of becoming parents is incredible. They truly bring life into this world. Access to treatment for a medical diagnosis is a right that should be protected for all.

Please oppose HB1373 to allow patients to continue to receive the care they need and to protect the providers that work tirelessly to provide safe and essential treatments for infertility. The single greatest honor of my life was becoming a dad to my two kids. Please don't eliminate this joy for our ND residents. Respectfully, Shaun Harrison

Respectfully, Shaun Harrison

House Human Service Committee

My name is Doug Pearson and I am in favor of HB1373. The unborn child is a creation from God. In Jeremiah 1:5 states, I knew you before I formed you in your mothers womb. Before you were born I set you apart. Each one of us was an unborn child before we were born. Should they have the same rights as each of us had? Please support HB1373 and protect the unborn child.

Thank you Doug Pearson

Dear Committee Members,

My name is Theresia Peterson, and I am writing to express strong opposition or disapproval for HB 1373 that would have terrible consequences for pregnancy care and IVF.

We conceived our son via IUI after three years of infertility treatments. However, he was diagnosed with a rare genetic disease, Niemann Pick type C. Which is a life altering disease that takes away all body functions: ability to talk, walk, eat, organ functions, etc. The only way to ensure our future children don't suffer from this life altering disease is to utilize IVF.

This bill directly impacts the ability to provide IVF. This bill means if an embryo being tested for Niemann Pick type C stops growing, our providers could be held liable for abortion. Or, if they transfer an embryo into a woman's uterus and it does not result in pregnancy, this too would fall under this bill as abortion. So not only would this woman, who is trying to become a mom, have to go through that loss but then she would have to face legal actions. What if this person was your mom, your sister, your wife, your daughter, or even you.

Although presented as an anti-abortion bill, this is truly an anti-IVF bill. This does not stop the loss of babies, this prevents the ability for babies to even be created. The ability to create a family should be my RIGHT. If this bill passes, I will have to tell my only child that they might not ever get a sibling. If this bill passes, I will have to tell my family that I might not be able to have a healthy baby that doesn't have Niemann Pick type C. If this bill passes, I would have to go out of state to be able to get pregnant with a healthy baby. Which is adding more costs to an already costly procedure. Do not pass this anti-family bill.

Thank you for your time and consideration.

Theresia Peterson trompson2010@gmail.com

To whom it may concern,

My name is Falaksher Najam. Im a father of one daughter and a born again Christian. Im writing in support of HB1373. We must do everything in our power to protect the lives of our tiniest neighbors. That includes those still in the womb. On top of the fact that children in all stages of life are made in the image of the triune God for Holy Bible, the also have God given rights. God says he hates the shedding of innocent blood and who more innocent than a child? Instead of fighting in and out of court, promoting evil laws and bills and marching through the streets for the right to murder our children, we the people should recognize our hypocrisy, especially those on the left, and instead fight for the rights of these children. Abortion is murder and everyone knows it. We punish criminals and the crime should fit the punishment. If a mother wants to take the life of a child, then her life should be taken by the courts and appointed officials. As members and officers of the state, local and federal government, you have a duty and obligation before God, whom has given you your power and authority and it is to God whom you all will answer. Its not too late to do the right thing. Today is the day of the Lord. Today is the day of repentance and faith. Today is the day to do what God has called men and women everywhere to do. To live for His, honor, glory and praise. To live in a way that represents the oaths you took when you took office. I pray that you would do the right thing.

Sincerely,

Falaksher Najam

Testimony Against HB1373

Honorable Members of the Committee,

I am writing to express my strong opposition to HB1373, which proposes to grant personhood under a new definition of unborn child. The language of this bill poses significant risks to women's health and well-being, not only in North Dakota but potentially for individuals seeking reproductive health care nationwide.

Furthermore, this bill has dangerous implications for women's health. If a woman fears criminal charges after a miscarriage (or God forbid, needs life-saving measures from an ectopic pregnancy), it will discourage open and honest communication with health providers, who are critical to supporting women during these difficult times. This could result in women delaying necessary care or avoiding important medical advice, ultimately putting their health at risk. While the bill says it "does not apply to the unintentional death of an unborn child resulting from: spontaneous miscarriage", the overarching language in this bill undermines the medical knowledge that is needed in situations like this one. Doctors are the ones who need to be deciding medical treatment for women.

The bill also threatens to undermine fertility treatments like in vitro fertilization (IVF). IVF requires the creation and handling of embryos, and this bill could make many IVF procedures impossible or legally precarious, effectively shutting down the options for couples who seek to grow their families. The implications for individuals and families hoping to use IVF to achieve pregnancy are profound, and the negative effects on reproductive rights cannot be overstated. My husband and I wish to grow our family and want to continue to reside in North Dakota, but knowing that this bill is being discussed affects our entire family plan. I want to be supported in my state, not targeted.

This bill does not simply restrict choice—it imposes criminal consequences on personal, deeply emotional, and medically complex situations. It diminishes the autonomy of women in making health decisions, treating them as criminals for matters outside their control. This harms not only women's ability to make decisions about their own health but also undermines trust in the healthcare system.

I urge you to reconsider the passage of HB1373 and instead focus on legislation that respects and supports women's health, autonomy, and access to care. Thank you for your time and consideration.

Sincerely,

Hannah James
201 Forest Ave N
Fargo, ND 58102
hannahlynnebalko@gmail.com

HR 1373

Please register my support of HR 1373.

Dawn M Talley

Dear Chair Ruby and Members of the Human Services Committee:

My name is Dana Stansbery, I live in Casselton, North Dakota. I grew up on a farm just west of Nome, North Dakota and have been a lifelong resident of our state. I work in a school, attend church in our community and love my life in North Dakota. I am writing to you in opposition of House Bill 1373.

This bill is exactly who we are not in North Dakota. We are not the people who infringe on the rights of our citizens, and we are not the people who should come between a patient and their healthcare providers.

I was fortunate to have IVF as a medical treatment to become pregnant with our three children. My husband has male factor infertility. We were able to do one fresh cycle of IVF where we transferred the three-day embryo that became our daughter Sophie Lee. Sadly, Sophie passed away. We were not able to do another fresh cycle because my husband's sperm count was too low. Thankfully we had frozen embryos that we were able to transfer. We had our daughter, Jillian in 2013, and our son Jack in 2019. Jillian started out as a three-day embryo, and we grew Jack to a five-day blastocyst embryo before transfer.

I thank God for the medical treatment of IVF to grow our family. I also thank the providers at Sanford Reproductive Medicine who guided us in the process and helped our children be brought into this world. I feel they are certainly miracle workers who I want to protect. This bill does the opposite of protecting our medical professionals from doing their job.

This bill will end IVF in North Dakota. Providers may be fearful of giving people the medical treatments they need with reproductive medicine. With this bill the embryo will be seen as a person, and providers could be charged with murder if the embryo does not survive a thaw or grow from a three day to a five-day embryo.

This bill will take away the rights of North Dakota parents who want to grow their families and that is wrong. That is not the value of North Dakota. Some may say this bill is about abortion and the rights of an embryo. This bill will reach more than abortion rights and will hurt North Dakota families by infringing on our rights to become parents through medical procedures. There are many testimonies from health care providers, and you will hear the implications of this bill.

Please do not take away IVF from families. Thank you for your time, please oppose HB 1373.

Respectfully,
Dana Stansbery
452 10th Ave N
Casselton, ND 58012

HB 1373

Chair Ruby and members of the committee,

I am urging you to pass HB 1373 naming an unborn child as a human being here in North Dakota. Recently 125 House Republicans, including Speaker Mike Johnson, signed on to the Life at Conception Act, which states that the definition of human being includes humans at the point of fertilization. Because science has shown life begins at conception, HB 1373 should be passed.

I have heard many arguments against this bill by some who say it will limit the use of IVF. But IVF and the destruction of embryos too often go hand in hand. I believe North Dakota should follow in Alabamas footsteps and pass a similar ruling (which didnt ban IVF but rather ruled that embryos are human beings with a right to life) and thus has halted IVF in the state. Unrestricted access to IVF has resulted in the destruction, abandonment, and indefinite freezing of millions of embryos(human beings) over the past several decades. Most people dont know about this subject at all.

Most IVF procedures include the creation of several embryos, a eugenics process of testing them for gender and abnormalities, and indefinite cryopreservation. Usually, more embryos are created than the parents intend to transfer. The rest are often discarded. Many times, more embryos are transferred than the parents would like to carry, because the risk that these embryos will die while being transferred is so high. But if, say, all 4 embryos successfully transfer and implant, doctors will recommend a selective reduction, where 1 or more babies are aborted while their siblings get to live.

(<https://lozierinstitute.org/ivf-industry-regulation-in-the-united-states-changes-are-needed-to-protect-embryonic-children-and-their-families/>)

Few consider the ethics of this from the embryos perspective.

America is the Wild West of reproduction. Most countries have much better regulations surrounding IVF. In Italy, freezing embryos is almost entirely prohibited the transfer must be immediate. In most of the EU, there is a limit to how many embryos can be created. The same is true of Australia and New Zealand. Dont get me started on sperm donation here in the USA, where one man can father hundreds of children! We can do much, much better than what we do in America today, which is to completely and totally neglect the rights of the tiny humans were creating. (<https://lozierinstitute.org/the-treatment-of-human-embryos-created-through-ivf-the-u-s-and-15-selected-countries-regulations/>)

We as Republicans are hypocrites, which may be worse in this case than Democrats, who are simply open about their support of destroying babies. And I get it. Its a politically unpopular subject. Would you vote against this bill to save your own political ambitions at the cost of dehumanizing the most fragile among us?

Babies have a right to life. Period.

Lydia Easling
District 4

Good morning Committee Members,

I am writing this today in regards to HB1373, in hope that you all will be willing to support this Legislation!! A child is living at the moment of conception and that life should be protected at all causes from that moment on! Who are we to play God anytime after that moment of conception, if it is God's will that that woman bear a child, then we should not infringe on what God chooses to take place!! Not one of us, not one Doctor, not one Lawyer, not one mother is greater than the power of our Creator!! Please help protect the unborn children and Support HB1373!!

Thank you for this consideration,

Yours Truly,

Jerol Gohrick

Sons of Liberty

President

Honorable Members of the Committee,

I am writing to express my strong opposition to HB1373, which proposes to grant personhood under a new definition of unborn child. The language of this bill poses significant risks to women's health and well-being, not only in North Dakota but potentially for individuals seeking reproductive health care nationwide.

Furthermore, this bill has dangerous implications for women's health. If a woman fears criminal charges after a miscarriage (or God forbid, needs life-saving measures from an ectopic pregnancy), it will discourage open and honest communication with health providers, who are critical to supporting women during these difficult times. This could result in women delaying necessary care or avoiding important medical advice, ultimately putting their health at risk. While the bill says it "does not apply to the unintentional death of an unborn child resulting from: spontaneous miscarriage", the overarching language in this bill undermines the medical knowledge that is needed in situations like this one. Doctors are the ones who need to be deciding medical treatment for women.

The bill also threatens to undermine fertility treatments like in vitro fertilization (IVF). IVF requires the creation and handling of embryos, and this bill could make many IVF procedures impossible or legally precarious, effectively shutting down the options for couples who seek to grow their families. The implications for individuals and families hoping to use IVF to achieve pregnancy are profound, and the negative effects on reproductive rights cannot be overstated.

This bill does not simply restrict choice—it imposes criminal consequences on personal, deeply emotional, and medically complex situations. It diminishes the autonomy of women in making health decisions, treating them as criminals for matters outside their control. This harms not only women's ability to make decisions about their own health but also undermines trust in the healthcare system.

I urge you to reconsider the passage of HB1373 and instead focus on legislation that respects and supports women's health, autonomy, and access to care. Thank you for your time and consideration.

Sincerely,
Brenda Ross
Moorhead, MN
Voeltzbr@gmail.com

To Whom It May Concern,

I am writing to express my strong opposition to House Bill 1373, which seeks to redefine the legal status of an "unborn child" in the North Dakota Century Code. This bill poses significant legal, medical, and ethical concerns that would have far-reaching consequences for reproductive rights, personal medical decisions, and the broader legal landscape in our state.

By expanding the definition of "human being" and "person" to include an unborn child from the moment of fertilization, HB 1373 could criminalize essential reproductive healthcare, create legal ambiguity for medical professionals, and limit access to necessary medical treatments. The bill also raises concerns about its potential impact on cases involving in-vitro fertilization (IVF), miscarriage management, and critical healthcare interventions for pregnant individuals.

Additionally, this legislation may pave the way for extreme legal consequences, including wrongful prosecution of women and healthcare providers, further restricting medical autonomy and bodily integrity. Laws of this nature have been shown to disproportionately affect marginalized communities and those facing medical emergencies.

I urge you to oppose HB 1373 and to instead advocate for policies that protect reproductive healthcare, ensure medical decisions remain between individuals and their doctors, and uphold the constitutional rights of North Dakotans. Please stand against this harmful legislation and support efforts that prioritize healthcare access, individual freedoms, and medical integrity.

Thank you for your time and consideration. I appreciate your leadership and commitment to serving the people of North Dakota.

Kind regards,

Amanda Baker

Hello, Representatives and Senators of North Dakota,

I've been made aware of a bill introduced that, in my belief, is an attack on the women of North Dakota; a threat to the lives, freedoms, and safety North Dakotan women, a waste of government resources, and a distraction from both the real issues Americans and North Dakotans face, and the complete inability of the ruling party to properly govern.

Specifically:

- HB 1373, relating to the definition of human being and person as the terms relate to the offenses of murder and assault, and civil actions for death caused by wrongful actions.

This bill is unreasonable in its entirety. Namely, a fetus is not even viable outside the human body until around 24 weeks of gestation, and even then it is not guaranteed it will survive. With that being said, it can not be considered a living human being/person if it cannot survive outside the mother's body. Further, I hardly think it is the North Dakotan government's business to be determining what health care procedures women are allowed to seek. It is clear this bill is being used for nefarious purposes, to allow the government to control women's bodies, and to further a religious agenda that should be kept out of the government.

I am unsure how an unborn fetus is considered more important than an actual living human - as can be noted by the inclusion that one of the only exceptions is if there are "reasonable" attempts to save the fetus as well as the impregnated human's life, if necessary.

The bill is vague and, more importantly, incredibly harmful and insidious. I am extremely in opposition to this.

There are much more important problems facing the American people than the personhood of unborn children as dictated by a religion not all Americans follow, and concerns driven solely by a congressperson's adherence to that faith has no place in the halls of governance, while the same members proposing these laws sit on the sidelines, complicit in the slow death of American democracy.

Honorable Members of the Committee,

I am writing to express my strong opposition to HB1373, which proposes to grant personhood under a new definition of unborn child. The language of this bill poses significant risks to women's health and well-being, not only in North Dakota but potentially for individuals seeking reproductive health care nationwide.

Furthermore, this bill has dangerous implications for women's health. If a woman fears criminal charges after a miscarriage (or God forbid, needs life-saving measures from an ectopic pregnancy), it will discourage open and honest communication with health providers, who are critical to supporting women during these difficult times. This could result in women delaying necessary

care or avoiding important medical advice, ultimately putting their health at risk. While the bill says it “does not apply to the unintentional death of an unborn child resulting from: spontaneous miscarriage”, the overarching language in this bill undermines the medical knowledge that is needed in situations like this one. Doctors are the ones who need to be deciding medical treatment for women.

The bill also threatens to undermine fertility treatments like in vitro fertilization (IVF). IVF requires the creation and handling of embryos, and this bill could make many IVF procedures impossible or legally precarious, effectively shutting down the options for couples who seek to grow their families. The implications for individuals and families hoping to use IVF to achieve pregnancy are profound, and

the negative effects on reproductive rights cannot be overstated.

This bill does not simply restrict choice—it imposes criminal consequences on personal, deeply emotional, and medically complex situations. It diminishes the autonomy of women in making health decisions, treating them as criminals for matters outside their control. This harms not only women's ability to make decisions about their own health but also undermines trust in the healthcare system.

I urge you to reconsider the passage of HB1373 and instead focus on legislation that respects and supports women's health, autonomy, and access to care. Thank you for your time and consideration.

Sincerely,

Maggie Richardson

Moorhead, MN

Rima0603@gmail.com

Good day members of the Committee—my name is Whitney Benter and I am a constituent born and raised in Bismarck, ND. I live here with my husband, two children, and am currently due any day now with our third.

I am urging you to give Bill HB1373 a **DO NOT PASS**.

I was browsing through the written testimonies thusly submitted and saw an overwhelming response in favor of this bill from men and from God-fearing Christians.

I am neither. And yet, I have been pregnant five times and have suffered two miscarriages. I have ended up in the Emergency Room due to complications from pregnancy, I have been classified as high risk due to a myriad of conditions resulting from my pregnancies. I won't go into a ton of detail on it, but my right foot is still currently numb to this day from nerve damage I sustained while being pregnant with our second child four years ago.

I believe this makes me directly affected by the fallout verbiage on this Bill much moreso than my male counterparts writing in favor of it. As for the constituents writing in favor of this bill citing their religion and/or their God—I'd like to appeal to one of the foremost cornerstones of our Country and cite the Separation of Church and State by which a governing body shall not favor one religion over another. Despite anyone's religious affiliations, they should not make their faith an influential bias while working for a State governing body. Simply put, this Bill should not be a stepping stone for someone's proselytization.

The personhood wording on the Bill would negatively impact IVF, miscarriages, miscarriage care, high risk prenatal care, and other basic medical care women should receive without any interference from their government. It casts a gray area on whether or not doctors could administer the very care they've been offering to women for generations (D&Cs, care for ectopic pregnancies, MTP-medically terminated pregnancy, etc).

The introduction of bills and wordings like this are the reason we are losing pregnant women all over our country (Nevaeh Crain, Porsha Ngumezi, Josseli Barnaca, to name a few from TX, plus many more). These deaths have been medically evaluated as "avoidable," and yet—they happened because medical staff were left to distinguish whether or not they would be legally held liable for treating a pregnant person. So women died. And women will continue to die from completely avoidable medical circumstances because our nation keeps siding with uninformed politicians (anyone who does not hold an OB/GYN or OB-GYN medical doctorate), white males and Christian nationality over science and a common sense approach.

Let's leave reproductive care to the professionals; women and their doctors. Please vote **DO NOT PASS on Bill HB1373**.

Whitney Benter

HB 1373

This bill will be detrimental to womens health and the safety of those that provide womens healthcare.

Victoria K.

In support of Bill 1373

Life begins at conception and deserves the right protected under our 14th Amendment with life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws. We need to make sure our most vulnerable get these protections as well. I am reminded of the video of a fertilized egg that has a flash of light the second it is fertilized and it instantly becomes God beautiful creation. Psalms 139: 13-15 "For you created my inmost being: you knit me together in my mother's womb. I praise you because I am fearfully and wonderfully made: your works are wonderful; I know that full well. My frame was hidden from you when I was made in the secret place. When I was woven together in the depths of the earth."

The sacrifice of the unborn has been happening for entirely too long! Time for North Dakota to be "LEGENDARY" and protect the lives of the most vulnerable and discriminated among us- preborn human beings. We need to extend the law to protect these most vulnerable. Abortion numbers are still increasing and without some accountability this will continue.

I asking for a DO PASS on HB 1373. Thank you for your consideration on this important issue and for your service to the state of North Dakota.

Karen Krenz

Testimony on HB 1373

Chairman Ruby and Members of the House Humans Service Committee:

HB1373 is a seriously misguided effort by the sponsors to put their personal religious beliefs into state law. The bill is based on a very specific religious view of when human life begins, namely the position of the Roman Catholic Church and some Protestant Evangelical Churches. Virtually all mainline Protestant Churches--United Methodist, Lutheran, Presbyterian, United Church of Christ, Episcopal, in addition to most of Judaism reject such a misleading and unscientific definition of a child or a person. According to medical science when the human sperm and egg join together, they form a single cell called a zygote. A zygote is not a child or a person. Thankfully, in this country we are all free to hold our own religious beliefs, but this bill is an example of legislators who believe it is their job to impose their personal religious beliefs onto the rest of us via state law.

Separation of church and state aside, this legislation could very well complicate miscarriage management. The pain of losing a pregnancy is devastating enough without adding the fear that essential medical care might be delayed or denied because of restrictive laws. IVF is a crucial option for couples or families with fertility issues, this legislation threatens to take away that option. Personhood laws could restrict access to IVF by imposing legal complications. I only see this bill causing more suffering for parents-to-be with fertility issues. Patients and doctors should be free to make decisions based on health and compassion, not legal uncertainties. The bill has negative impacts to reproductive services, miscarriage management, and necessary medical care during dangerous pregnancies (like life-threatening ectopic pregnancies) or pregnancies of multiples. Not to mention unwanted pregnancies as the result of rape/sexual assault.

I firmly believe in a woman's right to do what she believes is best for herself and her family, though I am not asking you to oppose HB 1373 based solely on this right. I am also asking you to oppose this bill because North Dakota is facing an extreme shortage of medical providers. Medical professionals do not want to work in a state where they could face criminal charges for doing their jobs. No matter how many exceptions are included in this bill, there is always room for interpretation when faced with criminal charges.

It is your responsibility to protect the rights of citizens in North Dakota. I firmly insist you do so by recommending "Do Not Pass" on ND House Bill 1373.

Thank you

To whom it may concern,

I am writing to voice my strong opposition to House Bill 1373, which seeks to redefine "human being" and "person" under North Dakota law to include an unborn child from the moment of fertilization. This bill is an extreme overreach that could have serious legal and medical consequences, endangering reproductive rights, criminalizing necessary healthcare, and interfering with deeply personal medical decisions.

By granting legal personhood to an embryo, HB 1373 opens the door to dangerous legal precedents that could threaten access to reproductive healthcare, including fertility treatments, miscarriage management, and life-saving procedures for pregnant individuals. Additionally, the vague and overly broad language of this bill could create uncertainty for doctors, putting them in impossible positions where they must weigh the risk of legal action against their medical duty to provide care.

Furthermore, this bill ignores the complexities of pregnancy and personal medical choices, instead imposing a rigid and ideological framework that fails to consider the real-life impact on families and individuals. North Dakotans deserve legislation that respects their rights, protects their health, and upholds the principles of medical privacy and bodily autonomy.

I strongly urge you to oppose HB 1373 and to support policies that prioritize evidence-based healthcare, reproductive freedom, and the well-being of North Dakota residents. Please stand with the people of our state by rejecting this harmful and unnecessary legislation.

Thank you for your time and consideration. I appreciate your commitment to representing the best interests of your constituents.

Thank you,

Kassandra Schaan

Human Services Committee
February 4, 2025

Chairman Ruby and members of the committee,

My name is Ben Easling. I am in favor of HB1373 and recommend a due pass, immediately and without compromise.

Additionally, I agree with the testimony of Representative Lori VanWinkle, Mr. Bradley Pierce, Pastor Simons, and Mrs. Amber Vibetto. My testimony will primarily emphasize why the time for this legislation is now.

- 1) Innocent lives are unjustly being taken every year. We must rescue those being slaughtered in North Dakota. Regardless of popular opinion, the laws of this state must not violate our Declaration of Independence, U.S. Constitution, the laws of Nature and Natures God.
- 2) So the hearts of North Dakota and U.S citizens are not fully set to do evil. Ecclesiastes 8:11 says "Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil." Now is the time to pass righteous legislation before separated powers of the people, judiciary and executive branches are further corrupted and incapable of doing what is right. See 1Tim 4:1-2
- 3) This is a matter of National Security. We must avert inevitable judgement that comes upon any people guilty of child sacrifice and shedding innocent blood. The inevitable calamity of unrepentant and grossly immoral people ^(b) historically comes from without, within or by supernatural causes. For historical examples see: Gen 6:1-8, 19:2-25, Exodus 1;15-22, 3:7-9, Lev 18:21, 20:1-5 2Kings 16:3, Psalm 37:27, 106:35-38, Prov 17:15, Isiah 1:4-24 & 50:20, *Ezekiel 29:15, Joel 3:19, Matt 10:11-15 & 23:23, Eph 5:11, 2 Peter 3:2-13 Jude 1:7, Sodom (and surrounding cities), Egypt, Canaan, Babylon, Olmec, Toltec, Aztec, Mayan, Incas, Celts, Israel, South Africa, and Uganda and more ^(a).
 - Hear the word of the Lord from Exodus 22:23-24 says: "You shall not afflict any widow, or fatherless child. If thou afflict them in any wise, and they cry at all unto me, I (*Jehovah the eternal self-existent one*) will surely hear their cry; And my wrath shall wax hot, and I will kill you with the sword; and your wives shall be widows, and your children fatherless." Do we want this as a demise for our state and nation? Who is more fatherless than the innocent human life in the womb having no father, no mother, no people, no legislative branch, no executive branch, and no judicial branch to protect or rescue them?
 - Proverbs 22:22-23 declares "Rob not the poor, because he *is* poor: neither oppress the afflicted in the gate: For the LORD will plead their cause, and spoil the soul of those that spoiled them." In the United states who is poorer, robbed and more afflicted than the innocent human life in the womb? Also Jeremiah 22:3

- Romans 1:8-32 For the wrath of God is revealed from heaven against all ungodliness and unrighteousness...so that they are without excuse: Because...when they knew God, the glorified him not...but became vain in their imaginations, and their foolish heart was darkened...Professing themselves to be wise, they became fools...and worshipped and served the creature more than the Creator, who is blessed forever. Amen...For this cause God gave them up unto vile affections:...to a reprobate mind, to do those things which are not convenient (proper); Being filled with all unrighteousness, fornication, wickedness...maliciousness;...murder...deceit...proud, boasters, inventors of evil things...Without understanding, covenant-breakers, without natural affection...unmerciful: Who knowing the judgment of God, that they which commit such things are worthy of death, not only do the same, but have pleasure in them that do them.” (b)

So then what should we do? We must repent (Dan 4:27), turn from our wicked ways over the past fifty-plus years, put our trust in Christ and his word. Christ alone has power to forgive sins (c). Legislation must be passed immediately and without compromise that criminalizes murder of innocent human life in the womb. Additionally, I urge you to apply similar life-saving policy for humans outside the womb in North Dakota to those inside the womb. Please see exhibit “A” and “B” attached below for consideration. Exhibit “C” is my rebuttal to the IVF false flag argument being unjustly weaponized to protect special murder rights for the emerging oppressor class of 2025.

Sincerely,

Ben Easling

- (a) https://www.newworldencyclopedia.org/entry/Child_sacrifice
<https://ptsem.edu/academics/faculty/books/child-sacrifice-in-ancient-israel/>
<https://www.ox.ac.uk/news/2014-01-23-ancient-carthaginians-really-did-sacrifice-their-children>
https://en.wikipedia.org/wiki/Child_sacrifice
<https://www.livescience.com/59514-cultures-that-practiced-human-sacrifice.html>
<https://listverse.com/2019/01/20/10-civilizations-that-sacrificed-human-children/>
- (b) “In *Nuclear War: A Scenario*, Annie Jacobsen gives us a vivid picture of what could happen if our nuclear guardians fail...Terrifying.”—*Wall Street Journal*.
- (c) Good news: Paul Washer <https://www.youtube.com/watch?v=TXOWYjB7d24>

Exhibit “A”

ND’s law to save lives

Recommendation #1 model is adapted from North Dakota’s Vision Zero.

<https://visionzero.nd.gov>

Zero abortions. Zero Excuses. The goal of zero abortions is not only attainable, but is also vital. When it comes to life, or the lives of your family and friends, is any other number acceptable? We are aiming for zero abortion (baby executions) because every life matters!

Exhibit “B”

Recommendation #2 model is adapted from North Dakotas School Safety and Security Policy

<https://www.nd.gov/dpi/districtsschools/safety-health/school-safetysecurity>

Pre-Born Human Safety/Security

Information on a wide variety of pre-born human safety topics which will provide residents and locations across the state with resources to maximize safety and security.

- Armed First Responder Program employed to save human life in the womb as needed.
- Statewide Bullying prevention of humans in the womb
- Drills for saving human life in the womb.
- School and Statewide Emergency and Crisis Plans to save human life in the womb. To include access and training for chemical abortion reversal pills and access to alternative resources such as affordable adoption programs
- Resource Officers tasked to save human life in the womb
- Safety Patrol officers tasked to save human life in the womb
- Suspension Expulsion Truancy (SET) Reporting Truancy/Compulsory Attendance when violation of preserving human life in the womb takes place. Criminal prosecution of willful violations of human rights to life.
- Trainings and Resources to assist North Dakota citizens to preserve human life in the womb.

Please note:

The views reflected in this testimony historically traditional and classical views of both of those practicing law ⁽¹⁾ and also of Church Fathers ⁽²⁾. Individuals with differing views likely ignorant or regressive nature reverting to historical evils (pro-murder in the womb radicals) proven unacceptable to any decent law-abiding society.

- (1) History of Protecting Life in the womb <https://endabortionnow.com/history-of-protecting-life-in-the-womb/>
- (2) Early Church View of Abortion <https://endabortionnow.com/the-early-churchs-view-of-abortion/>

Exhibit “C”

Banning of IVF Argument is a False Flag Argument Enabling Murder on Demand for the Emerging Oppressor Class of 2025

IVF arguments are being used as a bludgeon to block bills that offer equal protection for humans from conception to natural death. Don't be fooled by these cheap tricks and diversionary tactics, they are a gateway to population control and are a means to keep “abortion on demand” legal.

History reveals IVF accomplished definitive achievements as early as 1969 ⁽¹⁾. Ironically, this is the same era where the death culture sought to legalize abortion on demand through Roe v. Wade. If individuals practicing IVF intended to do it “ethically” they would have no problem applying the same laws that protect a human's life outside the womb to human life created during the IVF process.

The end does not justify the means. If those in favor of IVF are unwilling to apply the same laws of equal protection for human life outside the womb to the treatment of human life in the lab, it is evident they consider themselves above the law, superior to other humans, and exempt from the laws that govern the rest of us. These high-minded individuals demand some sort of immunity as though their superiority gives them the right to execute humans of preference at will. They think they have the right to be judge, jury, and executioners.

No one should be above the law; no king, no mob, no IVF professional, no judge, and no legislative body. The ideology of those who oppose equal protection under the law is nearly identical to those who practiced “racial hygiene,” employing persecutory policies and methods advanced by the Nazi Germans and its eugenicists. The goal of the Nazis and other genocidal despots this world has witnessed has always been population control and to rid the world of “inferior humans.”

Intentional termination of innocent life without due process of the law is unconstitutional and evil. Our inseparable Declaration of Independence and Constitution provide LIFE as an inalienable right and goes on to extend to all humans the following rights as well;

- Right to a fair and public trial conducted in a competent manner
- Right to be present at the trial
- Right to an impartial jury
- Right to be heard in one's own defense

Laws granting special murder rights to the emerging oppressor class of 2025 for the sake of IVF “progress” is a gross violation of basic civil and human rights and should be abolished. If those tossing the false flag of IVF truly cared about human life they would long ago have drafted legislation extending equal protection to all humans from conception to natural death and established ethical practices committed to do no harm to any patient/human in the reproductive process. The IVF false flag is a sinister narrative that should be rejected by all decent, rational, and moral humans.

Allyson Berner
Minot, ND 58703

02/04/2025

Human Service Committee
HB 1373 – 02/05/2025

Dear Committee Chair Ruby,

I am writing to express my strong opposition to any efforts aimed at criminalizing abortion. This is not just a matter of legal policy; it is a deeply personal issue that affects the lives and well-being of countless individuals. Abortion is a complex and nuanced topic, often intertwined with personal circumstances, health considerations, and individual beliefs.

Criminalizing abortion does not eliminate the need for it; instead, it pushes individuals into dangerous situations, compromising their health and autonomy. History has shown us that when abortion is banned or heavily restricted, it does not stop the practice but rather drives it underground, leading to unsafe procedures and devastating consequences.

Women and individuals seeking abortions deserve the right to make decisions about their own bodies and futures. This decision is often made after careful consideration of various factors, including health risks, financial stability, and personal circumstances. It is imperative that we trust individuals to make the best choices for themselves and their families.

Moreover, criminalizing abortion disproportionately affects marginalized communities, exacerbating existing inequalities. Access to safe and legal abortion services is a matter of social justice. We must prioritize compassion and understanding rather than punishment and stigma. I urge you to consider the broader implications of making abortion criminal. Instead of criminalization, we should focus on comprehensive reproductive health education, access to contraception, and support systems that empower individuals to make informed choices about their reproductive health.

Please keep religious views from clouding your judgement on women's health issues. Maintain our constitution's separation of church and state which you took an oath to uphold.

Thank you for considering my perspective on this critical issue. I hope you will stand in support of reproductive rights and the fundamental principle that individuals should have the autonomy to make decisions about their own bodies and health.

Sincerely,

Allyson H. Berner, MS

Dear Senator,

My name is Ava Kueber, and I am a teenager from Grand Forks writing to express my strong opposition to House Bill 1373. Even though I'm young, I understand how laws like this can affect people's futures, and I believe this bill is harmful and unfair.

HB 1373 changes the legal definition of a "human being" to include an unborn child from the moment of fertilization. This could have serious consequences for women, families, and even doctors trying to provide medical care. I worry that this bill would make it harder for people to access the healthcare they need, including those facing medical emergencies, miscarriage, or difficult personal situations. No one should have the government making such personal decisions for them.

I also believe that laws like this take away rights instead of protecting them. As a young person, I want to grow up in a state that values fairness, privacy, and the ability for people to make their own choices about their bodies and futures. This bill feels like a step backward. Instead of focusing on restricting healthcare, I think we should be working on laws that support families, improve education, and make sure that everyone has access to the resources they need to succeed.

Please vote against HB 1373 and listen to the voices of young people who want a future built on freedom, fairness, and respect for everyone's rights. Thank you for taking the time to read my letter and for your service to our state.

Thank you for your services,

Ava Kueber

My reason for support of HB1373 is simple. The murder of anyone should be illegal for everyone. Life begins a fertilization, whether in utero or IVF, and human life deserves to be protected, not discarded as trash. This genocide of the most innocent among us must end. The civil magistrate must do their duty before God and punish such evil. I pray ND will LEAD on this issue and be the first state to truly abolish abortion in our nation!

Human Services Committee
HB 1373
4 February 2025

I am writing to you today as a Registered Nurse, a mom, and a former resident of North Dakota for over ten years. I am writing **in opposition** to House Bill 1373. House Bill 1373, in its change in definitions of “human being” and “unborn child,” and without clearly defining protections for healthcare providers, will directly impact the ability for North Dakota families to utilize fertility care.

Due to the implications of this bill and its far-reaching effects, my hope is that you carefully listen to and consider the testimonies for this bill. Listen to the experts in healthcare: in family medicine, in women’s health care, and specifically in fertility care. And just as importantly, listen to your fellow North Dakota residents, including women and families who have already utilized fertility care and those who hope to use fertility care in the state of North Dakota. As a resident outside of North Dakota, it is clear the precedent this bill would set. Apart from increasing difficulty recruiting and retaining health care providers in this state, especially in women’s health care and fertility care, this bill personally raises concern about where I would choose to have children and raise my children. I have known North Dakota to be a place that values community and respect for others and I wish for that to remain true.

House Bill 1373, with its change in the definitions of “human being” and “unborn child,” without clear protection for health care providers performing important fertility care, will leave the only IVF clinic in the state of North Dakota unable to continue serving families. The IVF process includes many variables outside of practitioner control. Each family pursuing fertility care is doing so to grow their family, to create life, and this process should be protected and continued in the way it is done now, safely and ethically between patients and health care providers.

Please protect the rights of North Dakota residents to grow their families through fertility care and vote **against** House Bill 1373. Thank you for your time and consideration.

Sincerely,
Sarah Pietsch

Dear Members of the Legislative Assembly,

My name is Beverly Gorham. I served in the United States Air Force for 20 years, retiring as a Master Sergeant. I have spent my entire adult life traveling the world, witnessing the devastating effects of subjugating women. It weakens economies, destabilizes societies, and worsens public health outcomes. House Bill 1373 is another attempt to strip women of autonomy under the guise of protecting life, while ignoring the suffering it will cause.

Scientifically, fertilization does not mean viability. Most fertilized eggs never implant, and miscarriage is a natural biological process often caused by chromosomal abnormalities. Yet, this bill treats every fertilized egg as a person, potentially criminalizing women for medical events beyond their control. I know this pain firsthand! I suffered a traumatic miscarriage at 39 and, after finally giving birth at 40, was forced to have my uterus removed due to medical complications. The idea that lawmakers could dictate how women endure these experiences is beyond cruel.

HB 1373 will also force rape victims many of them children to carry pregnancies against their will. I was raped on September 19, 2004, shortly after joining the military. The horror of that day still haunts me over 20 years later. I live with PTSD, severe anxiety, and major depression. If I had been forced to bear my rapist's child, I cannot fathom how much worse my suffering would be. Forcing a victim to endure nine months of physical, emotional, and mental torment is not pro-life; it is state-sanctioned cruelty.

If America truly values life, it must support the women who give birth. If this country wants more babies, as Vice President JD Vance has said, then where is the guaranteed paid maternity leave? Where is the affordable healthcare, the mental health services, the childcare assistance? Instead, the same politicians who push forced birth policies refuse to enact protections that would actually help women and families.

This nation has become dangerously divided. Those in power have emboldened hatred, discrimination, and policies that target women's autonomy. Rather than uniting us, bills like HB 1373 further marginalize women and victimize the most vulnerable. America must do better. Our leaders must do better.

I strongly urge you to reject this bill.

Sincerely,

Beverly Gorham

February 4, 2025

Dear Committee Members,

My name is Casie Davis, and I am writing to express my strong OPPOSITION for HB 1373.

Time and time again we have seen that bills which try to define life beginning at fertilization have devastating consequences for women and their families. Bills like HB 1373 are often too ambiguous to allow for safe and accessible medical care for women and put medical procedures, such as IVF, at risk.

Many people don't realize, or perhaps care, that when states try to define life as beginning at fertilization, it effectively bans access to IVF in that state. It becomes too difficult for clinics offering IVF to work around these types of bills, as their work with embryos effectively becomes illegal. So, while these bills claim to be champions of life and babies, families who actually want children will be told that it is no longer possible for them. I have a two-year-old daughter and two embryos. As thankful as I am that I have those embryos, they do not hold the same value as my daughter. She is a human being, they are a clump of cells with the *potential* to become human beings.

My opposition to HB 1373 is only increased when it states that it does not apply with "A procedure undertaken to save the life of the mother when accompanied by reasonable steps to save the life of the unborn child." That sounds like a nice exception in order to protect a woman's health, yet who decides what the "reasonable steps" are? Her doctor? The hospital administration? The police? The court system? The government? And how much must a woman suffer before it's considered "reasonable?" How close to death? This is the exact ambiguity that has killed women in other states and that has left *live* children without their mothers. The same ambiguity that has left women infertile or dealing with health consequences for the rest of their lives. In the end, these bills lead to needless and cruel suffering in the name of "protecting life." But on that mission, the life of women is forgotten; the health and life of women is not protected.

Furthermore, HB 1373 states that it also does not apply to "spontaneous miscarriage." But, again, the ambiguity here becomes extremely dangerous. What does a "spontaneous miscarriage" entail to the bill sponsors? Who gets to decide if it was truly "spontaneous?" This is an issue that we, again, see come up in other states that pass personhood laws. Women find themselves under investigation, or worse, after the already devastating event of losing a pregnancy.

Finally, I would like to point out that there are no financial benefits for North Dakota if this bill passes. It has become widely discussed in this country that the fertility rates are going down, yet these types of bills often lead couples to decide to not have children at all. Parents are already balancing the high costs of childcare, healthcare, housing, etc. Add a bill like this into the mix and then the risks quickly outweigh the benefits of having children. We will see the negative effects of that ripple across the state. Even worse, it will likely lead people to leave the state altogether. Less populated states like North Dakota should be trying to pass bills that are appealing and beneficial to constituents in order to entice people to move to our state; instead,

we may find people wanting to run away from it. And let me be clear, personhood bills will always lead to more financial burden on the state.

At the end of the day, the role of our government should be to improve the lives of its citizens. However, HB 1373 ultimately has no benefits for anyone. It puts the life of a fetus above that of women (which we've seen has devastating consequences), it places the government in the bedroom and medical room of its citizens, and it financially harms the state. There are plenty of horrendous consequences and zero benefits if this bill were to pass.

I am asking that you vote NO on HB 1373.

Thank you for your consideration,

Casie Davis
District 30
Bismarck

February 4, 2025

Concerning bill 1373: I would submit that our country didn't consider black colored people as human until President Lincoln issued The Emancipation Proclamation. It is TIME for our nation to ADMIT that abortion (murder of a defenseless human) will NEVER end, unless we as a nation accept TRUTH (which allows light in), and take REPONSIBILITY for what we are doing. No excuses!!! We MUST pass 1373. Honoring what God has created will heal our land and help ALL humankind.

Sharon Armbrust 2408 Academy Rd, Minot, ND

Hi,

My support for the bill is simple, human beings are valuable and deserve protection. Every human is made in the image of God, and they deserve equal protection. An unborn child deserves protection as much as those outside of the womb. Please protect them.

Thank you,

William Hirsch

Testimony HB 1373 – In Opposition

Hello, my name is Jacqueline Beller and I am a Fargo resident in D46.

This bill is a complete ban on abortion and IVF.

Abortion: Defining an unborn child as a human at the “moment of fertilization” means that an abortion is *never* allowed (not even during a first trimester). Every situation is different. There is no way to cover all of the situations that might occur that may result in the death of an unborn child. What if a pregnant person falls down the stairs and then has a miscarriage? Would that be considered “spontaneous abortion” or murder? The exceptions listed here are also vague and do not address what a “customer standard of medical practice during diagnostic testing” might be. How would we know which instances might cause a Dr. or patient to be charged with murder? This bill doesn’t allow any sensible way for a doctor to do their job. What if the pregnant person is a drug addict who is unhoused and maybe the pregnancy was a result of rape. What then?

IVF: Defining an unborn child as a human at the “moment of fertilization” means that IVF cannot be used. If an embryo is created and frozen, is it considered a live human? If embryos are destroyed, is that murder? If embryos don’t take, is that murder? Why wouldn’t we support people in having children using this method? It doesn’t make sense.

I am both a parent and a Christian, but forcing someone to have a child makes no sense to me. Not allowing someone to use IVF to have a child also doesn’t make sense. While I would not choose to have an abortion myself, I don’t have the right to tell someone else what is best for them. Legislators simply need to stay out of our doctor’s offices. It’s simply not anyone else’s business. Reproductive care needs to be between a woman and her doctor – plain and simple. Women will die if this bill is passed – you should care.

Please vote NO on this bill.

HB 1373

Kalyn Dewitt
1917 6th St NW
Minot, District 40

HB 1373

I am writing to urge you NOT to pass HB 1373. Redefining person hood to begin at time of conception puts a great risk to access to birth control, IVF and emergency abortions. Without the guarantee of birth control and IVF in the other 2 bills that would protect them, wether they do not pass, are removed in the future, or are not extremely specific, HB 1373 could remove these reproductive health rights all together. There is a legal precedent that has been used before allowing health insurance companies to deny coverage of these using the definition of human life as starting at conception, arguing that birth control can "remove" a fertilized egg and using religious beliefs to solidify their argument. Not only that but North Dakota, while having removed the choice to have an elective abortion, has continued to make an exception on the basis of rape, incest and emergency related abortions. These are important exceptions! HB 1373 would make ALL of these exceptions illegal and punishable under law. This would be detrimental to the lives of pregnant people who will be put at risk for death. It would also put doctors and parents at risk of legal recourse in the event that a life saving operation is preformed with the result of a loss of a fertilized egg. I believe that this bill is rooted in religious belief as personhood is not scientifically defined in this way. The government has been told again and again that separation of church and state is a legal doctrine in this country as well as in our state. This is one of the several bills currently being considered that violates this separation.

Again, vote DO NOT PASS on HB 1373

04Feb2025

To whom it may concern

I am opposed to HB 1373. This Bill will risk the lives of pregnant woman, women who are miscarrying, and woman who experience illness or other medical events during pregnancy. This Bill will also lead to murder charges and imprisonment of woman who experience the above. Doctors providing pregnancy and miscarriage care will be similarly affected, causing an exodus of OB/GYN providers as has been seen in states enacting similar bills, like Idaho.

Giving and receiving appropriate healthcare should not be determined by the state legislature.

I am in support of HB 1595. Currently crisis pregnancy centers are unregulated and provide purposefully misleading and medically inaccurate information. They pose as medical centers and medical providers, defrauding women seeking care into believing they are speaking with medical providers and into believing that they are receiving sound medical advice. There are no regulations requiring them to provide medically sound information and this is a step in the right direction.

Kind regards
Erin Leigh Naylor
1813 25 ½ Ave S
Fargo, ND 58103

Signed by:

Erin Naylor



Signer Name: Erin Naylor
Signing Reason: I approve this document as author
Signing Time: 04-Feb-2025 | 17:59:34 GMT

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To whom it may concern: I am writing in opposition of HB1373, which would restrict access to IVF for residents in our state. I found out as a minor that I have polycystic ovarian syndrome; I also learned this may impact my ability to naturally get pregnant. Even as a minor, I knew I wanted a family one day, and felt fine with alternative options (i.e. adoption) if I was not able to naturally have my own. I, however, was not yet in the life state to be actually making those decisions. As an adult, I've worked in the child welfare system for nearly 2 decades, as well as raised stepchildren. During this time, it became more and more important to me to be able to have children of my own. I, however, did not have a menstrual cycle at all, so fertility treatments were my only option. My husband and I have been blessed with two beautiful children as a result of IVF. IVF became the only viable option for us due to the reactions my body was having to the hormone medications, in addition to one of my fallopian tubes questionably being blocked. IVF was the responsible and safe choice for my healthcare and to expand my family. The decisions, failed treatments, and a miscarriage along the way were all too stressful in themselves. Worrying about if we would even have access to appropriate healthcare, or if we would need to add traveling to get said healthcare out of state, is not additional stress any family needs during this time. This legislation would restrict access to IVF treatment, as well as potentially complicate healthcare for miscarriages. I will also add, it was easy to say "adoption is an option" even myself before I was directly in the scenario, but you do not understand until you are in it. I firmly believe if you feel you have the right to tell someone else that adoption should be THEIR only option, by restricting what may be the only other option for them, you should also be signing up to foster and adopt and be fine with the government deciding for you what is YOUR only option for having a family and your healthcare. I sincerely hope you vote in opposition of HB1373 and oppose further restricting healthcare options for those hoping to grow and raise a family in ND. Sincerely, Jill Perez 2.4.25

To Whom It May Concern:

I am writing to submit my wholehearted support for HB 1373. Please stand firm for what is right and good concerning the protection of those who are most vulnerable: babies in the womb. The culture of death will do and say anything to protect the right of people to murder their babies. Extending personhood and equal protection under the law to preborn humans is simply extending these fundamental human rights to those who have not yet been born. Do not believe the lies and confusion. Do not fall for the scare tactics. Abortion is murder. Let us stand for what we know is right and true about the unborn. They should have all the same protections that all other people have under the law. I am praying for you and your colleagues as you deliberate this bill.

Ethan Johnson

Life

We must stop kidding ourselves into believing that the life in the womb isn't a life until it is born. Why do mothers and fathers cry over a miscarriage? Because they know that the life of their baby has been snuffed out. Born or unborn this is a life and the taking of a life is murder. Murder is wrong. Period.

Sent from my iPhone

Dear Members of The House Human Services Committee, Matt Ruby Chairman,

My name is Joy Johnson, I live in District #4, and I am a U.S. born Citizen who has resided in North Dakota for over 50 years.

I absolutely support House Bill 1373.

My husband and I were directly affected by a pregnant mother's decision to choose life for her pre-born baby. Initially, she made the very personal assessment that she was unable to birth and care for her baby in her situation. She felt abortion was her only choice. Fortunately, she sought out wise counsel that suggested a life saving alternative for her precious baby. Her brave, selfless decision and act of powerful, maternal love, placed baby Rachel into our waiting arms as adoptive parents. We are forever grateful to her birth mother for our beautiful Rachel and her choice for the adoption alternative. That choice would actually have generational consequences.

Decades later, our grown Rachel married. She now is a mother herself and has blessed us with four grandchildren! Think about this, Rachel and those four grandchildren would be non-existent had it been a choice by her birth mother to abort Rachel as a pre-born. With that horrible decision, she actually would have killed two generations in a row and possibly more generations of births to follow. BUT instead she chose life at that critical crossroad. She did the best she possibly could as a mother, to love and protect her pre-born baby. That gave baby Rachel the chance at LIFE and of breathing her first breath, feeling her first kiss, smiling her first little smile and saying mama and da da. Finally, she was allowed to grow up surrounded in love from childhood to adult and eventually choosing and embracing motherhood herself. Our family is forever blessed by her birth mother's decision to act in love as she saved her precious baby from death and her rescued baby's life became an answered prayer to us and our family as Rachel.

Therefore, on behalf of all those pre-born who can't speak for themselves, I implore you to vote your God given conscience and protect the very lives of all of these innocent little souls from conception foward, by voting in favor of HB 1373.

My sincere thank you to each of you in The House Human Services Committee for your service to the State of North Dakota and for your time deliberating on this very important issue as you prayerfully consider being a voice for the equal protection of the silent innocent. May God bless you.
Joy Johnson

Honorable members,

I stand in favor of HB 1373.

As Christians we hold life precious and valuable as our creator expects.

In reading those that are using fear to state that this bill would put at risk anything to do with IVF is absurd and shameful.

It is plain to see that the enormous amount of money that killing babies brings into the institutions that create the lie of abortion being health care is precisely why we must put a stop to turning our backs on what this is about.

Folks think of abortion as a way out, as a source of birth control or as a burden in a plan they have laid out for their lives. Adoption is the gift to someone who would love your baby, and take away the responsibility of raising a child if you feel unable. To end a life is a crime. In some states, you kill a pregnant woman, and you are charged with double homicide if the unborn dies as well.

The sanctity of life must be the utmost in our lawmakers' minds. Taking the life of a baby even before birth should be against the law. We must help those met with these circumstances to see killing is not the option or they should be legally held accountable.

Tami Barry

My name is Heather Lentz, and I am here today to express my strong opposition to HB 1373. As a resident of North Dakota and someone who uses an intrauterine device (IUD) for birth control, this bill directly impacts my personal autonomy, health, and legal standing.

HB 1373 seeks to define the moment an egg and sperm meet as the official beginning of life. This definition would, in effect, criminalize widely used and medically approved forms of contraception like IUDs, which prevent pregnancy by stopping a fertilized egg from implanting in the uterus. Under this bill, my choice to use an IUD would make me a criminal—month after month, simply for making responsible reproductive decisions about my own body.

IUDs are one of the most effective and widely recommended forms of contraception. They are not only used for birth control but also for managing painful medical conditions like endometriosis and heavy menstrual bleeding. If this bill becomes law, it could strip me and thousands of other North Dakotans of a medically sound, legal, and necessary form of reproductive healthcare.

Furthermore, this bill would create a dangerous precedent where individuals who use contraception are subject to legal consequences for private medical decisions. It would undermine the rights of patients and doctors, turning basic healthcare into a legal battleground.

I ask you to consider the real-world consequences of HB 1373. It does not protect life—it punishes individuals for preventing unintended pregnancies. Instead of focusing on restricting reproductive healthcare, lawmakers should work to expand access to education, contraception, and healthcare services that actually reduce unintended pregnancies and promote family well-being.

I urge you to vote NO on HB 1373 and protect the rights of North Dakotans to make personal medical decisions without fear of criminalization.

My name is Joel Davis, I am board president of Alliance Family Services, a pregnancy help clinic that specializes in caring for women and families vulnerable to abortion and its devastating effects. I am a devout Christian who lives in middle Tennessee, and I am writing to encourage the passage of House Bill 1373, known as the North Dakota Prenatal Equal Protection Act.

The organization that I have had the privilege to serve on the board for is driven to meet every abortion vulnerable woman where they are and provide the care they need to support their child and family. At Alliance we provide premium medical care, counseling services, housing and childcare needs, and work to empower each woman as a mother and as a flourishing member of society. While Planned Parenthood generates billions of dollars in revenue destroying countless lives to inflate their bottom line, we at Alliance provide true care to women free of charge by the many generous donors who partner with us with the hopes and expectations to see a generation saved. After the overturning of Roe, we quickly realized that abortion would not go away but that the battle would only change. With the emergence of abortion pills, we have only seen abortion increase as the availability of these pills has only made the devastation of murder more convenient, more private and more affordable so that mothers no longer have to endure the shame of their conscious decision to travel to have an abortion. However, this decision only further deludes them that their choice to chemically destroy the life within them absolves them from any responsibility for the very life they are supposed to protect.

Over the past several years of being directly involved with women and their families who are given the option to destroy the life that is growing inside them, I have realized the absolute travesty and delusion of that choice. Over the past 50 years, the absence of laws to prevent the destruction of human life has resulted in a warped morality of our nation as we continue to depart from the good law of God that had been the very foundation of our country. So many in our society have embraced the lie that somehow their choice to destroy life is superior to life itself. We have somehow devolved to a society of technological advancement and moral depravity. It is said that you cannot legislate morality but that is flawed since morality guides EVERY law that has been drafted since the beginning of time. What is true is that the law is a tutor, it trains the conscious and is necessary to ensure a thriving society.

Today, you have not only an opportunity to spearhead one of the greatest movements in our nation's history, but also an obligation to the God whom you gave an oath to when you took office and who you will give an account to when you stand before Him on the day of judgement. I urge you today to pass this bill.

As a parent of teenagers, I strongly oppose pro-life policies that restrict reproductive rights. My opposition stems from a deep concern for my children's future, autonomy, and well-being.

First and foremost, teenagers are still developing emotionally, physically, and mentally. The idea that my child could be forced to carry a pregnancy to term—especially in cases of assault, medical risks, or lack of readiness—is deeply troubling. Parenthood is a lifelong commitment that requires stability, maturity, and financial security—things most teenagers do not yet have. Forcing them into parenthood can derail their education, mental health, and future opportunities.

Additionally, I want my children to grow up knowing they have control over their own bodies. Teaching consent and bodily autonomy is crucial, yet denying them the right to make decisions about their reproductive health contradicts those values. It sends the message that their rights are secondary to political or religious ideologies.

Furthermore, the consequences of restricting abortion access disproportionately affect the most vulnerable—young people, those from low-income backgrounds, and victims of abuse. As a parent, I want my children to have access to safe, legal medical care, rather than being pushed toward dangerous alternatives or forced into a life-altering situation they are not prepared for.

Ultimately, being pro-choice does not mean encouraging abortion—it means ensuring that every person, including my own children, has the freedom to make the best decision for their life and future. I trust my children to make responsible choices, and I want them to have the support, education, and legal rights necessary to do so.

Testimony in strong opposition of HB 1373

Dear Chairman and Members of the Committee,

There are many reasons to reject this bill. Let me list a few important ones:

1. Voters already rejected the concept of conferring the status of “human being” or “unborn child” to fertilized eggs. The people of North Dakota understand that this is an unworkable concept. The **2014 ballot measure attempting to confer personhood to human zygotes was roundly rejected by over 64% of North Dakotans**. This bill directly counters the will of the people. The people have spoken on this issue and the legislature should accept the will of the people.
2. This bill opens the door to questioning and **possibly prosecuting women for experiencing miscarriages**. How does a woman prove she had a spontaneous miscarriage? What if she takes medications? Or had a glass of wine? Similar laws in other states have led to women being incarcerated and questioned after miscarriage.
3. If adopted, this bill would add to the already tremendous **difficulties of attracting medical professionals to North Dakota**. Who would want to practice in North Dakota when their medical treatments may lead to criminal investigations and prosecution? And, no, medical exceptions can not ever be made clear enough to prevent this. Medical decisions don’t fall into neat little boxes.
4. **In vitro fertilization will become unavailable**. The process of IVF commonly results in a substantial loss of early embryos. Liability associated with this would make offering IVF impossible in ND.
5. **This bill is imposing a particular religious view on the entire population of the state**. This bill **violates the establishment clause of the first amendment of the constitution of the United States**. I read over some of the testimony already submitted in support of this bill and it becomes very, very obvious that religion is the primary motivation of those supporting this bill.
6. **Taxpayers** will yet again be called to **pay for the legal defense of an unconstitutional bill**. We should really spend our money elsewhere.

Sincerely,

Alex Deufel – District 40

2/4/2024

Chair Ruby and members of the committee,

My name is Peyton Easling. I support HB 1373 because it criminalizes the murder of innocent humans in the womb in North Dakota. Location does not determine whether you're a human or not. In the United States approximately 3,169 babies are being murdered per day and 132 per hour. This is a baby holocaust that should be criminalized. I urge you to vote in favor of HB 1373 and criminalize human abortion in North Dakota.

Thank you!
Peyton Easling

House Human Services Committee Members,

I urge you to give HB 1373 a do pass recommendation.

I am a pastor in the Minot area, as well as the Chair of the District 3 Republicans.

The Declaration of Independence calls out three unalienable rights granted us by our Creator (not by the government). The first, most fundamental right is the right to life.

Although North Dakotans have eliminated abortion mills in our state, we have still not done enough in practical terms to eliminate the murder of unborn children in the womb by deterring at-home, non-surgical abortions. In Psalm 82:3, the Lord calls us to give justice to the weak and the fatherless. Who are the weakest but the unborn, who can do absolutely nothing to advocate for themselves? We must advocate for them.

Proverbs 6:16-17 tells us that the Lord hates the hands that shed innocent blood. Who are the most innocent but the unborn, who often need protection from their own mothers trying to murder them? We must protect them.

The murder of another innocent human has been forbidden and harshly punished by God since the beginning of humanity, with God's exile of Cain who murdered his brother Abel. The biblical command not to murder has never been rescinded.

Section 1 of the 14th Amendment of the US Constitution states the clear law of the land: "Nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

HB 1373 would extend equal protection of the law to every preborn person, something they have been unconstitutionally denied here for more than 50 years.

You all swore to uphold the Constitution when you took office; now is your opportunity and duty to do so. Moreover, Proverbs 11:1 teaches us that the Lord abhors dishonest scales. Not protecting the unborn equally has been a dishonest scale that the Lord hates. Now is your opportunity to correct this injustice.

Sincerely,

Gregory J. Demme

Pastor, Grace Baptist Church of Minot; Chair, District 3 Republicans

HB 1373
"DO PASS"

I am writing today in regards to House Bill No. 1373 and ask that you DO PASS this legislation.

For many years, people have been wrongfully deceived about the moment of life. We've been told that a human baby in the womb is a clump of cells, that it is not alive and/or that it cannot feel anything (so we shouldn't care about it?). People have claimed that life starts at a heartbeat or after the child has emerged from the womb.

The truth, the settled science, is that the child is a child from the moment of conception.

This legislation clearly defines life and offers necessary protection for the rights of the child; the most vulnerable human beings on earth.

Passing this legislation is a necessary move in a climate where people can no longer pretend that a baby in the womb is just a clump of cells. I thank the Representatives and Senators who have introduced this bill and ask all to pass this bill in order to protect the rights of every child.

Thank you,
Mona Colwell

Chairman Ruby and members of the House Human Services Committee,

As a husband and father to a daughter, I am writing to strongly oppose House Bill 1373. This bill not only undermines reproductive rights but also threatens access to critical medical care, creating dangerous legal and ethical dilemmas for doctors and families. As someone who wants my wife, daughters, and all women in North Dakota to have access to safe and necessary healthcare, I urge you to reject this harmful legislation.

House Bill 1373 seeks to redefine “human being” and “person” to include an unborn child from the moment of fertilization. While this may seem symbolic, the reality is that this extreme change could have serious medical consequences:

- **Interference with Life-Saving Medical Care** – Pregnancy complications such as ectopic pregnancies, severe infections, and life-threatening conditions like preeclampsia often require urgent medical intervention. If an embryo or fetus is granted full legal personhood, doctors may hesitate or be legally restricted from providing immediate, necessary care for fear of prosecution, leading to preventable maternal deaths.
- **Criminalization of Miscarriage** – Up to 20% of known pregnancies end in miscarriage, and many require medical intervention, including medication or surgical procedures. Under this bill, any pregnancy loss could come under legal scrutiny, subjecting grieving families to invasive investigations and criminalization of natural biological processes.
- **Barriers to Fertility Treatments** – The language of HB 1373 could have a chilling effect on in-vitro fertilization (IVF) and fertility treatments, as embryos created in a lab may be legally considered “persons.” This could limit treatment options for families struggling with infertility, making it harder for couples to conceive.
- **Increased Risk for Doctors and Hospitals** – Physicians should not have to choose between following best medical practices and avoiding legal consequences. The ambiguity of this bill could deter doctors from providing essential reproductive care, leading to fewer trained specialists in the state and forcing patients to seek care elsewhere.

This bill does not protect life—it endangers it. It places politicians in the middle of deeply personal medical decisions that should be made between a patient and their doctor. As a father, I want my daughters to grow up in a state where they have access to compassionate, high-quality healthcare without government interference. I urge you to oppose House Bill 1373 and instead support policies that protect the well-being of all North Dakotans.

Thank you for your time and consideration. I trust you will do what is right and vote against this dangerous legislation.

Sincerely,

Brandon Baker

Members of the House of Representatives, I am writing in opposition to HB1373. If this bill is passed it will effectively outlaw IVF treatments for couples who are unable to have a child they so desperately want and are unable to have any other way. I'm strongly urging you to vote NO on this intrusive bill. Reproductive care decisions are personal and should be between the Doctor and patient without government interference. If you had a family member who needed this IVF care to have a chance to have the child they've dreamed of, as I do, you would vote NO to give them that chance. Thank you, Liz Lindquist Max ND

Hello Members of the House and Human Services Committee and thank you for hearing my testimony today.

My name is Skyler Ballard, and I was born and raised in the great state of North Dakota. Since August 2024, I have been away from home pursuing a law degree in Boston, Massachusetts. As I grow accustomed to the state, I learn more and more each day of the amazing possibilities that await our beautiful North Dakota.

Before you today is a Bill that intends to change the meaning of an “unborn child.” While I’m sure that we can all agree a human life is worth fighting for, I ask you to consider not only the life of the unborn child, but the lives that already sit before you today.

While reading the other testimony that is before you, I came to the conclusion that we have forgotten that more than one life is at stake when we talk about the issue of abortion. In these debates of “pro-life” and “pro-choice” I often hear the argument that the unborn child could cure cancer or be the next President of the United States. Although this could undoubtedly be true, I ask you to consider that the person carrying the child *could be these things too*, given the chance to make their own decisions about their own bodies.

Opponents of my stance will say that women should be more careful if they do not want to become pregnant. I think that is an argument for a different day. Today we must focus on ensuring that we do not take away the lives of the people who are already born.

I have read testimony that points to the 14th Amendment, with those making claims that the Amendment provides equal protection under the law to these zygotes. I ask that you consider *my* equal protection under the 14th Amendment, and *my* ability to make informed choices about my own body, with the help of a healthcare provider.

Members of the House and Human Services Committee, I have been yearning for the day I can come home to North Dakota and share the wealth of knowledge I have gained. However, I fear that passing the Bill before you today will have severe repercussions for women of all ages and will drive us away from the wonderful state we call home.

When you are considering this Bill, I urge you to think of the women whose lives will be affected forever by its passing, and I urge you to vote **Do Not Pass** on **HB 1373**.

Thank you for your time and consideration.

Respectfully,

Skyler Ballard

Dear Committee Members,

My name is Theresia Peterson, and I am writing to express strong opposition or disapproval for HB 1373 that would have terrible consequences for pregnancy care and IVF.

We conceived our son via IUI after three years of infertility treatments. However, he was diagnosed with a rare genetic disease, Niemann Pick type C. Which is a life altering disease that takes away all body functions: ability to talk, walk, eat, organ functions, etc. The only way to ensure our future children don't suffer from this life altering disease is to utilize IVF.

This bill directly impacts the ability to provide IVF. This bill means if an embryo being tested for Niemann Pick type C stops growing, our providers could be held liable for abortion. Or, if they transfer an embryo into a woman's uterus and it does not result in pregnancy, this too would fall under this bill as abortion. So not only would this woman, who is trying to become a mom, have to go through that loss but then she would have to face legal actions. What if this person was your mom, your sister, your wife, your daughter, or even you.

Although presented as an anti-abortion bill, this is truly an anti-IVF bill. This does not stop the loss of babies, this prevents the ability for babies to even be created. The ability to create a family should be my RIGHT. If this bill passes, I will have to tell my only child that they might not ever get a sibling. If this bill passes, I will have to tell my family that I might not be able to have a healthy baby that doesn't have Niemann Pick type C. If this bill passes, I would have to go out of state to be able to get pregnant with a healthy baby. Which is adding more costs to an already costly procedure. Do not pass this anti-family bill.

Thank you for your time and consideration.

Theresia Peterson trompson2010@gmail.com

Date 2/4/2025

Written Testimony in Opposition of House Bill No. 1373

Blake Prozinski

Dear Chairperson and Honorable Members of the Committee,

I am writing to express my opposition to HB 1373. While the bill is framed as a means of protecting unborn children, it contains provisions that would have harmful, intended consequences, particularly for individuals and families seeking in vitro fertilization (IVF) treatments. I urge you to reconsider this legislation, as it could severely impact reproductive healthcare, medical practices, and the rights of North Dakota residents.


At one time I thought my home state was the epitome of “common sense” legislation. Things that just made sense to the common person. Good people doing what they knew was right. To a group that calls themselves the “Abolitionists” this bill does make sense. A platform they stand on is the IVF process is genocide. Let’s make it crystal clear they are not “Pro-Life”. They make that differentiation themselves. They can say this bill does not affect IVF until they are blue in the face, but that doesn’t make it true. They know how it will affect citizens of this state. Do good people call women trying to start a family, murderers?

Seeing out of state interest groups and people not from North Dakota testifying in support of this bill is concerning. North Dakotans know what is best for North Dakotans. People from outside of this state wrote this bill. They have no interest in bettering our lives. They have interests in pushing their beliefs on us. I implore you to listen to your constituents. This bill is a foot in the door to expand their agenda.

I did, with my full effort, to try to understand why a bill like this was needed for the citizens of North Dakota. When we already have legislation addressing this. I researched and I talked with sponsors of this bill. The abolitionist movement is not popular among common people. This is a coalition believing that everyone should be like them. Legislators are supposed to represent their constituents that elected them and not further their own political and ideological beliefs at the expense of the young people of North Dakota that are trying to start families.

Sincerely,

Blake Prozinski



In the United States, it is estimated that over 300,000 IVF cycles are performed annually. This number includes both fresh embryo transfers and frozen embryo transfers. IVF has become a common and increasingly accessible option for couples experiencing infertility, with the number of cycles growing as the technology advances and as more people seek fertility treatments. The success rates and availability of clinics across the country also play a significant role in the rising numbers of people opting for IVF.

Not having access to IVF can be significantly detrimental, especially for individuals and couples facing infertility challenges. IVF provides a crucial opportunity for those who cannot conceive through natural methods or who face medical conditions preventing successful pregnancies. Without access to IVF, many people might experience prolonged emotional and psychological distress due to the inability to have children. This can lead to feelings of frustration, isolation, depression and grief.

Additionally, for those with conditions like blocked fallopian tubes, male infertility, or genetic disorders, IVF may be their best or only option for conception. The lack of access could mean that these individuals and couples would be denied the chance to build a family, or they may have to explore alternative, often less effective, methods.

Moreover, IVF can help preserve fertility in certain cases, such as for those undergoing cancer treatment or other medical conditions that affect reproductive health. Without IVF, these individuals may face irreversible consequences for their future ability to have biological children. Overall, limited access to IVF not only hinders family-building but can also exacerbate health inequities, as not everyone has equal access to fertility treatments due to cost, location, or insurance limitations.

Its amazing how IVF has provided my wife and I the chance to grow our family with two beautiful boys. They bring so much joy and fulfillment to our lives. IVF really can make a world of difference for so many families, and experiencing firsthand about its positive impact highlights just how vital access to these treatments is. We hope to continuing growing our family through IVF and do not want to have to add the stress of having to travel to another state in order to access these services. With fertility issues affecting 1 in 6 people I'm sure that you know someone who has utilized some sort of fertility assistance and to deny them of this is not only cruel but selfish. I vote in opposition for HB 1373.

Human Services Committee

HB 1373

February 4, 2025

Dear Chairman Ruby and members of the Human Services Committee;

Life is the first of the three enumerated freedoms guaranteed protection by our fledgling government in our Declaration of Independence recognizing the equality of all based on the endowment of our Creator. For these rights our brave founders pledged their "lives, fortunes, and sacred honor". As elected officials on the Human Services Committee in North Dakota, you have the strongest voices given to you by your constituents in order to give voice to the weakest among you. You have taken an oath to protect our Constitution for the 6-fold purpose it stated to "ordain and establish" for "We the people". Each of these statements of purpose hinges on life and the last one even specifies that our "Blessings of Liberty" are secured not only for us, but for "our Posterity". Though I am a resident of Tennessee and have only visited your great state one time, I had the pleasure of meeting a fine representative of your state, Sadie Olsen, while at the March For Life in DC in January. Her powerful testimony may be read among the many letters in favor of supporting the proposed HB 1373. At her request I submit this letter today.

Life is such a grand adventure filled with moments that seem insignificant at present in spite of having the ability to shift the entire trajectory of future paths. Most often these turns can only be seen retrospectively. One of these moments in my life occurred when I was about 12 years old. While we innocently ate hot fudge sundaes, a friend my age who loved the element of surprise randomly asked my mom what she would do if I became pregnant. My mom was caught off guard by the prospect. In our innocence, no actions that could lead to pregnancy had even entered our minds. I had fully been swayed by messages from my public-school education and the culture of the day. I had it all figured out and let it be known in all my youthful false wisdom that I would simply have an abortion. "Problem" solved! Thankfully, this conversation ended with my loving mother's assurance of her commitment to me and her theoretical grandchild was forefront in my mind when I did actually become pregnant at 17 years old. Knowing that I had been given the gift of life not a "problem" and that I was not alone gave me the courage to never even give abortion a consideration. The father of our baby offered his strong hand in marriage. We will celebrate our 40th anniversary this year with a 39 year old son, Chance, who is the loving husband to our daughter-in-law, Molly, and father of our four precious grandchildren. My brave mother lent her voice to her posterity without even knowing her bold support for life would have so many ripple effects for her own posterity. Though everyone may not have the level of support in a similar situation that I did, everyone deserves to have a chance at life! Adoption is a beautiful option.

Though my voice is small and coming from quite a distance, I implore you to vote in favor of HB 1373 that the voices of many unborn "We the people" will be heard. While in DC at Life or Death Con, Seth Gruber taught me who the first person to officially offer the sentiment "My body: My choice" was... Jesus. As it should be, the strong are willing to stand for the weak. Be strong! Your voice matters!

Blessings,

Jessica Smith, Pharm.D

Members of the Committee,

My name is Bridget Medbery. I am not a lifelong resident of North Dakota, but I have chosen to call it home.

In November of 2023, I was diagnosed with ovarian cancer. I had just recently turned 32. There is no history of cancer in my family that I know of. I get wellness checkups regularly. I never saw this coming. And I only found out because an ultrasound identified suspicious large cysts in both of my ovaries when I was sick with a kidney stone. After having surgery to remove my kidney stone, I had another surgery to hopefully just remove the cyst from my right ovary so it wouldn't cause future issues; meanwhile, the surgeon would also pull a sample from the cyst in my left ovary to biopsy. I lost my right ovary that day when the cyst ruptured. The other cyst was discovered to be a borderline malignant tumor. My chance of naturally conceiving was starkly reduced in such a short time.

I should have suspected something was wrong. I had never been pregnant. I still have never been pregnant. But I wanted to do whatever I could to try to build a little family of my own with the little time I had left, knowing another surgery to remove my left ovary – and possibly other parts – was looming. I actually went through a cycle of IVF. I had so much hope that this devastating diagnosis could turn into something beautiful. For unknown reasons, the process didn't work for me, and I thought that was it for my family, but through a series of events I have been blessed with more time to try. However, that time is still limited.

If this bill passes, another chance to create a family would be carved away from me like my ovary was, because this bill, as it is written, does not explicitly protect the IVF process.

In closing, I would like to quote part of the testimony Emily Lindquist submitted ([34358](#)) because I don't think I could say it any better myself:

“Recommending **Do Not Pass** on this bill does not make you pro-abortion. It does not mean you are against the criminalization of someone who murders or harms a baby in the womb. It does not mean you don't value the lives of unborn children. Recommending **Do Not Pass** means that you understand there is too much gray area with this bill, and that you are protecting the citizens you were chosen to serve by allowing us the choice to do what is right for us.

Nobody values the lives of the unborn more than parents who have experienced loss or infertility. Today we are fighting for their lives. I ask you to fight with us, for the future of North Dakota and for our children, by recommending **Do NOT Pass** on House Bill 1373.”

Thank you for your time,

Bridget Medbery
West Fargo, ND

To Whom It May Concern:

My name is Allyse Minar and I am writing in opposition of HB1373. A close friend of mine was diagnosed with breast cancer and was able to successfully become a mom because of IVF. If defining a life beginning at fertilization, that would affect the ability for friends like mine to receive IVF and become mothers. Religion and politics should not be allowed to limit access to care for people trying to start a family. Protecting our IVF providers is essential for those who need fertility treatments. I support infertility patients because it is their right as a human to use these services to help build their family. I strongly encourage you to NOT pass HB1373.

Sincerely,

Allyse Minar

Chairman and Members of the Committee,

I am writing today to express my strong opposition to HB 1373. The vague language used to write this bill leaves too much room for interpretation. Although the bill creators claim that the bill was intended to prevent abortion, further research into the bill's author and those writing in favor claiming to be "abolitionists", clearly shows that this bill was intended as an anti-IVF bill. Many who support this bill claim that they don't want to ban IVF. However, the ramifications that would follow a pass of this bill are disastrous. Medical professionals could be held liable for homicide if an embryo stops growing prior to the blastocyst stage or if a transfer of an embryo does not result in pregnancy. What Reproductive Endocrinologist would want to work in North Dakota given that information? If this bill passes, your 1 in 6 seeking infertility treatment would likely have to seek treatment out of state incurring even more financial burden. For those who are lucky enough to have a fertility benefit, it would now be minuscule as all charges would be considered out of network.

Nobody cares more about their embryos than an IVF mother. I am an IVF mom of two earthside daughters Eden and Estella but also a mother to my 3 angel embryos, 2 of which I was lucky enough to carry for 7 and 15 weeks. IVF is the most heartbreaking and lonely journey that I have lived through. A struggle that I didn't choose. Now, I am having to fight for my right to access reproductive assistance due to the introduction of this personhood bill. I have 3 remaining euploid (genetically normal) embryos. If I am lucky enough to have three successful transfers, I can't wait until the day I get to welcome these babies into the world. I am urging you to give HB 1373 a **DO NOT PASS** so I can have that opportunity.

Thank you,

Margaret Prozinski

My name is Steve Cross and my wife, and I have the honor of serving as the Co-Executive Directors of Alliance Family Services and I am writing to encourage the passage of House Bill 1373. As Christians, we believe that life is sacred, created in God's image and of inestimable worth. We are fearfully and wonderfully made and every day of ours has been ordained by God before one of them came to be. Moving from the womb and into the world is not what gives that child value. Even for those that don't value life for religious reasons, we know, biologically, that life begins at the moment of conception as the sperm and egg cease to be two separate things and become something new, distinct and alive. That fetus is dependent on the mother, but is not itself the mother. Since that new person is given value by God, independent of what anyone else thinks or the circumstances surrounding it's conception, no one has the right to intentionally end the life of that child. To intentionally take the life of a person is, by law, murder. We do not need any new law to uphold the laws that already exist. Those laws should be as applicable to the child in the womb as they are to the child outside of the womb. A person's worth is not determined by their size, level of development, environment or degree of dependency. Neither is the child's worth determined by whether the parents of that child want that child or the circumstances that led to the conception of that child. The child in the womb should be protected from intentional harm, just as the child outside of the womb is. The law informs our consciences. Currently the public opinion is that abortion is fine because it's legal. This is due to decades of legislation telling women that it's acceptable to intentionally end the life of your child for any and every reason. I've heard from numerous women who have had abortions that say that they wish that abortion had been illegal when they were faced

with that decision because it would have caused them to choose life for their baby. You have been raised up into your position of leadership by God for this time. One day, in the not too distant future, you will stand before your maker and answer for how you voted on this issue. You have a decision to make and an opportunity to affect great change that would save the lives of thousands of children yet to be born and to set a precedent that could lead to the rescue of tens of thousands of children in other states. I implore you to advocate for the lives of our most vulnerable, innocent and voiceless neighbors.

Dear Members of the Committee

My name is Joanna Moe. I was born and raised in Devils Lake, North Dakota. I have my Associates in Early Childhood Education and a Bachelors in Social Science from the University of North Dakota. I am writing to express my opposition of House Bill 1373.

As a fellow woman with Polycystic Ovarian Syndrome, known to you as PCOS, infertility and miscarriages are a well known struggle among us. IVF is many women's last and only option to have a family. This legislation threatens to take that away from us and any other women that suffers infertility.

This legislation could also make miscarriage management complicated. The pain of losing a pregnancy is hard enough as it is. This is a decision that should be left between a patient and their doctor.

I urge you to please reconsider this bill and protect our access to reproductive healthcare. No woman should fear that her miscarriage will have unnecessary government interference.

Please OPPOSE HB 1373

Testimony in Support of HB 1373

Honorable Members of the Committee,

Though I am not a resident of North Dakota, I am a firm advocate for justice and equal protection for all human beings. I urge you to pass HB 1373 because it upholds the fundamental truth that every human life—simply by virtue of being human and beginning at the moment of fertilization—is inherently valuable and worthy of legal protection.

This is a matter of justice. Our nation was founded on the principle that all people are created equal, and yet our laws have denied equal protection to the most vulnerable among us: unborn children. House Bill 1373 corrects this injustice in North Dakota by ensuring that the definition of a "human being" includes the unborn in cases of murder, assault, and wrongful death. This is not radical. This is consistent. North Dakota already recognizes unborn children as victims of violent crime in certain instances. It is time to remove the arbitrary exceptions and affirm what science and moral law make clear: life begins at conception, and the law must protect it.

Scripture teaches that every person is made in the image of God (Genesis 1:26-27), and the shedding of innocent blood is a grievous offense (Genesis 9:6, Jeremiah 22:3). Our justice system already acknowledges that homicide is the unlawful taking of innocent life. If you believe in justice, you cannot carve out exceptions based on age, location, or level of dependency. Unequal treatment under the law is an abomination to the Lord (Proverbs 20:10), and laws must reflect moral consistency.

HB 1373 does not introduce anything extreme—it simply aligns North Dakota law with the reality that human life is valuable at all stages. It does not criminalize unintentional pregnancy loss. It does not prevent life-saving medical care for mothers. It upholds justice by ensuring that those who intentionally harm or take the life of any human being are held accountable.

As lawmakers, you have the obligation to defend the defenseless. I urge you to stand on the side of science, truth, and justice. Pass HB 1373 and send a clear message that human life is worthy of protection.

Thank you for your time and consideration.

Sincerely,
Caleb Thorne

Opposition to HR1373:

Chairman Ruby and members of the House Human Services Committee.

Hello. My name is Christy Broadwell, and I am a reproductive endocrinologist currently practicing and providing IVF care in the state of North Dakota at Sanford Reproductive Medicine. I grew up on a farm outside of Valley City with my brother David, mother Mary and father Keith, who also grew up on that same farm. I attended Valley City High School and upon graduation attended Minnesota State University—Moorhead (MSUM). I had the privilege of receiving my medical education at the University of North Dakota as well as within the clinics and hospitals throughout the state – I completed clinical rotations in East Grand Forks, Cando, Fargo, Oakes and Minot throughout my four years of medical school. I know there are many legislators that worked very hard to provide that 4-year medical education to North Dakota students, and I am grateful for their work.

I completed a 4-year Ob-Gyn residency at the University of Iowa. I then completed a 3-year fellowship in Reproductive Endocrinology and Infertility at the University of Vermont.

I have been practicing in the field of Reproductive Endocrinology and Infertility for 13 years, of which the last 5 have been within the state of North Dakota. I consider it a privilege to give back to the state of North Dakota that provided so much for me and allowed me to achieve my dream of becoming a physician.

I am here to oppose HB 1373.

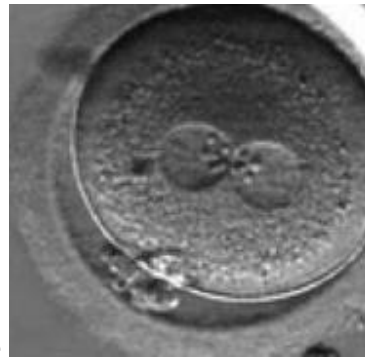
One of the primary concerns I have is that the bill's changed definitions of “unborn child” do not consider the natural biological processes involved in in vitro fertilization (IVF), and would likely mean the end of this vital service for would-be parents in North Dakota.

Please allow me to take a few minutes to explain the IVF process.

A woman is born with every egg that she will ever have, but the large majority of these are not accessible until the egg “wakes up” from hibernation and becomes part of a resting or antral follicle. Each month a group of these antral or resting follicles can be stimulated by a hormone called follicles stimulating hormone (FSH). Due to feedback within our reproductive system, usually only one small, antral follicle grows into a mature follicle that can release an egg, a process called ovulation. After this step, it can be possible for a sperm to fertilize that egg within the fallopian tube. Each month, this leads to one opportunity for egg and sperm to combine to create a zygote.

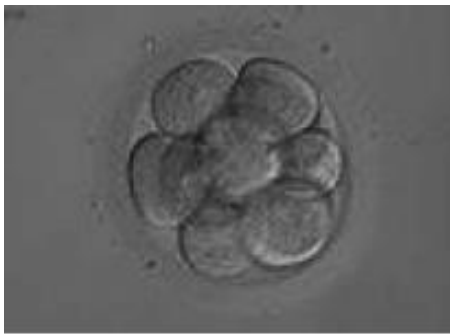


Mature oocyte



zygote

Following this, the single cell with DNA from egg and sperm undergo cell divisions to create an embryo and then a blastocyst. These steps are necessary in order for implantation and the start of detectable (? Maybe poor word choice) pregnancy.



10 cell embryo



Blastocyst

It is important to know that many eggs may fertilize but do not continue to grow and develop into an embryo or blastocyst. Even if fertilized eggs or a zygote develops into an embryo, not all embryos implant to create a pregnancy. It is estimated that, in people who have unprotected sex, only about half of fertilized eggs successfully implant into the uterus to initiate a pregnancy. While it is true that every baby born developed from a fertilized egg that matured into an embryo, a substantial number of fertilized eggs and embryos naturally expire long before ever developing into a fetus, a baby, or an adult capable of speaking to this Committee today.

During the in vitro fertilization (IVF) process, medication is used to stimulate the growth of multiple follicles. This medication is given for approximately 10-12 days while we monitor response with ultrasounds and blood work. The number of follicles that grow is unique to an individual response to medication can vary dramatically. When ready, the eggs are retrieved by a surgical procedure prior to their own release or ovulation. These eggs are then transferred to the embryology lab where highly trained staff utilize convention insemination or intracytoplasmic sperm injection to fertilize each mature egg. After an egg retrieval usually

only 70% of mature eggs fertilize, and of those fertilized eggs, only 50% continue to develop into an embryo and a blastocyst, which can be transferred into a uterus.

Although, not every couple requires IVF therapy to conceive and build their families, over 3% of all babies born in the United States each year are conceived with the use of IVF. This results in ~100,000 births / year and over 8 million individuals have benefited from this amazing technology since its inception. Everyday there are dedicated and highly trained people that deliver this care throughout the country. We are lucky to have these skilled individuals within the state to provide this for our population. In the last 5 years, our clinical work and IVF treatments have resulted in 150-180 births / year to couples within North Dakota, Minnesota, Montana and South Dakota. In the last 30 years, families have been created and expanded with approximately 2000 babies born with this medical treatment.

If this bill were to pass, medical professionals like me, who go to work every day to help people who desperately want to raise a family, could be charged with homicide or be civilly liable for:

- the failed development of a fertilized egg to an embryo
- failed development of an embryo to a blastocysts or
- the failure of a transferred embryo / blastocyst to implant and develop into a viable pregnancy

Even though these are natural and uncontrollable aspects of reproductive biology.

Furthermore, there is the potential for women to be held accountable for pregnancy losses, even though they did nothing wrong and have no control over the outcomes. This bill would place an unjust burden on patients and create significant emotional and legal distress for those already facing the challenges of infertility.

Thank you for your time and consideration. I strongly urge you to vote no on this bill.

I will stand for any questions you might have.

Sincerely,

Christina Broadwell, M.D.
Sanford Health Fargo
Christina.Broadwell@SanfordHealth.org
(701) 850-9374

Human Services Committee

HB1373

February 5, 2025

Chair Ruby and members of the Committee,

My name is Taylah Schroeder, and I was born and raised in Minnesota, but have been living here in Fargo since starting my college journey. I completed my bachelor's degree at North Dakota State University, and now am pursuing my career here in Fargo. I have always loved North Dakota. I am writing my testimony **in opposition** of House Bill 1373.

Generations upon generations of women in my family have struggled with pregnancy – with conceiving, with carrying, and upon birth. No woman living today has given birth naturally in my family- not mom, her sisters, our cousins, or my grandma herself. This almost certainly going to be something that I struggle with too. I am 23 years old and legislation such as this makes me debate my willingness to start a family at all, but more specifically here in ND.

Legislation such as this is **harmful** to life. It creates consequences that will be hard to recover from. Legislation such as this stunts provider's ability to provide life saving care in some situations. It would nearly cut off all access to IVF treatments for families struggling with infertility due to the legal complications that legislation like this would bring. Inevitably, it would have an unrecoverable effect on the OBGYN providers in the state. They probably won't stay to provide care in ND due to the risk they feel within their jobs. We will end up with a shortage of the care team women/families need most when family planning. The best medical treatment we can provide is medical treatment that focuses on life, but that is different in each situation, each person, and each doctor. This is a matter that should stay between patient and doctor, so it is vital that we do not pass legislation that could create challenges trying to provide life saving care to patients that are already here. People who are already born and living here in our state.

Legislation like this makes me want to leave the state that I love so much. Family planning is a choice that should be between me, my family, and my doctor. In my personal situation, I do not intend on starting a family somewhere that my health during pregnancy is not the most important thing. I already have too many health risks against me, that it would be important to have a full understanding that there isn't **anything** my doctor wouldn't do to save my life. I do not need children bad enough to risk the life I have created. Please know that legislation like this is dangerous, unpredictable in terms of what care will look like going forward, and honestly, will be the driving factor for more than just me in deciding to have a family or not.

Please vote "do not pass" on House Bill 1373.

Thank you for reading my testimony,

Taylah Schroeder

My name is Zachary Conover. I am the Communications Director for End Abortion Now and I am submitting this testimony in support of House Bill 1373, also known as the North Dakota Prenatal Equal Protection Act.

I have been involved in the effort to end legal abortion for nearly a decade, ministering outside of abortion facilities to mothers and fathers, as well as speaking in defense of the unborn across the country in the halls of our legislatures. End Abortion Now's ministries are behind many of the legislative efforts happening across the nation at this very moment to establish equal protection for all human life.

North Dakota has an opportunity to show our leaders that all human life is to be valued and protected the same way, rectifying the problem of self managed abortion in post Roe America. I urge you today to do your most fundamental duty before God and protect these innocent children made in his image from anyone that would seek to do them harm.

You can be among those that stood against the great societal evils of the past like the atrocity of the slave trade or the horror of the Nazi holocaust, where people that share our common humanity were treated as subhuman and deemed unworthy of protection. You have been placed in your station to oppose the present holocaust of children in the womb. Please stand for what is right and support HB 1373, for the Judge of all the earth will hold you accountable for your actions in this matter.

Zachary Conover
End Abortion Now

Human Services Committee

HB1373

February 5, 2025

Chair Ruby and members of the Committee,

My name is Hunter Medenwaldt, and I have been a North Dakota resident for my entire life. I completed my plumbing certification at North Dakota State College of Science, and now am pursuing my career here in Fargo. I am the oldest of 10 children in my family, and I am writing my testimony **in opposition** of House Bill 1373.

I understand that legislation like this is an attempt to lower the number of abortions in our state, but in all actuality, we know that they will still occur- legal or not. The only difference is that it will now be **unsafe** to the women in your state. Blatantly, reproductive care is healthcare. You are stripping women of their access to **safe** healthcare. We do have an obligation to care for the lives that are already here and living. Please understand the gravity of legislation like this retaining to the health of women in your state.

This bill does not take in to consideration the fact that accidents happen, condoms break, rape and incest occur, pregnancy isn't viable in the womb, the baby is miscarried by the body, and many, many, many other types of "special" scenarios. It is honestly cruel to implement legislation that strips women of their access to different types of reproductive care. There is too much of a gray area under this topic to write it in to **law**. The separation of church and state is so important in government, it prevents people from having to abide laws written due to religion. Not every person in North Dakota believes in Christianity, god, or god's will. A woman living in your state should not have to die because we wrote legislature based on the bible.

My fiancé and I have always loved the idea of starting a family, but we know that she is most likely going to face pregnancy related complications. **I will not lose my partner trying to have kids.** I'd rather just not have any children, or I would rather leave this state (assuming this bill passes). That is the reality legislation like this is going to bring to a lot of your families living here in North Dakota. They will either leave or we will see the population go down due to people deciding not to have families. Legislation like this will also make healthcare provider's leave because they cannot just do their jobs. This is not a black and white matter, so please do not pass into law legislation that makes it seem like it is. Do not restrict women's access to healthcare here.

Please vote "do not pass" on House Bill 1373.

Thank you for reading my testimony,

Hunter Medenwaldt

Dear Legislators,

My name is Pate Anglin. I am a businessman, an anti-abortion activist, and a Christian. I am a founder of Students for Abolition and live in East Tennessee. I am writing in support of House Bill 1373, also known as the North Dakota Prenatal Equal Protection Act.

Through my work with Students for Abolition, I have learned that most conservatives in predominantly pro-life states like North Dakota believe abortion is either illegal or nearly nonexistent in their states. However, this couldn't be further from the truth. Abortion not only persists but thrives due to exemptions that allow self-induced abortions.

Word is spreading rapidly that self-induced abortions remain legal. At my university, student activist clubs regularly share social media resources informing students of their legal "rights" to perform self-induced abortions using pills. These students are exploiting our weak laws to promote abortion pills, and without a doubt, students in North Dakota are doing the same.

I urge you to remember your biblical responsibility as "servants of God" (Romans 13:1-7) to protect your constituents, including the unborn, and your constitutional duty to uphold the fundamental right to life. The Constitution explicitly states that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; **nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.**"

Sincerely,

Pate Anglin



**STUDENTS FOR
ABOLITION**

My name is Emily Mills and I live in Minot, North Dakota. As your constituent, I urge you to protect abortion access and our right to birth control. Listen to the people of North Dakota. Our community knows that access to safe and legal abortion is essential, and we demand that our elected representatives protect this right. Choosing to classify an abortion as murder, especially from the moment of conception, is absurd and dangerous. Women need the right to make our own healthcare decisions and the right to choose if we should carry a pregnancy to term. The members of the North Dakota legislature need to protect this right. The government does not force you to be an organ donor, it does not force you to be resuscitated upon your death, and it should not force you to have children. Children deserve better and the women of our state deserve better. Protecting access to abortion, birth control, and educational resources is the only way to protect life: the lives of the people in your state right now. The people who can not and should not be forced to give their body, mind, and life for another against their will.

It is easy to dismiss these concerns as the concerns of promiscuous women, women who use abortion as a regular form of birth control, and women who have no love for children. But I am not that woman and neither are the people who will suffer from this bill. The people who will suffer from this bill is a teenage girl trying to induce an abortion at home with a recipe she found online. Her parents will find her bleeding out on the floor and they'll wish she got to choose *her* life. It's a college student that doesn't party or do drugs. She gets good grades and has a job lined up after graduation. But she had sex with her boyfriend and the condom broke, and now she has to give up everything she worked for, go on government assistance to try to make ends meet, and she'll never get another chance because everyone wants to hire the new graduates and not the new moms. It's a woman who had a baby shower, decorated the nursery, and picked out her 3 favorite names, and then had a miscarriage. Now she's getting harassed by the police, accused of doing it on purpose, when she's never been more devastated. Will she go to prison if she can't prove she wanted that child? How hard does she have to cry for you to believe her? Can you live with her blood on your hands when you don't?

If you pass the bill, you are not protecting life, you are ending it. You're ending it slowly and painfully, strangling the life from women right here in your own state.

I urge you: do not pass this bill.

February 4, 2025

Hello,

My name is Marisa Kaasa, and I am a concerned resident of Minot, North Dakota.

I am writing in opposition to HB 1373.

As I have not had to go through the infertility struggles myself, I have watched people I care deeply about struggle. People who would make nothing short of amazing parents. People who have done nothing to deserve the cards they were dealt. People who's only chance at holding a baby of their own is through IVF.

IVF is not a solution anyone wants to jump to. There are many steps (and years) taken before this is the best and only option for those who are unable to carry a child of their own. If this bill passes, you would be taking away the dream and opportunity of these people who want nothing more than to hold their baby in their arms.

As a mom, sister, daughter, aunt – I am worried for the harm passing this bill would cause.

This bill is so vague as to what the intentions are behind it, which only leads to questions and assumptions.

With that, I ask if religion is playing a role in this bill? I truly cannot think of a reason any person thinks that what a person does with their body is up for debate other than tying back to religion and one's own beliefs. Beliefs that should never be mandated or forced on anyone. Beliefs that are not backed scientifically. Religion should not play a part in government decisions. Religion is a choice. What a woman chooses to do with her body is a choice. A choice that should not be made by anyone other than the person going through it.

Thank you for your time.

Respectfully,

Marisa Kaasa

Minot, ND

Members of the House Human Services Committee,

I strongly urge you to recommend a 'do pass' for HB 1373. The 14th Amendment states that "no person shall be denied equal protection of the laws" and every preborn life in ND deserves this protection. You cannot deny that there is a living, growing organism that is also human within the womb, with unique DNA entirely separate from their mom. HB 1373 will reaffirm these protections that preborn humans rightly deserve and will criminalize the act of abortion moving forward. This simply subjects everyone to the same justice system equally and all offenses would be taken on a case by case basis, taking coercion, abuse, IVF, and miscarriages into consideration as completely separate issues (just like different types of murder and self defense are classified differently).

As the young mom of an unplanned 14 month old, having recently experienced pregnancy and motherhood has only strengthened my resolve that abortion is the greatest human rights violation of our generation. I do have empathy for pregnant women who feel terrified and unprepared, as I had similar thoughts. Abortion even crossed my mind due to how accessible the pill has become. But having met my daughter outside of the womb, and having researched and heard the extensive statistics and testimonies on how damaging abortion procedures are to both the physical and mental health of the women who undergo them, I could never in my right mind call abortion "healthcare." In fact, many women do not know what abortion procedures actually entail, nor do they know about the permanent toll it takes on their bodies and emotional health. Furthermore, many of the clinics operate in unsanitary conditions with under-trained staff, break protocols, have corrupt financial incentives, or withhold information from their patients. For the sake of both children and women, abortions and this abuse of our medical system needs to stop. If we want to protect women and the most vulnerable in our communities, we need to cease abortions and provide actual support for these new moms. This begins with criminalizing the practice of abortion and making them less accessible so it's not an option for desperate women making decisions based on fear.

In short, HB 1373 will guarantee that all humans are covered by an amendment already in place. If HB 1373 is not passed, then the 14th Amendment is not actually true.

Thank you for your time and consideration of this important matter.

Sincerely,
Greta Lora

Human Service Committee Members,

My name is Tanner Simons: I am a Christian, a Husband, a Father, and I also serve as one of the Pastors of my local church.

I urge you to give a “do pass” recommendation for HB1373. Mothers considering abortion need the correct kind of support from the people around them. The anxiety of unplanned pregnancies can create a dilemma in which making the right decision to preserve life isn’t easy, especially in a culture that says abortion is an option. Part of the support they need from us is to deter them from a decision that will only cause more pain and brokenness. Many think that this bill will be unloving to mothers who abort their children, but this couldn’t be further from the truth. The law partially serves as a moral compass for people, so I hold myself responsible along with all of you, to only support laws that accord with the ultimate Standard of morality and justice. As long as we have and support laws that allow people to murder their own children, we are guilty of taking them by the hand and encouraging them as they order the pill or drive across state lines to an abortion clinic to make the worst decision of their lives. Nothing could be more unloving than this. While I am sympathetic to the confusion that so many have about the subject of abortion, I am certain that supporting HB1373 is the correct stance:

In the world we live in, everyone must be honest about the fact that some things are more valuable than others. As human beings we can naturally discern the obvious; that there is nothing in all of creation that deserves more dignity and honor than human life. We constantly demonstrate that we are created to already know this fact when we do things like mourn the loss of a family member more than we do a pet. When parents see their children attributing more value to their toys than to their siblings, they rightly discipline them. First responders bravely risk their lives to save people, but are more cautious when it comes to saving material possessions. But why is it that human life deserves dignity and honor? Why are humans more valuable than dogs or homes or businesses? How will we account for this? We know it to be true, but by what standard is this true? Common sense is not a good enough answer, and we can’t say that that’s just the way it’s always been because common sense isn’t so common in our day and things are constantly changing. On what basis can we say that human life must be preserved? The only basis for such an assertion (which assertion we all know to be true) is that according to Scripture, the Creator of all things made Man in His image (Genesis 1:27). Being made in the image of God is a status reserved for humans alone, and since the God of the Bible gave us this status, no one has the right to dispute it (unless they are prepared to argue with the God who began and sustains their own life). Nothing other than the Word of God is capable of defining the value of creation. If we as humanity autonomously declared ourselves to be the most valuable of all creation, then such an assertion would be subject to change.

Now if we were to set aside the Bible as only a “religious book” reserved for “religious things” when it comes to the status of humanity, then we would be compelled to set it aside for other matters as well. We simply cannot borrow from the Bible when it’s easy and then put it back on the shelf when He asks us to do something that offends people. If not for the 6th commandment: “You shall not murder” (Exodus 20:13) then we would have no way of accounting for the objectively immoral and unjust act of murder. In other words: if not for the Bible, then who says murder is even wrong? If not for the objective Standard of justice set down in Scripture, we would have no way to account for justice itself. The reason why God condemns murderers is because

Man is made in His image. To murder a fellow human is to insult the very worth of the God who's image they bear.

The Same God who made man in His image, who established the objective standard of Justice, says that adults AND preborn humans are **EQUALLY** his image bearers. (Ecclesiastes 11:5, Genesis 4:1, Psalm 139:13-16). If you hold murder to be wrong for humans that are already born, then by the same standard you must hold murder to be wrong for those inside the womb in all circumstances. Those in the womb deserve equal protection because they have the same status in the eyes of God as you and I do, we are the pinnacle of His creation. To vote against **HB1373** would be to say that it is acceptable to merely regulate murder for those who are inside the womb, instead of making it illegal. There is no basis for the distinction between those inside the womb and those outside the womb. If regulated murder of already born humans is unacceptable then why would regulated murder of preborn humans be any different?

I am asking you to be consistent, to use the same standard of justice for those inside the womb as you use for those outside of the womb. (Leviticus 19:15). The God who created us is a God who preserves life. He is so dedicated to preserving life that He was willing to send His Son to die on behalf of all who would turn from their sin and seek His forgiveness, so they wouldn't have to. You all bear the image of God. As an image bearer your job is to reflect the God who created you and for you also to be someone who preserves life. Many humans are counting on you to act according to justice, in your influential position you may just be the ones that God will use to preserve life. If this bill is passed in North Dakota, it may be what leads other states to preserve life by giving equal protection to the unborn. Please support **HB1373**. Romans Chapter 13 teaches that, as a servant in the civil government, it is your moral duty to preserve life like the God who gave life to you. (Romans 13:1-4).

Thank you,

Tanner Simons

CHAIRMAN RUBY AND MEMBERS OF THE MEMBERS OF THE HOUSE HUMAN SERVICES COMMITTEE. I AM JODY CLEMENS FROM WEST FARGO AND I AM HERE IN SUPPORT OF HOUSE BILL 1373.

I am a wife, a grandma, and the mother of five children. Four of these children are living. My other child lost his life when I walked through the doors of an abortion facility and tragically ended his life through abortion.

At the time of my abortion, I was 22 years old, single, had completed college and was teaching school and was coaching. I learned of my pregnancy when I made an appointment to visit my doctor as I was not feeling well. He hospitalized me overnight which made me feel as though I had a serious medical problem. Early the next morning my doctor walked into my room, leaned over my bed and looked directly into my eyes and stated *"well young lady the reason you are so sick is because you are pregnant"* and without even taking a breath he looked directly into my eyes and said *'but you do know you can have an abortion.'*

Quite frankly, I knew very little about abortion. Abortion was not a topic that was discussed in my family or among my friends. Yet, I now felt my doctor had diagnosed me and was giving me a prescription on how to solve my medical condition. There was no discussion about the humanity of the child. No discussion about the gestational age of my child. No discussion about the development of the child in my womb. No information on the possible emotional, physical, or spiritual aftermath of abortion. But I was told that if I went through with an abortion that my life would return to normal and I could have a real life with a real future. That was the beginning of the lies I was told.

The father of the baby made the appointment for my abortion. He paid for the abortion, and he accompanied me to the facility and remained in the facility until the abortion was complete. Once inside the facility I was given a stack of papers to sign. I didn't read any of them. But looking back I now know I was signing consent papers for some well- paid stranger to invade the sacred territory of the womb where God was creating life

I did not meet the physician performing the abortion until I was in the procedure room. But I recall everything about this room. Every sight, sound, and smell. But most vividly I recall that turning the procedure I turned my head to the side as tears started steaming down my cheeks and knowing that my baby was now dying or dead and what I had done I could never undo. My decision to end the life of my child was irreversible and a sense of justice arose within me that could not be silenced. I knew an innocent little human being had just died and the guilty was going unpunished. My baby had committed no crime, no offense, and had no mode of self-defense. My child had a fundamental and constitutional right to life. He was entitled to equal justice under the law; but was denied it.

I left that abortion facility, I left the father of the baby, I left my teaching career, and I lived for ten years with undealt sin, unresolved guilt, and a sense of justice that cried out to be satisfied.

Eventually through the mercy and grace of God I was set free from the pain and grief of my abortion. Since then, I have devoted my life to assist women suffering the aftermath of their abortion. There are many.

When I learned of House Bill 1373, I knew I needed to testify in support of this bill. In spite of all the lies and gaslighting surround the content of House Bill 1373 I am thankful we are here to testify to the true intent of this bill and dismantle the fear and scare tactics that have been spread about the true intent of House Bill 1373.

THE TRUTH OF HOUSE BILL 1373

House Bill 1373 simply gives unborn children equal justice under the law and classifies unborn children as human beings.

House Bill 1373 does not ban IVF. Individuals who choose to use to create children through IVF will have equal protection and justice under the law. This bill protects these embryos.

House Bill 1373 agrees with science that human life begins at fertilization.

I WOULD LIKE TO GIVE YOU A PICTURE WORDS OF WHAT THE BEGINNING OF A HUMAN BEING IS AND WHY THIS HUMAN BEING NEEDS AND DESERVES EQUAL JUSTICE AND PROTECTION UNDER THE LAW.

House Bill 1373 affirms the truth that there is only one true victim in an abortion. That one person is the child in the womb and this child deserves equal justice under the law.

Victim by the mere definition of the word implies innocence. Without guilt.

True love calls those guilty of sin to repentance. If you see women who participate in abortion as victims, she has no need to repent because victims have no need of repentance. It leaves her with no need for Christ and no need for the Gospel. What it leaves her with is her guilt, shame, sorrow, self-hatred, and her overwhelming grief.

It is a fatal flaw not to call women to repentance after their abortion so they know the love and forgiveness available to them.

House Bill 1373 will deter women from having abortion and spare them the devastating aftermath of their decision to murder their child.

I have visited with many women who say they would have never had an abortion if it would have been illegal to do so. It would deter woman from having an abortion if their child would have been granted equal protection and equal justice under the law and it would have spared these women a life time of heartache and regret.

In conclusion, and for the reasons stated above, I strongly support House Bill 1373 and the definition of human being. We are all fearfully and wonderfully made from the time of fertilization and we all need and deserve equal protection and equal justice under the law. I urge you Chairman Ruby and the distinguished members of the House Human Services to support House Bill 1373.

In SUPPORT of Bill 1373

Psalm 139: 13-15 says, "For you created my inmost being: you knit me together in my mother's womb. I praise you because I am fearfully and wonderfully made: your works are wonderful; I know that full well. My frame was hidden from you when I was made in the secret place. When I was woven together in the depths of the earth."

Life begins at conception. God has a plan and purpose for everyone He creates, and everyone has a right to life. We need to protect those who are most vulnerable, our unborn citizens

Thank you for stepping up and giving the unborn a voice to live for saying yes to this very important bill.

Please give HB 1373 a Do Pass.

Joan Tangedal

February 4, 2025

Dear Committee Members,

My name is Tracy Beck, and I am writing to express my opposition for HB 1373.

I'm the mother of three daughters and a grandmother to one beautiful granddaughter. Two of my daughters have known issues with infertility. One daughter and her husband have chosen not to go through infertility treatment for several personal reasons. My youngest daughter and her husband have been going through various infertility treatments for the past 12 years. After several years of unsuccessful treatment options, they explored IVF. It is only due to their access to IVF that, with great happiness and love, we are now blessed with a granddaughter.

As a mother, it is very difficult to watch your daughter go through so much emotional heartache. This was never their chosen path, but it is what they've had to endure. And when IVF is at risk, it only increases the fear and emotional trauma for women trying to have a child. HB 1373 does just that. Bills that determine that life begins at fertilization always threaten the availability and legality of IVF. These individuals and couples do not need anything else being added to what is already an emotional rollercoaster, therefore HB 1373 should not be allowed to pass.

I have read some of the testimony being presented for this bill. Everyone has their beliefs and idealisms and, unfortunately, I believe these get misunderstood on both sides. However, no individual or couple ever wishes to endure infertility; it is a very personal and soul-searching emotional rollercoaster for them. Therefore, no one else should be allowed a say in what treatment they should or can have access to.

No matter how anyone interprets this bill, it will cause more confusion and unintended consequences for individuals trying to have a child of their own. Whatever your beliefs, religious or political, those beliefs should not interfere with an individual's rights to build a family.

I am asking that you vote NO on HB 1373.

Thank you for your consideration,

Tracy Beck
District 30
Bismarck

Human Services Committee

HB1373

February 5, 2025

Chair Ruby and members of the Committee,

My name is Gina Hartog, and I have been a North Dakote resident since 1981. I am in my 60s, I have already had my children, but this bill is very relevant to my life. I am writing my testimony **in opposition of** House Bill 1373.

I have my own stories involving difficult pregnancy. My first child miscarried during the duration of my pregnancy. My body did not remove the baby from my uterus, so I received a DNC. I received a procedure that most likely would result in criminal charges to either myself or my doctor under a bill like this. That procedure was necessary to me, as my baby had already passed. Procedures like DNCs are vital to lives in our state, but legislation such as this would create several legal issues for doctors whose first concern should be their patient.

My concerns about this bill are out of care for my daughter, my nieces, my granddaughter, and the countless other women who will be negatively affected by legislation such as this. My nieces are reaching their “childbearing” ages, but my granddaughter is still very little. Legislation like this jeopardizes **my family’s** ability to receive medical care they may need. That I needed. House Bill 1373 is nothing but dangerous for the women and healthcare providers in this state. Legislation like this will ruin reproductive care here, resulting in high numbers of completely unnecessary deaths and a lack of OBGYN doctors. Doctors will not stay to work in a state that prohibits their ability to do their job.

Please do not make providing healthcare difficult in our state. Please do not criminalize something that women cannot control. Please do not pass dangerous legislation like this here in our state. **Please vote “do not pass” on House bill 1373.**

Sincerely,

Gina Hartog.

House Human Services Committee Members:

I am respectfully asking for a **Do Pass** Vote on HB 1373.

We are told to “trust the science” and to “follow the science” by our government, but when science is showing us that life begins at the moment of conception we must all turn a blind eye and pretend like it’s not true. Reality doesn’t have to be reality. A sea turtles eggs are protected by law and we deem unborn animals as valuable and protected all the time but not our own kind? Not our own people? As Americans we have rights the moment we are alive and as human beings we have value the moment we are alive. Everyone knows this in the depths of their hearts and souls but we mask the truth with words like “Fetus” and “Embryo” to make our Pre-born citizens seem less human than they actually are. They are fully human, in different stages of development. We know this. But we desensitize our consciences with terms like “My Body”, “My Choice”, “Rape”, “Heartbeat bill”, “6-week ban”, and “Women are victims”. Human beings do not lose their value based on if they are planned, wanted, or the manner as to which they came into existence. Human beings, even at the earliest stages of development should be protected just like any other American. We do not get to dictate morality. A pre-born baby is as human and as valuable as a new born baby, the only difference is a few centimeters of skin between them and the outside world. A society where adults are allowed, by law, to rip a baby apart limb by limb, crush their skulls, or starve and poison them, merely because they are not wanted here, is a society that does not value life at all. God, in His infinite wisdom established laws because he knew we would never last without them, we would kill and destroy everyone around us for our own comfort and pleasure. Laws protecting Pre-born human life is so important because people want to kill and they will kill. It’s open season for the pre-born and the only people with the power to stop it love it too much to vote against it.

We want equal justice for the pre-born.

To whom it may concern,

My name is Jackson Hankey. I am a citizen of North Dakota currently residing in West Fargo. I serve as a pastoral intern at a local church in Fargo, and am actively involved in a ministry that seeks to provide practical and spiritual help to parents intending to get abortions at the Red River Women's Clinic in Moorhead, MN.

I'm writing this letter as a testimony in support of HB 1373 and its efforts to recognize the full humanity of preborn children from the very moment of conception. I believe this issue is very simple despite the waves of argumentation that try to make it cloudy. If what exists at the moment of conception is in fact a human being, which is a truth that is undeniable from every angle that question can be approached, then it must follow that all the basic rights and protections that accompany the status of being human, must therefore be applied to those preborn human beings from the very moment of conception.

As to whether that question is approached from a religious/metaphysical perspective, a scientific perspective, or simply a rational/logical perspective, the same conclusion becomes clear in each case. The preborn child is a human being from the moment of conception.

This is clear from the testimony of God himself, who is the Creator and Author of life. It is made abundantly clear in the Scriptures that he has revealed to us and which are commonly called the Bible. Genesis 1:26 describes all of mankind as being created in the image and likeness of God, something that is said only of human beings, and which compels us to infinitely value all human life and treat every human being in accordance with all of the natural and inalienable rights which that entails. Furthermore, Psalm 127:3 describes children as a blessing from the Lord and a reward to those who brought them forth. Psalm 139:13 describes how God himself knits us together in the wombs of our mothers. Exodus 21:22-23 also clearly implies that preborn children are to be considered as full human lives worthy of legal protection and justice even in the womb.

Furthermore, modern science also demonstrates full humanity from the moment of conception, as at that very moment there is a totally unique and complete set of human DNA that is created, marking that baby with its own human signature that makes them unique from every other human that has come before them or

will ever come after them. The only difference between us now and the moment we were conceived is the degree of development that we have experienced.

Furthermore, I believe that this matter is one that is simply intuitive to each of us (a reflection of the fact that we are inescapably made in the image of God).

Essentially all agree that humans are unique and valuable beings and that humans have certain inalienable rights. Further, essentially all agree, when forced to consider it seriously, that our humanity is not dependent upon the factors which are usually given in support of abortion.

For example, who would argue that someone is more or less human based upon their degree of development? This would make a five year old somehow less human than a ten year old. Or who would argue that someone is more or less a human based upon their degree of dependence upon others for their existence? This would make elderly people as well as disabled people all of the sudden subhuman. Or who would argue that someone is more or less human based on their location? Or the circumstances by which they were conceived? Or, perhaps worst of all, who would argue that someone is more or less human based upon the degree to which they are wanted by others, or the degree to which we might consider them a burden or a blessing?

The truth is that none of us consider the variation of any of those factors to either increase or diminish the humanness of a human being, and as such, with all factors considered, this decision is a simple one. From the moment of conception, a new human life exists and therefore, any just society is obligated to recognize that human life, and therefore to provide to that human being all the rights and protections that would apply to any human being. That is why I'm so in favor of the passing of this bill.

Sincerely,
Jackson Hankey

To Whom It May Concern,

My name is Amanda Pieters, and I am a trained birth doula, an Evidence Based Birth® Instructor Emeritus, and small business owner in Fargo, North Dakota.

I write today to urge you to OPPOSE the bill HB 1373.

As a birth doula I provide evidence-based information and resources, as well as physical and emotional support to expecting families before, during and after the birth of their baby. I have had the honor of supporting over 40 families welcome their new baby into the world. *Many* of these families were able to start, or grow, their family because of IVF. Many of these families also experienced miscarriage and needed lifesaving medical treatment because of this. 1 in 4 pregnancies result in miscarriage.

I am asking the committee to vote NO on HB1373. The bill will have devastating health consequences for North Dakota Families.

North Dakotans deserve to have access to highest quality healthcare including miscarriage management and IVF treatments and care. I want to live in a state where I know my clients, or I, can receive lifechanging and lifesaving treatment and care. I urge you to vote **oppose** HB 1373.

Thank you for your time.

Sincerely,

Amanda Pieters
Avocado Doula, LLC

Chairperson and esteemed members of the committee,

As a woman, a wife, a mother, and a nurse, I'm compelled to share my perspective on this critical issue. I personally believe life begins at conception. After experiencing a sexual assault, I was offered Plan B, but I declined, choosing to allow life to exist if it did. Professionally, my pro-life values led me to leave a job I loved due to the practice of Medical Aid in Dying. I've also opted out of hormonal birth control.

While I'm unapologetically pro-life, I strongly advocate for a nuanced approach that respects diverse perspectives and prioritizes individual freedom.

I want to emphasize that my moral beliefs are not more valid or important than anyone else's. Every individual has the right to their own moral compass, and it's essential that we respect and protect that right.

Establishing personhood from conception would not only jeopardize healthcare providers' ability to provide compassionate and evidence-based care in complex maternal-fetal situations, but also threaten the availability of IVF treatments for families struggling with infertility.

Moreover, it would impose a specific moral viewpoint on all individuals, disregarding the diversity of moral beliefs in our society. This legislation would also have a devastating impact on our state's healthcare system.

By potentially criminalizing healthcare workers who provide necessary care, we risk driving highly trained, morally diverse professionals out of our state. This would exacerbate existing healthcare shortages, compromise patient care, and undermine the very fabric of our healthcare system.

I urge you to consider the long-term consequences of this legislation. As you weigh the potential benefits and drawbacks, I encourage you to prioritize the economic and social implications of driving highly trained healthcare professionals out of our state. Losing these skilled workers would not only compromise patient care but also have a ripple effect on our state's economy and reputation.

Furthermore, criminalizing healthcare providers or those who are pregnant in this context only serves to create hurt, drama, and further polarization. This approach exacerbates an already complex issue, rather than allowing for nuanced solutions.

Thank you.

Macy Wald BSN, RN, BSAST, R.T.(R)

To the legislators in North Dakota,

We are told from the very beginning that God created all human beings in His image (Genesis 1:27). Therefore, all human beings have value, dignity, and worth, and are deserving of equal protection under the law.

Since God's Word is clear that humans are humans from conception (Jeremiah 1:5; Psalm 139:13). Therefore, equal protection under the law ought to extend to the humans who are in the womb. God says not to murder (Exodus 20:13) and as long as abortions are permitted in North Dakota, you will continue to remain inconsistent in doing your duty as upholders of true justice for the common good by allowing a significant portion of the population to be murdered simply because of their location.

In love I entreat you to repent of the contradictory stance that born human beings are deserving of protection under the law, but preborn humans are not. Turn to Jesus Christ, the God man, trust alone in Him for salvation and forgiveness of your sins, be reconciled to God, and with a new heart make the righteous decision to pass HB 1373 and establish justice for our preborn neighbors.

Your position is one that deserves the utmost respect, and I honor you as civil magistrates who have been given your position by God. But I do plead with you to do what the One who gave you your position requires. Please do your duty before God and pass this bill to establish justice for babies in the womb. He is the one before whom you will give account. His standard of righteousness is what matters, and he says humans all have value and worth regardless of whether they are in the womb.

With love and urgency,
Jake Bull

Testimony in opposition to HB1373:

First: There is no excuse for any bill that can be construed to criminalize or otherwise punish miscarriage, a fully natural process that NO HUMAN has control over.

Second: If the goal is to have more children, making it impossible for people who desperately want to have children to access IVF without potentially being criminalized and prosecuted for murder is incredibly foolish.

Third: Since, at conception, there is NO WAY OF KNOWING whether a fertilized egg will survive gestation (An adversarial biological process in the best of conditions!) to become a baby capable of survival outside of the womb, conception itself only indicates a POTENTIAL FOR LIFE. In no way should this POTENTIAL be given privileges or special treatment OVER the ACTUAL life of the person carrying the child. A POTENTIAL FOR LIFE IS NOT THE SAME AS A LIVING HUMAN BEING and should not be afforded the rights of personhood. Period.

I urge you NOT to support this bill or any other of its nature. DO NOT PASS.

Thank you.



2025 House Bill 1373
House Human Services Committee
Representative Matthew Ruby, Chairman
February 5, 2025

Chairman Ruby and members of the House Human Services Committee, I am Melissa Hauer, General Counsel/VP of the North Dakota Hospital Association (NDHA). I am here to testify in opposition to House Bill 1373. We ask that you give this bill a Do Not Pass recommendation.

Hospitals are here today in opposition to this bill for a number of reasons related to how it would interfere with patient health care and medical practice. Although it appears that the primary goal of this bill is to further restrict abortion, it would, ironically, have a negative impact on those who are trying very hard to have a baby and who must rely on fertility treatment to do so. While we have other concerns with this bill, such as how it could interfere with management of pregnancy complications, this testimony will focus on the significant threat it poses to fertility treatments such as in vitro fertilization (IVF).

This bill would interfere with IVF treatment and likely result in no such treatment being offered in our state because of the threat of criminal prosecution and civil penalties. During IVF, doctors collect eggs from a patient's ovaries and fertilize them with sperm in a lab to create embryos. They either transfer those embryos to a uterus, discard them, or freeze them to be used later. This bill would restrict what patients and doctors are allowed to do with embryos. The bill defines "person" and "human being" as including an individual living human child before birth from the beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum. In other words, it would classify an embryo as a legal person, making all embryos unborn children under state law and extending to them all the same legal rights as people. This "personhood" is fundamentally incompatible with IVF treatment, which generally involves creating more embryos than are used and either freezing or discarding unused embryos.

The bill amends the homicide and assault chapters and the wrongful death act of the North Dakota Century Code to provide criminal, civil, and administrative penalties for causing the death of a "person" or "human being" which includes, as newly defined, embryos. For

example, a person is guilty of murder, a class AA felony, if the person intentionally or knowingly causes the death of another human being. If this bill passes it would become illegal to discard unused embryos, to selectively reduce multiple pregnancies, or to transfer an embryo that then does not implant, thus subjecting the health care provider and patient to class AA felony charges, wrongful death lawsuits, and loss of professional licensing.

The threat that the legal concept of personhood poses to IVF legality and availability is not hypothetical. Just last year, the Alabama Supreme Court analyzed that state's personhood law and ruled that frozen embryos created through IVF and stored at fertility clinics are "unborn children" under that state's personhood law. This caused fertility clinics to suspend IVF treatments to avoid liability, leaving many patients - who had invested substantial time and financial resources - to pause their IVF cycles. It left IVF treatment in limbo until the Alabama legislature passed a law specifically shielding IVF providers from prosecutions related to the handling of embryos. Without such protection, anyone involved in the IVF process could be held criminally and civilly responsible for any damage - including accidental- that occurred to embryos. This bill would, at a minimum, force IVF clinics to change how they manage embryos, including storage, disposal, and genetic testing, making IVF more expensive as clinics try to comply with the laws. This adds more stress for not only the providers but also the patients who are already going through a difficult and complicated process in order to try to have a child.

In summary, this bill will limit access to IVF treatment. It will interfere with a patient's ability to make decisions about her own fertility and, ironically, make it more difficult or impossible for certain patients to have a baby if they cannot access IVF treatment. Health care providers will be unwilling or very reluctant to provide such treatment knowing that it could lead to criminal prosecution, civil lawsuits, and loss of professional licensing.

For these reasons, we ask that you give the bill a **Do Not Pass** recommendation.

I would be happy to respond to any questions you may have. Thank you.

Respectfully Submitted,

Melissa Hauer, General Counsel/VP
North Dakota Hospital Association

Hello

My name is Alex Bacon. And as a fiance and a father of a daughter I oppose this bill. I feel this is the wrong step we need to take. If this bill is passed I feel we would just be taking a woman's choice over her body.

This bill would make the process of IVF impossible for medical experts to perform. I have reviewed each of your biographies. Included on this bill we have a realtor, clergy, farm wife, etc. but I do not see biologists or even physicians who do this important work daily. Can you clarify, are you and your sponsors proposing this bill due to your religious or personal beliefs? I do not see anything scientific included in your backgrounds that would indicate any of you have education or training on embryology. A fertilized egg is NOT a human being. It is normal for eggs to fertilize but not result in pregnancy. It is also normal for fertilized eggs to not always grow into an embryo. With the wording of this bill, medical practices are only protected under "diagnostic procedures" which does not include IVF.

Good morning Committee Members,

I am writing this today in regards to HB1373, in hope that you all will be willing to support this Legislation!! A child is living at the moment of conception and that life should be protected at all causes from that moment on! Who are we to play God anytime after that moment of conception, if it is God's will that that woman bear a child, then we should not infringe on what God chooses to take place!! Not one of us, not one Doctor, not one Lawyer, not one mother is greater than the power of our Creator!! Please help protect the unborn children and Support HB1373!!

Thank you for this consideration,

Yours Truly,

Jerol Gohrick

Sons of Liberty

President

2/3/2025

RE: Opposition to North Dakota House Bill 1373

Chairman Ruby and Members of the Committee,

My name is _Marie Dill_. As a current North Dakota resident of _43_ years, I am sharing my opposition to North Dakota House Bill 1373.

As expected, a personhood bill such as HB 1373 has gotten a lot of attention in North Dakota and outside of your state. A bill written the way this one is has implications far more dangerous than perceived. The Representative who proposed the bill publicly states that it is an anti-abortion bill, but the exclusions written in the bill do not protect other rights of your state's citizens. The bill has negative impacts to reproductive services, miscarriage management, and necessary medical care during dangerous pregnancies (like life-threatening ectopic pregnancies) or pregnancies of multiples.

It is your responsibility to protect the rights of citizens in North Dakota by recommending Do Not Pass on ND House Bill 1373.

Thank you for your time and consideration as you decide what is best for the residents of your state.

Respectfully,

Marie Dill

Fargo, ND 58102

Hello,

My name is Caleb Ellingson. I would please urge you to vote NO on this bill. The fact that an embryo is the same as a grown human being is not accurate. I implore you to ask any medical doctor or anyone familiar with the field and they will tell you that that is incorrect. Abortions are not just used for "if the mother just doesn't want it." They are important for women that will die if they have the child, women that are unable to support the child, and many other real circumstances. Do we charge people for animal abuse for eating chicken eggs? It's the same principle.

Thank you,

Caleb Ellingson, RPhTech, CPhT

February 2, 2025

Testimonial in Opposition to North Dakota House Bill 1373

To the Honorable Members of the North Dakota State Legislature,

I am writing to strongly oppose **House Bill 1373**, which seeks to redefine the terms “human being” and “person” in relation to the offenses of murder, assault, and civil actions for death caused by wrongful acts. I believe this bill poses significant risks to individual rights, particularly for women, families, and those who have sought or may seek reproductive healthcare in North Dakota.

As a person who has gone through the process of in vitro fertilization (IVF), I am deeply concerned about how this bill could affect the rights of individuals undergoing fertility treatments. In the IVF process, multiple embryos are often created in the hope of successful implantation and pregnancy. Not all embryos are viable, and some are discarded if they do not develop properly or if they are not needed in the course of treatment. If HB 1373 were to pass, it could open the door for legal complications regarding these medical decisions, as the redefined term “human being” might classify embryos as persons with legal rights.

My family’s IVF journey was a deeply personal and sometimes heartbreaking process. We worked closely with medical professionals, navigating the emotional and physical challenges of fertility treatments. We knew the importance of careful decisions when it came to embryos. These were medical decisions based on the health of my body, the wellbeing of my family, and our hopes for the future. The passage of HB 1373 could force us, and others in similar situations, into a legal minefield, where our personal medical decisions could be questioned or even criminalized based on a redefinition of what constitutes a “person.”

Furthermore, this bill has the potential to create unnecessary legal complexities in cases of wrongful death, assault, and murder. It risks conflating the legal status of a fertilized egg or embryo with that of a fully developed human being, which could lead to inconsistent and confusing legal outcomes. The bill does not account for the real-world implications it would have on individuals and families navigating delicate medical decisions, particularly those related to reproductive health. It could undermine the trust between doctors and patients, making it more difficult for medical professionals to provide care without the constant fear of legal repercussions.

Rather than moving forward with legislation that creates division, confusion, and uncertainty, I urge you to reconsider HB 1373. This bill does not protect women’s rights, nor does it improve public safety or health. It adds unnecessary restrictions on personal medical decisions and could harm those who are already vulnerable, particularly families undergoing fertility treatments or those facing pregnancy-related health issues.

I believe that North Dakota should be a place where families, individuals, and medical professionals are supported in making the best decisions for their health and their future. HB

1373 does the opposite by infringing on personal rights and creating barriers that would harm those trying to start a family, as I did, through IVF or other reproductive technologies.

I respectfully urge you to vote against this bill, for the sake of personal autonomy, medical care, and the well-being of North Dakotans.

Thank you for your time and thoughtful consideration.

Sincerely,
Jenna Sobolik
Park River, North Dakota

Opposition to HB 1373

Dear Chairman Ruby and members of the Human Services Committee,

My name is Connie Hoffman of Fargo, ND, writing to urge you to vote NO on HB 1373, the 'personhood' bill.

This drastic measure to redefine a person at conception would result in the end of reproductive medicine services in ND who are providing assisted reproductive services to couples experiencing infertility. In addition, the draconian consequences to medical providers and professionals caring for women during pregnancy who experience complications or miscarriage are unconscionable. No healthcare providers or professionals should be subject to criminal charges for providing healthcare to pregnant women.

Vote NO on HB 1373.

Connie Hoffman
Fargo, ND

HB 1373
Written testimony
Patti Armstrong
Bismarck

Life begins at conception. The awesome power of creation is beyond our understanding, and beyond even the smartest minds to replicate and worthy of protection. To do otherwise has ramifications in the here and now and into eternity. Protecting human life from the moment of conception is an obligation, not a choice.

2/4/25

I am writing to express my strong opposition to HB1373, which seeks to impose restrictions on reproductive rights in the state of ND. I believe this bill undermines fundamental rights of individuals to make personal decisions about their reproductive health and freedoms. At the heart of this legislation is the belief that the state should have authority over personal and medical decisions that should remain between a patient and their healthcare provider. This bill undermines North Dakota's commitment to personal freedom. Our state should be a place that residents and their highly trained health care team are empowered to make their own healthcare decisions without fear of penalty from the state.

Thank you,

Angela Pittman
Bismarck, ND

House Bill No. 1373
Sixty-ninth Legislative Assembly of North Dakota
Submitted by Benjamin Myhre
Chairperson and members of the committee,

I submit this written testimony to express my opposition to House Bill 1373, which seeks to redefine human being and person within North Dakota law to include an unborn child from the moment of fertilization. While the bills intent is clear, its broader legal, medical, and ethical implications demand careful scrutiny.

Legal Implications and Unintended Consequences

This bill proposes a fundamental shift in North Dakota law by granting personhood status to an unborn child at fertilization. Such a definition carries significant legal consequences, particularly in criminal and civil cases involving pregnancy loss, medical care, and reproductive rights.

By expanding the definitions of murder, assault, and wrongful death to include an unborn child, HB 1373 introduces new avenues for prosecution and civil litigation. While exceptions are made for unintentional harm caused by medical procedures, the language is ambiguous. How will this bill impact the practice of medicine, including emergency procedures to save a mothers life? Will it create legal uncertainty that forces medical providers to second-guess necessary care?

Further, this legislation could conflict with existing constitutional protections. Similar laws in other states have faced legal challenges, leading to costly litigation. North Dakota should consider whether it is prepared for such legal battles and the unintended financial burden on the state.

Impact on Healthcare and Maternal Rights

The broad definition of personhood in this bill has the potential to complicate medical care for pregnant individuals and increase legal risks for healthcare providers. The inclusion of an unborn child in wrongful death statutes could lead to a chilling effect in maternal-fetal medicine, emergency obstetric care, and fertility treatments like in vitro fertilization (IVF).

Additionally, while the bill excludes unintentional pregnancy loss due to miscarriage, its broader implications raise concerns about the potential criminalization of pregnancy outcomes. In states with similar laws, pregnant individuals have faced legal scrutiny for pregnancy losses, even when no wrongdoing was involved. This is an overreach that could harm families at a vulnerable time.

House Bill 1373 attempts to establish new legal definitions regarding personhood, but in doing so, it creates uncertainty in medical practice, raises constitutional concerns, and could negatively impact pregnant individuals and healthcare providers alike.

For these reasons, I respectfully urge the committee to oppose House Bill 1373 and consider the far-reaching consequences of such a legal change.

Thank you for your time and consideration.

Ben Myhre

Testimony Opposing HB 1373

North Dakota Legislative Assembly
House Human Services Public Hearing
February 5, 2025

Dear Members of the Committee,

My name is Emma Weisner and I am a medical student at the University of North Dakota. I am writing in strong opposition to House Bill 1373. As a future physician, I am deeply concerned about the implications of this bill, which seeks to redefine "human being" and "person" in ways that could have far-reaching consequences for medical care, patient autonomy, and reproductive rights in North Dakota.

HB 1373 defines an "unborn child" as beginning at the moment of fertilization and grants it the same legal protections as a person. This sweeping change poses significant risks to pregnant patients and the physicians who care for them. The bill lacks critical exceptions for complex medical conditions, including nonviable pregnancies and life-threatening maternal complications. By failing to account for the medical nuances of pregnancy, this legislation endangers patients and could create legal barriers to necessary, evidence-based care.

As a medical student in a state where abortion is already banned, I am acutely aware of the chilling effect laws like HB 1373 have on medical education and physician retention. Bills that criminalize or further restrict reproductive healthcare discourage physicians from training and practicing in North Dakota, exacerbating our existing provider shortage. This harms all patients, especially those in rural and underserved areas.

Moreover, HB 1373 could have unintended legal consequences. By granting personhood at fertilization, the bill raises questions about access to fertility treatments like in vitro fertilization and could result in criminalization of standard medical practices, such as miscarriage management. It also opens the door for legal conflicts that could interfere with routine obstetric care, putting physicians in the impossible position of choosing between providing appropriate medical treatment and avoiding legal liability.

I urge you to oppose HB 1373 and instead support policies that protect patient autonomy and uphold the integrity of medical decision-making. Physicians and patients—not lawmakers—should be the ones making critical healthcare decisions. Thank you for your time and consideration.

Sincerely,

Emma Weisner

Dear Legislator,

My name is Brody Ratliff, and I am writing to you not only as a concerned citizen and abolitionist of abortion but also as a Christian and a director of Students For Abolition, an organization committed to ending abortion, which began at our campus in East Tennessee in 2024. **I am reaching out today to offer my full support for HB 1373.**

The 14th Amendment of the United States Constitution clearly affirms that “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Yet, for the last five decades, this vital protection has been violated under the legal fiction of abortion, and countless innocent lives have been lost.

As a member of the civil magistrate, your role is clear. Romans 13 teaches that the government’s duty is to punish the evil doer and praise those who do good. The preborn, who are human beings made in the image of God, must be granted the same legal protections as all other citizens. The violence of abortion is a direct affront to justice, and as legislators, you have the power—and the responsibility—to uphold God's design for justice by passing laws that protect life, from conception onward.

You will one day stand before God and give an account for your actions on earth, including the laws you pass. My prayer for you is that you would honor God and be a voice for those who have no voice, ensuring that the preborn are given the equal protection they deserve.

Thank you for your time and consideration. Please know that I am praying for you as you make this important decision.

Sincerely,
Brody Ratliff

Good morning, my name is John Eaton and I am a farmer in Fairmount, ND. I am writing in support of HB 1373 because I think that my state government should have a consistent and clear view of the rights of its citizens.

It is time to recognize what has always been true, that my children did not instantaneously gain human rights the moment they emerged from the birth canal.

If my children's rights to life, liberty, and the pursuit of happiness were endowed by their creator, does that not tie their rights to the fact of their creation?

You are all smart, well educated people. It takes discipline, rationality, cunning and wisdom to make it to the state legislature. All I am asking is that you use these same skills and abilities to recognize that the inalienable rights endowed by our creator are not bestowed upon us at birth, but are rather fundamentally tied to our identity as creatures.

This premise is already established within our laws:

N.D. Cent. Code § 12.1-17.1-02

(<https://ndlegis.gov/cencode/t12-1c17-1.pdf>)

1. A person is guilty of murder of an unborn child, a class AA felony, if the person:

a. Intentionally or knowingly causes the death of an unborn child;

The child spoken of above has not been born, and yet the state of North Dakota recognizes that they have a right to life, which shall not be infringed, on penalty of felony prosecution. How then can we reasonably deny this child personhood?

If, as the founders wrote, that our right to life is given by our creator and only recognized by our government, we are not at liberty to choose when we do, or do not, recognize that right.

I am urging you to vote in favor of HB 1373 because the right to life is tied to each person's existence as a creature, and denying unborn children personhood is an arbitrary distinction that makes our own state's legal code practically and philosophically incoherent.

To the legislators in North Dakota,

God's Word teaches that all humans are created in His image (Genesis 1:27), giving every person inherent value and dignity. Scripture also affirms that life begins at conception (Jeremiah 1:5; Psalm 139:13), and thus, unborn children deserve equal legal protection. Allowing abortion contradicts God's command not to murder (Exodus 20:13) and fails to uphold justice for the most vulnerable.

I urge you to repent of the inconsistency in protecting born but not preborn lives. Trust in Jesus Christ for forgiveness, and with renewed hearts, pass HB 1373 to establish justice for the unborn. As civil leaders appointed by God, your duty is to uphold His standard of righteousness. Please act now to protect all human life.

With respect and urgency,
Bryan Clifford

To Chairman Ruby and Committee

We support HB1373

Human beings are protected against homicide and assault. It does not matter what stage of development they are in. We believe life begins at conception according to God's word and should be protected from that point on. No life should be ended in abortion by another human whether born or unborn. Planned Parenthood perpetuated the lie that the bill will stop IVF. It does not. We are very much in favor of HB1373 and pray it will pass. Thank you to all who have worked on this bill.

Bob and Jenny Martin

ND House Human Services Committee**HB 1373****David Hanson**

Mr. Chairman and members of the committee, I apologize I could not be present today, but thank you for allowing me the opportunity to express my thoughts on this bill. I'm testifying in favor of HB 1373 because it will advance the constitutional recognition of the personhood and protection of those people who are yet unborn.

Now when I read this bill, I understood it to provide definitions and recognition of the unborn children as persons as it relates to murder, assaults, and wrongful deaths. You might be questioning if we can legally pass this bill and/or if we should pass this bill. I hope point out a few things as to the constitutionality of it.

The question of when life begins is a major topic in the abortion debate that has mostly been avoided, because if this question is finally answered it settles this issue. Without getting into too much detail, I will simply say that the embryo or fetus has distinct DNA and a heartbeat separate from its mother. This is enough to justify that the fetus is a separate living individual that deserves the equal protection under the law that you and I enjoy today.

In the 5th Amendment of the U.S. Constitution it guarantees that, "No person shall...be deprived of life, liberty, or property, without due process of law;". It says the same thing in the 14th Amendment, but the 14th Amendment goes further to say, "nor deny to any person within its jurisdiction the equal protection of the laws." Clearly then, if we assert that the unborn person is in fact a person, their right to life is indeed being taken away without due process as required under the Constitution.

The 14th Amendment in Section 5. gives Congress the power to "enforce this article with appropriate legislation". There have been many bills introduced into Congress that would acknowledge that from conception until death that each person was protected under the 14th Amendment. This would have essentially required the states to treat abortion as murder. Fortunately, Roe v. Wade has been overturned, but even that Court acknowledged that, "If this suggestion of personhood is established, the appellant's case, of course collapses, (410 U.S. 113,157) for the fetus' right to life would then be guaranteed specifically by the [14th] Amendment." The Court went on to say, "We need not resolve the difficult question of when life begins. When those trained in their respective disciplines of medicine, philosophy, and theology are unable to arrive at any consensus, the judiciary, at this point in development of man's knowledge, is not in a position to speculate as to the answer." The good news is we are already well past the stage of knowing when life begins; we need only to finally answer and recognize it.

So, HB 1373 would not wait for Congress to require North Dakota or any other state to recognize the fetus as a person and a right to the equal protection of the law. Our state has the responsibility to provide justice for all persons within our borders.

Should we pass it? Yes, this bill would recognize the 5th and 14th Amendment's right to life that cannot be taken without due process of law and that each person is protected equally under the law. This bill will go a long way to recognizing and protecting the unborn child's inalienable right to live. Thank you for your time.

Any compromise in the definition of life as anything other than at the moment of conception is a falsehood, and cannot be scientifically supported. Any attempt to end life, without just cause, is not only a breaking of United States law (to include the 14th Amendment), but a breaking the Law of God. Have the courage to protect the most vulnerable, or suffer the vengeance of Christ.

Chairman Ruby and members of the committee,

I would like to express my OPPOSITION to House Bill 1373, establishing personhood at the moment of fertilization. This bill if passed has significant, far-reaching and detrimental consequences beyond the topic of abortion.

As you may know, the field of OB/GYN is already facing a critical shortage of practitioners nationwide, it has been projected we will have a nationwide shortage of approximately 5000 OB/GYN's by 2030. Complicating this is the fact that 70% of our state is considered a maternity care desert. We need more physicians to make obstetric and gynecologic care accessible to the citizens of our state. and Restrictive bills, such as HB 1373, deter physicians from practicing in North Dakota. Barriers to care, such as lack of qualified providers, contribute to increased maternal and neonatal morbidity and mortality. This is an unnecessary bill with devastating effects for both healthcare providers and patients.

~~As you may know, the field of OB/GYN is already facing a critical shortage of practitioners nationwide, it has been projected we will have a nationwide shortage of approximately 5000 OB/GYN's by 2030. Complicating this is the fact that 70% of our state is considered a maternity care desert. We need more physicians to make obstetric and gynecologic care accessible to the citizens of our state and restrictive bills, such as HB 1373 deter physicians from practicing in North Dakota. Barriers to care, such as lack of qualified providers, contribute to increased maternal and neonatal morbidity and mortality. This is an unnecessary bill with devastating effects for both healthcare providers and patients.~~

The establishment of personhood at fertilization introduces legal ambiguity and complications for OB/GYNs who are already working in a highly regulated field. ~~My facility relied on Locum physician coverage over the past year to maintain patient care and I have personally seen delays in intervention and management of ectopic pregnancies due to the ambiguity of our laws and potential for litigation. All physicians know an ectopic pregnancy will not result in a live birth but when faced with possible legal consequences for acting in the best interest of the patient in front of you uncertainty led to poor decisions. Doctors could find themselves at risk of legal action for performing diagnostic procedures that could result in miscarriage, in-vitro fertilization (IVF), or even the management of miscarriages and ectopic pregnancies. All physicians know an ectopic pregnancy will not result in a live birth, but when faced with possible legal consequences for acting in the best interest of the patient, uncertainty will lead to poor decisions. The~~ My hospital I currently work at as an OB/GYN facility has relied on Locum physician coverage over the past year to maintain patient care, and I have personally seen delays in intervention and management of ectopic pregnancies from these providers due to the ambiguity of our laws and potential for litigation. These risks ~~would~~ create an environment of fear and uncertainty for OB-GYNs, deterring ~~new~~ medical professionals from entering the field and leading current physicians to leave.

As you may know, the field of OB/GYN is already facing a critical shortage of practitioners nationwide, it has been projected we will have a nationwide shortage of approximately 5000 OB/GYN's by 2030. Complicating this is the fact that 70% of our state is considered a maternity care desert. We need more physicians to make obstetric and gynecologic care accessible to the citizens of our state and restrictive bills, such as HB 1373 deter physicians from practicing in North Dakota. Barriers to care, such as lack of

qualified providers, contribute to increased maternal and neonatal morbidity and mortality. This is an unnecessary bill with devastating effects for both healthcare providers and patients.

As it is, ~~The the~~ field of OB/GYN is physically, mentally and emotionally taxing. The threat of legal ramifications if a medically necessary if a procedure is viewed as violating personhood rights will create an untenable work environment. My physician group has been trying to hire new physicians for the past 4 years with minimal success. In each interview I have attended, there has been a focus on how this type of legislation impacts the care we provide in North Dakota. Previously, I always responded that Physicians are retiring earlier and fewer medical students are entering the specialty. My physician group has been trying to hire new physicians for the past 4 years with minimal success. In each interview I have attended there has been a focus on how the political climate of North Dakota impacts the care we provide. I have always said I felt comfortable doing what my hands and brain were trained to do. Should HB 1373 pass I can't say I will have that confidence. I am a very good doctor, I love my patients and what I do but if faced with a decision that may impact my ability to provide for and go home to my children, I will always choose my children.

I am confident my medical skills, training and judgment would support that I acted in the patient's best interests. Should House Bill 1373 pass, it would force me to balance evidence-based patient care with my personal freedoms and the ability to provide for and go home to my children. I, and my partners would not be able to practice with that hanging over our heads.

I urge you to consider the broader implications of this bill, particularly the harm it will cause to our ability to attract and retain skilled healthcare providers. I respectfully ask that you vote against this bill, not only for the sake of OB-GYN recruitment but for the health and wellbeing of all the patients who rely on us and our healthcare system.

Thank you,

Caitlin Pandolfo, MD

Greetings. I am a 57-year-old, lifetime resident of North Dakota, and have spent all my post graduate school years living in Fargo, providing health care to the residents of our state.

I would strongly advise an oppose vote on the following

HB1373. This bill suggests that personhood starts at conception. I believe the introduction and consideration of this bill is governmental overreach. These types of conclusions should be left to health care scientist practitioners, certainly not state governments.

As someone who has worked in the healthcare field my whole adult life, this is inconsistent with what I know about human development and could essentially handcuff reproductive healthcare workers from utilizing evidence based, often life saving practices.

Additionally if the ultimate goal of this bill is to eliminate the option of legal abortion care, history shows that this simply sends those practices underground, that those in desperate circumstances will seek out, and can actually increase rates and lower the safety of abortion procedures in the long term.

This bill would upend the option of abortion even in the most extreme circumstances (ie in cases of rape or incest, and/or to save the life of the mother, who could then go on to face murder charges under this bill). I urge you to please understand the implications of this bill, before you make your decision, and if you truly care about the health and well being of the residents of ND and this country, please vote no on this bill.

Thank you sincerely for your service to the people of our district and this state. Regardless of the party to which you identify, I trust you chose to serve for the right reasons, and I highly applaud your sacrifice!

Margo Norton
5622 Bishops Blvd S.
Fargo, ND 58104-7253
#701-799-5883

House Human Services Committee

Feb 5th 2025 HB 1373

Testimony to Oppose

Dear members of the House Human Services Committee, I urge a “Do Not Pass” on HB 1373.

I already have friends that live in Minnesota that are couples trying to have children that are concerned with coming back to visit North Dakota because they have heard of horror stories that have happened in other states when pregnant women needed medical care that would end the life of the unborn child in order to save theirs. While there may be exceptions in the law for these types of situations, in practice, once a law like this is put in place it greatly impacts the ability and willingness of doctors to swiftly perform lifesaving care. Especially, if they could now face being charged with murder.

I believe these are bad enough situations for families and medical providers without government inference. I also generally believe that people should be allowed to make decisions regarding their own bodies and that the life of person that is not yet born should not trump the life of the mother. It also seems like this bill would make IVF illegal by considering the human life to begin when sperm meets egg, which again the use of IVF seems like a decision the government does not need to spend it's time interfering with.

Thank you for your time and service to our state,

Andrew Burthold

Testimony

I am a pharmacist at the Sanford Broadway Pharmacy in Fargo. We provide medication for patients who are going through IVF. It is an honor to help these women, men and families on their journey to parenthood.

I strongly oppose this bill. Frankly, this has no place in legislation or politics because this is healthcare. These are personal and emotional decisions that are made between a patient and their provider. The thought of adding another stressor to the already overwhelming experience these patients are going through is maddening.

I suggest that you use your time as a public servant bettering your community, rather than focusing on things you not only don't understand but have zero background in. These people are warriors who are trying to build families, let them do so in peace.

25.0415.05000

Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1373

Introduced by

Representatives VanWinkle, Henderson, Hoverson, Morton, Rios, Heilman, Wolff, D.
Johnston, Osowski

Senators Castaneda, Clemens, Van Oosting

1 A BILL for an Act to create and enact a new section to chapter 12.1-16, a new section to chapter
2 12.1-17, and two new sections to chapter 32-21 of the North Dakota Century Code, relating to
3 the definition of human being and person as the terms relate to the offenses of murder and
4 assault, and civil actions for death caused by wrongful acts.

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

6 **SECTION 1.** A new section to chapter 12.1-16 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Definitions - Application.**

9 1. As used in this chapter:

- 10 a. "Human being" includes an unborn child.
11 b. "Unborn child" means an individual living human child before birth from the
12 beginning of biological development at the moment of fertilization upon the fusion
13 of a human spermatozoon with a human ovum.
14 2. This chapter does not apply to the unintentional death of an unborn child resulting
15 from:
16 a. Acts performed under the usual and customary standards of medical practice
17 during diagnostic testing;
18 b. A procedure undertaken to save the life of a mother when accompanied by
19 reasonable steps to save the life of the unborn child; or
20 c. Spontaneous miscarriage.

21 **SECTION 2.** A new section to chapter 12.1-17 of the North Dakota Century Code is created
22 and enacted as follows:

1 **Definitions - Application.**

2 1. As used in this chapter:

3 a. "Human being" includes an unborn child.

4 b. "Unborn child" means an individual living human child before birth from the
5 beginning of biological development at the moment of fertilization upon the fusion
6 of a human spermatozoon with a human ovum.

7 2. This chapter does not apply to the unintentional injury of an unborn child resulting
8 from:

9 a. Acts performed under the usual and customary standards of medical practice
10 during diagnostic testing;

11 b. A procedure undertaken to save the life of a mother when accompanied by
12 reasonable steps to save the life of the unborn child; or

13 c. Spontaneous miscarriage.

14 **SECTION 3.** A new section to chapter 32-21 of the North Dakota Century Code is created
15 and enacted as follows:

16 **Definitions.**

17 As used in this chapter:

18 1. "Person" includes an unborn child.

19 2. "Unborn child" means an individual living human child before birth from the beginning
20 of biological development at the moment of fertilization upon the fusion of a human
21 spermatozoon with a human ovum.

22 **SECTION 4.** A new section to chapter 32-21 of the North Dakota Century Code is created
23 and enacted as follows:

24 **Exceptions.**

25 This chapter does not apply to the unintentional injury of an unborn child resulting from:

26 1. Acts performed under the usual and customary standards of medical practice during
27 diagnostic testing;

28 2. A procedure undertaken to save the life of a mother when accompanied by reasonable
29 steps to save the life of the unborn child; or

30 3. Spontaneous miscarriage.

Testimony on HB 1373

Chairman Ruby and Members of the House Humans Service Committee:

I am writing today to ask you to OPPOSE HB 1373. This bill would have devastating, consequences for women, families, and medical care providers.

As a state, we are already dealing with issues attracting medical care providers. If this were to pass, women's healthcare WILL suffer. Why would anyone want to provide healthcare to women in a state that could prosecute them for doing just that? IVF will basically be inaccessible.

And how would this bill deal with miscarriages? Would women be able to access the appropriate care? Would they be facing investigative inquiry? How are you going to determine that the miscarriage was spontaneous? 10-20% of pregnancies end in miscarriage. Why are we attempting to punish women during a devastating moment of loss? Why is the government involved at all in the medical decisions of its citizens?

Quite frankly, this bill is a massive overreach from the party of "small government". The state should NOT be interfering in medical care, period. It is an attempt to legislate a narrow and specifically Christian viewpoint of when life starts into state government.

HB1373 is a misguided, under-cooked bill that would have far reaching consequences for your constituents. I am urging you to OPPOSE and DO NOT PASS HB 1373.

Thank you.

Testimony in Opposition to HB1373

Submitted by Sandy Hansen, resident of Barnes County, ND

I would like to encourage the committee to give this bill a “Do Not Pass” recommendation.

Personhood measures simply enable legislators to incorporate their own ideological viewpoints and biases into laws that should be based on science and evidence. It serves to purpose other than bringing harmful effects on those with troubled pregnancies facing health issues as well as those trying to get pregnant through IVF methods. Individuals in these positions need care and understanding as well as the ability to find help that is not under threat of repercussions if offering treatment.

Fetal personhood bills extent far beyond abortion; also affected would be fertility treatments, birth control options, and even child tax credits.

PLEASE VOTE NO ON HB1373 and leave women’s health alone. Thank you.

House Bill 1373: Testimony in Opposition to Personhood

from Rep. Karla Rose Hanson
House Human Services Committee - 2/5/25

Chairman Ruby and members of the House Human Services Committee,

I'm Rep. Karla Rose Hanson from District 44. I'm testifying in opposition to House Bill 1373.

HB 1373 is known as personhood legislation. It seeks to change the legal definition of a human being in North Dakota's murder and assault criminal statutes and wrongful death civil statute -- by saying a human being is legally a person from the moment of fertilization.

If passed, this personhood bill would have broad and negative ramifications related to health care, taxpayer-funded litigation, religious liberty, and legal consistency.

Restrictions on Pregnancy and Miscarriage Care: HB 1373 aims to ban nearly all abortions. There are narrow exceptions for diagnostic testing and miscarriage. It also includes an exception when saving the life of the pregnant person, but only if there are "reasonable" steps to save the life of the unborn child. That raises questions about how a health care provider would handle pregnancy complications and emergencies. For example, there isn't an exception for ectopic pregnancies - which are never viable and can result in the death of the pregnant person.

While miscarriage is listed as an exception, many women -- including myself, twice -- have experienced *incomplete* miscarriages, which can endanger your life and health without medical treatment. Doctors will hesitate to provide prompt care, waiting until women are near death, because they will fear a murder or assault charge under this law.

Restrictions on Infertility Care: Personhood legislation also makes the practice of in vitro fertilization (IVF) impossible. Hundreds of North Dakotans have used IVF to build their families after facing the challenges of infertility. This bill would take away their opportunity to realize their dreams of having a child through the miracle of medical science.

Impacts to Healthcare Workforce. It is already difficult to recruit and retain health care providers to North Dakota, especially in rural areas. If HB 1373 passes, doctors will fear being charged with murder or assault and not want to work in North Dakota. As a result, the maternal health care deserts in our state will only get worse.

Legal fights waste more taxpayer dollars. Passing HB 1373 will result in additional expensive litigation.

As background, the U.S. Supreme Court overturned Roe v Wade in 2022. Several courts blocked ND's resulting trigger ban from taking effect while litigation proceeded. In March 2023, the ND Supreme Court blocked the trigger ban. [The ND Supreme Court's ruling](#) said women have the fundamental right to obtain an abortion to preserve her life or her health.

In 2023, the ND Legislature replaced the trigger ban by passing SB 2150, a near-total abortion ban. That law was [struck down by the court as unconstitutional](#) in September 2024. The state is appealing the decision to the ND Supreme Court, which recently blocked the law from being in effect while the case proceeds.

ND has spent \$800,000 *so far* defending these abortion laws. Because HB 1373 is even more extreme than SB 2150 and directly conflicts with the 2023 Supreme Court ruling, it will certainly result in further litigation. Let's not waste even more taxpayer dollars by passing this bill.

Infringement on religious liberty. When does a soul or spirit enter a physical being? There are a wide range of deeply held beliefs regarding ensoulment, so, as a result, religions have a range of nuanced views on abortion. Not every faith holds the belief that personhood begins at conception or fertilization. For example, in the Jewish faith, a fetus is viewed as part of the pregnant person's body. It is not viewed as an independent person until its first breath, which allows the soul to enter the body.

By passing HB 1373, we are imposing one religious view on all North Dakotans, infringing on the religious liberty of people who don't believe that personhood begins at fertilization.

Lack of consistency. HB 1373 gives an embryo and fetus the same legal rights as you and me, but only in the context of three specific statutes - murder, assault and wrongful death. If one believes that the unborn deserve equal protection under the 14th amendment, why doesn't the bill re-define human being across ALL state laws? For example, why shouldn't an embryo be counted as a tax dependent or receive child support?

Too extreme for ND. Finally, since personhood legislation has so many negative consequences, this extreme law is simply out of step with North Dakotans' views.

In 2014, North Dakota voters had the opportunity to amend the state constitution to say that "the inalienable right to life of every human being at any stage of development must be recognized and protected." This personhood ballot measure lacked any exceptions, and

doctors said it would [end IVF in North Dakota](#). Because of these and other concerns, the personhood measure was soundly defeated with 64% of North Dakotans voting no.

More recently, a [poll in November 2024](#) revealed that 55% of North Dakotans oppose the state's near-total abortion ban (SB 2150). That law includes a very narrow exception for pregnancies that result from rape and incest - but only within the first six weeks, before most women know they are pregnant. The bill before you today is even more restrictive than SB 2150.

In summary

If HB 1373 becomes law, it would put women's lives and doctors' livelihoods at risk because it would restrict pregnancy and miscarriage care. It would erase the dreams of many hopeful parents by ending IVF in our state. And it would infringe on religious beliefs and waste even more taxpayer dollars on lawsuits.

Mr. Chairman and members of the committee: People should have the right to make their own deeply personal decisions about if, when and how they build their families -- without interference from us as politicians. Please give HB 1373 a Do Not Pass recommendation. Thank you.

Life begins at conception and needs to be protected.
Dan Gonshorowski

Chairman Ruby and members of the House Human Services Committee:

I am writing today in **opposition of HB1373**.

My wife and I are currently undergoing IVF treatment in North Dakota. We are both medical professionals and staunchly oppose this bill. The IVF process is difficult, expensive, and often frustrating. We don't need our government making it even more confusing and unnecessarily complicated.

I understand the perceived goal of this bill is to further erode Women's Healthcare in this state and across the country by taking away a woman's right to her own body. However, I do not believe the goal is to criminalize healthcare professionals and future parents who wish to create or expand their families. North Dakota needs to grow its population in order to thrive in the future, not put up roadblocks to its citizens who wish to start families. At the very least, this bill needs to be re-written to take into account the enormous effect it would have on future families across the state and surrounding region. The only logical conclusion to a bill such as this is the criminality of IVF; as seen in Alabama - and I don't know about you, but I don't want North Dakota to become Alabama. We love this state, and would like to start our family here, but laws like this tarnish its beauty.

Consider this addendum:

2. a. Acts performed under the usual and customary standards of medical practice ~~during diagnostic testing;~~

Thank you for your consideration in voting **IN OPPOSITION of HB1373**

Opposition to House Bill 1373

February 4, 2025

Dear Chair Ruby and Members of the House Human Services Committee,

I am writing this testimony to express my strong opposition to HB 1373 and urge a **“Do Not Pass”** recommendation. North Dakota voters sent a resounding message in 2014 when they rejected a personhood measure by 64%, however, members of the ND Legislature continue to introduce anti-abortion, anti-choice, anti-contraception and personhood bills every two years when they meet in Bismarck.

HB 1373 will have far-reaching consequences if passed. Not only does this bill attack a pregnant individual's bodily autonomy, but it also fails to consider ectopic pregnancy, in vitro fertilization (IVF) treatments, and failed miscarriages, to name a few.

I was at 14 weeks gestation with my first pregnancy while living in the Minneapolis area in 2003 when I knew something was wrong. It was a holiday weekend, so I had no choice but to go to the emergency room in the middle of the night. While waiting for my Obstetrician to arrive, I began to experience severe headaches, nausea, low blood pressure and eventually began to hemorrhage. The ER staff were unable to find an ultrasound technician at the hospital to verify the status of my pregnancy. Dropping blood pressure and worsening hemorrhaging eventually caused me to go into respiratory arrest. I woke up to a dozen panicked faces surrounding me, an oxygen mask covering my face and several bags of intravenous fluids running into my arms. My doctor had just arrived and was unable to verify the status of my pregnancy. As the medical staff couldn't determine what was causing the continued hemorrhaging, I underwent an emergency D&C. That procedure saved my life. I'll never know if the fetus was still alive, or if it was an incomplete miscarriage, but I'm thankful I was able to go on to have two healthy, happy baby boys who are now amazing young men. I can't help but wonder what the result would be if this had occurred in present-day North Dakota. Would I be charged with murder for opting to have a D&C without knowing the status of my pregnancy? Would my doctor have also been complicit in “murder”? Or would I have been left to hemorrhage on the table until testing could be done to verify whether it was incomplete miscarriage? My story is just one of many.

I've watched the testimony of several women in the past week as they bravely testified in favor of legislation that would ensure fertility care and IVF in North Dakota. Some have had successful pregnancies through IVF, and many more are struggling and hoping they too will have success. Their strength and bravery amaze me and I have no doubt these women will be incredible parents eventually. However, HB 1373 could bring an end to their fertility journeys and crush those dreams. North Dakota is already suffering from a severe provider shortage in rural areas. Healthcare providers are hesitant to provide life-saving care to pregnant individuals

due to the looming threat of criminal charges. Fertility specialists are leaving for blue states where reproductive laws and procedures allow them to practice without fear of breaking laws.

We hear repeatedly that our young people are leaving the state in droves. HB 1373 and North Dakota's already draconian abortion laws and theocratic regulations are pushing them away. This state has become a place where people come to die, not to live.

If you want to welcome young people looking to raise a family, you need to quit legislating them away. If you want healthcare providers to work in our state, you need to remove the constant scrutiny and threat of prosecution.

I urge you to listen to the majority of your constituents and give HB 1373 a firm "NO" vote. Instead, I urge you to support HB 1477 and HB 1478 to show the women of North Dakota that you hear them and support their rights to contraception and, when they choose, the right have children.

Sincerely,

A handwritten signature in cursive script that reads "Stacie M. Hansen". The signature is written in black ink and is positioned below the word "Sincerely,".

Stacie M. Hansen
Valley City, ND

February 4, 2025

Chair Ruby & Members of the House Human Services Committee,

Hello, my name is Shelby Stein. I am a resident of Plaza, ND and was born and raised in Minot, ND.

I am submitting testimony to **in opposition to HB1373**.

HB1373 would have devastating consequences for North Dakotans:

- HB1373 would eliminate access to IVF in North Dakota. This bill poses too many unknowns for IVF healthcare providers to feel comfortable practicing due to the risk of criminal charges and their licensure. North Dakota already has a shortage of healthcare providers – let's not exacerbate that problem. Lack of access to reproductive medicine in ND is unimaginable to all women, families experiencing infertility, and those who have medical conditions that impact their ability to have children. I have a genetic mutation that affects my reproductive choices, cancer risk, and quality of life. IVF will be my route to having children, because it will allow this genetic mutation to end with me. Local access to healthcare that is evidenced-based on science is of utmost importance. HB1373 threatens this for North Dakotans.
- How and who defines what is a "procedure undertaken to save the life of a mother when accompanied by reasonable steps to save the life of the unborn child"? HB1373, if passed, sets North Dakota on the path for lack of access to emergency healthcare. There will be tragic stories of women who die because they could not be treated for life threatening pregnancy complications due to restricted access to healthcare.
- How and who defines what is a "spontaneous miscarriage"? The vagueness of HB1373 poses great danger to all who may become pregnant in North Dakota. Loss of a pregnancy is traumatic enough without the threat of potentially being blamed for it happening.
- One can't help but wonder if HB1373, as it's written, is a step towards restricting access to contraception in North Dakota.

This bill wastes time and valuable resources that should be spent on initiatives that improve, not jeopardize the health of North Dakotans. It is government overreach – leave healthcare to qualified medical professionals. All individuals in North Dakota should have the right to make their own decisions regarding their healthcare and reproductive rights.

Lastly, I respectfully ask that you consider the testimony of North Dakotans with greater weight than the testimony submitted by out of state anti-abortion activists/groups. They do not reside here, therefore have no place influencing the rights of North Dakotans.

Please, **do NOT pass** HB1373.

Sincerely,



Shelby Stein

District 4A

February 4, 2025

TO: Honorable Members of the House Human Services Committee

FR: Valerie M Jundt, District #8 – Burleigh County

RE: HB 1373

Dear Honorable State Representative:

It is my understanding that HB 1373 is scheduled to be considered on February 5, 2025. This bill would create and enact new sections within the Century Code as it relates to the definition of a human being and person as the terms relates to the offenses of murder and assault, and civil actions for death caused by wrongful act.

I am writing to urge and encourage your support and vote with a **DO PASS** recommendation. I believe this legislation would further clarify the intent wherein the citizens of the State of North Dakota are committed to protecting life at all stages.

Thank you in advance for your service to our Great State – and for your commitment to protect our most vulnerable.

Valerie Jundt
3202 84th Avenue NE
Bismarck, ND 58503
701-471-3312
vjundt@yahoo.com

To question the matter of if a fertilized egg is life or not is to deny all biological, moral, and biblical evidence. You must reject every aspect of human reason to say a fertilized egg is not a distinct life, worthy of being projected. For a state or nation to legalize any form of abortion is to legalize murder. To pass this bill would do justice to our society and honor Jesus Christ who rules over it.

I am in full support of the HB 1373 and call you as our legislators to pass this bill for the sake of our state and for the sake of these children. By saying no, you are saying yes to murder.

Human Services Committee
HB 1373
February 5, 2025

The Honorable Chair Ruby and members of the Human Services Committee,

My name is Dr. Jerry Obritsch. I am an Obstetrician and Gynecologist having practiced for 33 years at Mid Dakota Clinic here in Bismarck for 31 years and the last 2 years at Essentia Mid Dakota Clinic. I was born in Dickinson and raised on the family dairy and grain farm, the 9th of 12th children. I attended Dickinson State College, now Dickinson State University, earning a bachelor's degree in biology and a bachelor's degree in chemistry. I attended the University of Nebraska – Lincoln earning a master's degree in microbiology. I returned to North Dakota and attended medical school at the University of North Dakota School of Medicine and Health Sciences earning my MD. I completed my internship and residency at the University of Missouri School of Medicine. I am currently a Professor of Obstetrics and Gynecology in the Department of Obstetrics and Gynecology at the University of North Dakota School of Medicine. I am Board certified by the American Board of Obstetrics and Gynecology and am certified in Obstetrical and Gynecological Ultrasound by the American Registry of Diagnostic Medical Sonographers (ARDMS). I am a member of the American College of Obstetricians and Gynecologists (ACOG) and the North Dakota Society of Obstetrics and gynecology (NDSOG) and the Association of American Prolife Obstetricians and Gynecologists (AAPLOG). I am a member of Alpha Omega Alpha Honor Medical Society, founded by William W. Root, MD, 1902. This is the elite honor society of medical students, residents, and physicians. I have provided Ob/gyn satellite services to Standing Rock Indian reservation for 32 years and to the Mobridge Hospital and clinics, Mobridge, SD, for 20 years. I have delivered approximately 7,000 babies in my career and performed several thousand gynecological surgical procedures.

I am writing today in opposition of HB 1373. This bill is not needed and does little more than create confusion and unnecessary fear of prosecution among my colleagues. This concern is reinforced when one reviews the term “relate to the offenses of murder and assault, and civil actions for death caused by wrongful acts” in the bill. Words have consequences and the aforementioned statement certainly contains some powerful words. The ND Legislature has

already addressed the exceptions this bill states in the statute of SB 2150 (I note this statute is currently in appeal to the ND Supreme Court).

In conclusion, this bill is not needed, creates fear and confusion among Ob/gyns, and duplicates exceptions already in ND law. For these reasons, please vote DO not pass on HB 1373.

Respectfully submitted,

Jerry M. Obritsch, MD, FACOG

Please give HB 1373 a do pass recommendation. All life begins at fertilization and deserves to have equal protection under the law.

Chairman Ruby and honorable members of the House Human Services committee:

My name is Ruth Jorritsma, and I am testifying before you today as a citizen of North Dakota. I am coming before you to request that you give HB1373 a "Do Not Pass" recommendation.

Here is my story. Years ago, when our children were very little, I joined a Mothers of Preschoolers (MOPS) group. I became part of the leadership and therefore participated in the process of selecting speakers for our meetings. For one of our meetings, we decided to invite a pro-life clinic to come and speak to the women. It was our thinking that perhaps some of the women may have had an abortion in the past and may now be struggling to process that in light of their new roles as mothers.

During the discussion, two of our leaders brought to light that they had had abortions in the past. The leadership team was between 10-12 people, so that was 15-20% of our total team. I had become good friends with one of the women, and she shared her story with me. When the day came for the presentation, she was quite anxious. At the end of the talk the two ladies from the clinic stated that they would be at the tables in the back of the room in case anyone wanted to talk to them.

The group moved on to the craft portion of the meeting. No one was going back to talk to the presenters. My friend leaned over to me and said that she wanted to go to talk to them but didn't want people to know she had an abortion. She seemed desperate to find a way out of the grief and guilt that hung over her. Finally, I suggested that we both go. That way people may think that, as leaders, we were just going to thank them for coming. She agreed to that, and we went up to them. I made chit chat while my friend found a way forward toward healing and freedom.

Let me state at this point, I do believe that life is a gift from God, and I would love to see an end to the horrible practice of abortion. I pray for a change of heart in America, so that our most vulnerable members will be protected and cherished. I also recognize, though, that abortion has gone on in this country for decades. The loss has been catastrophic and the babies as well as their future generations are gone forever.

My thoughts turn back to the mother. People like my friend find themselves desperate for freedom and forgiveness. This is not an easy thing to find for post-abortive women. If this law were to pass, what would happen to our pro-life clinics? What would happen to our post-abortive women who need help? I could see the law bringing an end to many of the services offered by the clinics. Who would go to a clinic and say that they are thinking about an abortion. They could face significant punishment if they decided to have that abortion. So, they would stuff it down deep and not address it. What if they later changed

their minds and realized that what they did was very wrong? Where could they go for help? To admit the mistake is again to face possible significant punishment. They would just try to stuff it down deeper. The thing about keeping secrets like that, is that they will deeply impact every aspect of life.

Because abortion has been such a big influence in our culture, there are many women, like my friend, that need help. Where will they find it?

Thank you for your time and I am happy to answer any questions.

-Ruth Jorritsma

Dear Chairperson and members of the Committee,

I urge you to reject pass HB 1373. To define a fetus in such a way will endanger lives. The government has no right to take away individual ownership of personal medical decisions. Nor does it have the right to deny the ability to start a family when there are ways around infertility, because this bill will prohibit IVF procedures.

It must be pointed out that the concept of “life begins at conception” is neither scientific nor a part of any (ancient) traditional religious teaching. There is no basis for this statement other than some people “feel” it is true. Regardless of any religious preachings, however, our rights guarantee us to a freedom of and from religion and religious governance.

The bill stipulates that it doesn't apply to the “unintentional death” of a fetus resulting from a procedure to save the mother when ACCOMPANIED by REASONABLE STEPS to save the life of the fetus. Who determines what steps are reasonable? Is the state of North Dakota going to threaten doctors with murder charges if they don't meet medically untrained lawmakers' standards? What if there is no viability to the fetus? Further, is the life of the mother so unimportant to North Dakota that if she's in danger, she must still wait for the fetus to be saved? She could die in the meantime. This bill is dangerous, ill-defined, and uninformed.

Finally, I'd like to point out that while individuals have the right to exercise their freedoms, those freedoms must not infringe upon the rights and freedoms of others. A fetus, or “human being” in this case, has no right to use another person's body for food and shelter without their consent.

Vote no on HB 1373.

Cheyene Campbell
Fargo, ND

February 4, 2025

Chair Ruby & Members of the House Human Services Committee,

Hello, my name is Cody Long. I am a resident of Plaza, ND.

I am submitting testimony to **in opposition to HB1373.**

HB1373 reeks of religious overreach into the dominion of oneself and household. If this bill passes, the fundamental notion of the separation of church and state, what this country was founded on, will be a farce. This propagation of medically short sighted, ill-informed bodies of government needing to redefine what it is to be human to push a political agenda is a dangerous encroachment on one's reproductive rights.

If select individuals wish to hold the belief "synonym for faith or belief without fact" that a human being begins at the mere moment a spermatozoon meets an ovum, let them believe as such on an individual level. I ask you, please do not let them impose their beliefs on anyone other than themselves.

If select individuals feel the absolute need to redefine what it is to be human, let them pursue this noble endeavor through science, not government.

It is a dangerous game one plays when redefining words in the attempt to appeal to religion. History has many lessons in which defining words such as one's person or human quickly led to a noose of government control.

Do NOT pass HB1373.

Sincerely,

Cody Long

District 4A

Testimony Opposing House Bill 1373

North Dakota Legislative Assembly

Dear Members of the Committee,

I am writing to strongly oppose House Bill 1373. By defining personhood from the moment of fertilization, this bill could have serious consequences for families seeking fertility treatments like IVF. My wife and I recently welcomed a beautiful baby through IVF, which was our only option due to her endometriosis. Without it, our daughter would not be here today.

This bill is vague and poorly written, creating legal uncertainty for doctors and patients. Many embryos do not implant, and complex medical decisions are sometimes necessary. The broad language could put fertility treatments at risk and make it harder for families like ours to have children. North Dakota should support families in building their future, not limit their options.

I urge you to vote against this bill. Thank you for your time and consideration.

Sincerely,

Jarl Braaten

Fargo, ND

4 February, 2025

Statement of Opposition to House Bill 1373

Dear Members of the House Human Services Committee,

During the last legislative session SB2150 was passed. Now we are presented with another piece of legislation that further restricts women's rights in our state. Our state should be focused on providing a safe and supportive environment for women so they want to live here, want to start a family here, and want to CHOOSE not to get an abortion.

This bill does not reflect the views of the majority of North Dakotans. According to a poll in 2023, 65 percent of women between the ages of 18 and 54 opposed SB2150 at that time. That bill had exceptions for rape and incest. HB1373 intends to define abortion as murder, this is an incredibly extreme view that is really only the belief of 55+ year old men who are not at all affected by this bill [1].

The way this bill is written it implies that if a young girl is raped, becomes pregnant, and takes Mifepristone, she is guilty of murder? That is absurd.

At the very least, we can agree to disagree about a woman's right to choose. Can we at least agree that after the passage of SB2150 last session we don't need another abortion ban debate that pulls our legislature's attention from other issues that must be attended to this session? The legislature should be "Pro-Life" by addressing the rising costs and lack of availability of child care in our state so women can feel like they're actually able to afford to have children in the first place.

Regards,

Austin Cote
District 27

[1] Standaert, Michale; Poll #1: 23 Nov 2023 *Disconnect between ND voters, legislators*
Newscoopnd.org

<https://www.newscoopnd.org/poll-1-disconnect-between-nd-voters-legislators/>

02/04/2025

Testimony of Isaac Huntington

Concerning HB 1373; A BILL DEFINING LIFE FROM CONCEPTION

Honorable members of the Human Services Committee, I am Isaac Huntington, a resident of District 34 in Mandan, ND. As a concerned citizen of this great state, I urge members of this committee to give a do pass recommendation HB1373. Our founding fathers in penning the declaration of independence and bill of rights, inspired by the Word of God, sought to have a government unlike any other in history; a government that recognized the natural rights of all people that resided there. They held these truths to be self-evident that all people are created equal and all of them deserved the right to life, liberty, and the pursuit of happiness. Assaults upon these natural rights given to us by Almighty God have been mounted since the founding of this country. Notably the abominable North American Trans-Atlantic slave trade the justification of this barbaric practice came from an argument that African Americans were "sub-human". That these people did not constitute personhood and thus were not created in the "Imago Dei", the image of God, endowed with certain unalienable rights by Him. The lawmakers of the time decide upon, which men would receive these rights. History tells us how wrong these men were, so I beg the committee to answer the question; if these rights are truly natural, gifted to man by a Supreme God, the Lord Jesus Christ, as defined by the founding documents of this blessed nation. When do they begin? If the government can define when they begin, are they truly natural rights? Any serious reading of The Declaration of Independence will lead the answer to that question to be no. Therefore, these rights must be conferred upon us when the Lord "knits us in our mother's womb" from the moment He creates life. HB1373 makes North Dakota's laws consistent with that of the Bible and of the Founders of this great nation.

Sincerely,

Isaac Huntington

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Sylvia Bull

Regarding House Bill No. 1373

4 February 2025

To the members of the House Health and Human Services Committee Committee,

I urge a strong NO vote on House Bill 1373 which changes the definition of human being in our legal code to start at the moment of fertilization. This is extremely concerning to me on a number of levels, not least of which it creates a false equivalency between the possibility of life that a fertilized egg represents and a real, actual, living human person. Approximately 10-20% of known pregnancies end in miscarriage, and the rate of miscarriages among all pregnancies may be much higher, as many occur early on, even before a woman realizes she is pregnant. The scientific reality, difficult as it may be, is that many fertilized eggs will never become living human persons.

This bill does nothing other than potentially criminalize miscarriage and prevent people from growing their families through IVF. I cannot think of anything crueler than putting women going through the pain and difficulty of a miscarriage under criminal suspicion or preventing them from receiving needed, best-practice medical care at such a traumatic time.

Furthermore, it is a dangerous precedent in my mind to value the potential of human life (sacred as we may hold it) over actual human lives - real people made in the image and likeness of God.

Again, I urge you to vote NO on House Bill 1373. Please direct your efforts to legislation that serves and benefits the lives of all living, breathing North Dakotans, rather than legislation which causes additional pain and suffering and serves no positive purpose.

Thank you,
Rev. Sylvia Bull
Bismarck - District 32

February 4, 2025

Chairman Ruby, Vice Chairman Frelich, Members of the House Human Services Committee, for the record by name is Allison Caldwell and I am offering testimony in opposition of house bill 1373.

Fertilized eggs are NOT children. Embryos are NOT children. In order to yield a live birth many things must go right, starting with a fertilized egg, but as I will outline from my personal outcomes below a fertilized egg or even an embryo does not equal a baby. IF ONLY it were that easy. I am 36. I have 2 girls born through IVF and have had 1 miscarriage.

My 1st egg retrieval in 2018:

- 15 eggs retrieved
- 11 fertilized into zygotes
- Transferred 2 embryos 3 days after my retrieval that looked “hopeful”, and we watched the remaining 6 grow in the lab. All 6 in lab demised. 2 transferred did not take.
- 8 embryos = 0 pregnancies/births

My 2nd egg retrieval in 2019:

- 20 eggs retrieved
- 11 fertilized into zygotes
- 5 of those progressed to blastocyst stage (early embryo) and were genetically tested for viability
- 2 were confirmed genetically normal embryos or euploids.
- 5 embryos = 2 live births

In summary, my 1st retrieval 15 eggs retrieved and none developed into blastocyst embryos. And my 2nd retrieval of 20 eggs, 2 were given a hopeful chance of successful implantation if all things went perfectly. If implantation did occur, the pregnancy would still not be considered viable until visualized on ultrasound between 6-10 weeks to confirm the embryo is in the uterus (not ectopic), there is normal heart activity developing, and there are no early signs of other abnormalities.

To give you a visual here is an embryo development chart – none of which are children. Graphs like these are in the thousands online if you wish to look at more in detail.



I feel it also important to tell you that I recently experience miscarriage at 9 ½ weeks. I had a miraculous spontaneous pregnancy I never thought possible. Although the signs looked great with my lab work and I had a confirmed viable pregnancy on ultrasound at 6 weeks, this baby would never have lived in this world. I had the fetus genetically tested after I miscarried, and it had genetic abnormalities that made the fetus not compatible with life. Did I grieve this pregnancy – absolutely and it will stick with me my whole life I am certain of that. But this is just another example of how fertilized eggs (NOT JUST IN IVF), embryos and even pregnancies do not equate to a living, breathing child.

This bill is outlandish and should not be passed on. Families in ND deserve the chance to pursue IVF if they so choose.

Respectfully,

Allison Caldwell

Bismarck, ND

906-282-7955

Chairman Ruby and Members of the Committee:

I am writing to express my strong opposition to HB 1373. My name is Kristin Kramer and I am a registered nurse that has worked in North Dakota for the entirety of my 15 year nursing career. I worked as a labor and delivery nurse for the first 11 years where I witnessed the highest of highs during the delivery of a new baby and sometimes the lowest of lows when tragedy struck. I have now worked in Reproductive Medicine for the last 3 years and again am witness to the highs and lows that come along with fertility treatments. As a mom of two myself, I want nothing more than the women and families we encounter, to also be able to experience the greatest joy in life: to become parents and grow their families.

As medical professionals in the reproductive medicine field, we already see the battles our patients face when they are so desperately trying to achieve their goal of parenthood or expanding their families. HB 1373 only adds to the potential stressors for not only the patient and their decisions in their reproductive rights, but also our clinic as reproductive healthcare providers. Services such as IVF are necessary and need to be available for patients facing infertility. HB 1373 puts our clinic in jeopardy of being able to provide these services in the state of North Dakota.

Please help protect the rights of our patients and the safety of reproductive care in our state. I ask that you give the bill a **Do Not Pass** recommendation.

Thank you,

Kristin Kramer

Dear Members of the Committee,

I am writing this testimony to strongly oppose House Bill 1373. I have been working in the reproductive field for almost 20 years, directly helping patients who are striving to create a family. I urge you to oppose HB 1373 so that North Dakota residents can continue to receive these essential services.

Infertility is a medical diagnosis, and patients should have access to treatment for this medical condition. HB 1373 defines an unborn child as a person at the moment of fertilization of an egg, which would eliminate these crucial services in North Dakota. This bill would significantly impact cancer patients who cryopreserve their sperm or eggs before undergoing treatments such as chemotherapy or radiation. These patients often rely on IVF services to create their families. By eliminating these services, the state risks creating additional burdens for healthcare and community services, leading to higher long-term costs.

If HB 1373 passes, patients will need to travel long distances to access IVF services, often hundreds of miles away, which can be a significant burden, especially for those already dealing with the physical and emotional toll of fertility treatments.

I strongly believe that our state's strength lies in its support of all residents. It is essential that we continue to protect services that ensure all North Dakotans have the opportunity to raise a family and thrive in this great state.

Sincerely,

Cherice Ingalls MT(ASCP) TS(ABB)

Chairman Ruby and Members of the Committee

I am writing this testimony in opposition of HB1373. I was born and raised in North Dakota. I have a Bachelors of Science in Nursing from North Dakota State University. I have worked as a Registered Nurse for over 10 years, with the majority of that time working in Obstetrics Care. I have had the great privilege of watching patients become parents and supporting others through the heartbreak of losing pregnancies. I have also seen many patients, friends and myself personally battle infertility.

I firmly believe it is a woman's right and privilege to make her own personal bodily choices, however this is not my main concern with this bill. I am concerned that this bill will make it impossible for providers in North Dakota to offer IVF services and appropriately manage miscarriages. It is already a struggle for people dealing with infertility due to emotional, mental, physical, financial and ethical stressors related to this diagnosis. North Dakota is already limited to only one medical facility that offers IVF services, which can cause delays in family building. This bill will make it impossible for this service in North Dakota.

I personally have dealt with unexplained female infertility. My husband and I tried for 3 years to start our own family, with no success. We then went through 6 rounds of IUI (intrauterine insemination) over a year and a half without achieving a pregnancy. Our last option for a biological child was through IVF. We went through the financial, physical, and emotional burden of IVF and thankfully ended up with 3 healthy embryos. In 2022 we welcomed a healthy, spirited, intelligent little girl. She is everything to us. In 2023 we achieved another pregnancy through IVF. We had heartbreak before Christmas 2023, when that pregnancy resulted in a miscarriage. I am currently in my third pregnancy through IVF and due in April with another little girl. We are so excited and incredibly lucky and thankful to have been able to grow our family through IVF. The thought of North Dakota restricting this right and privilege breaks my heart. I hope the state I've loved and grown up with will make the right choice and oppose this bill to help others in the future grow their families and make their dreams come true like I've been able to.

Sincerely,

Abbey Haugen

Testimony in support of HB 1373
The Prenatal Protection Act

My name is Connie Hardie and my husband and I have been long time residents and farmers in southeast ND. As a former RN and believer in Christ, I am very concerned about the devastating effects of abortion in any form on the mothers, not to mention the babies that are being killed indiscriminately by the thousands in ND and the millions nationwide. These babies are created in the image of God and as women we have the privilege and responsibility before God to cherish and protect them both in the womb and out of the womb. How far we have fallen into moral degradation when we use abortion as a form of birth control citing a woman's right over her body rather than choosing to live responsibly and love and care for our children. Teaching our children to abstain from sexual activity until in a loving marriage would be the common sense approach and honoring to God to whom we will all give an account someday. Making abortion in any form illegal will also be necessary to end this madness.

HB 1373 is an honorable bill that protects prenatal babies from cruel dismemberment or chemical burning. Does it matter whether the baby's location is in the womb or in this physical world? The logical answer is "NO". Science has proven that life begins at conception and we need to protect their God-given lives. No exceptions. Many children who have been born as a result of rape have gone on to live very productive lives if given the chance. Who are we to deny them this chance? Our constitution gives all men and women that are citizens of America the right to life, liberty, and the pursuit of happiness.

I have listened to the stories of women who chose to abort their babies. They all know once they've had the abortion that they have killed their babies. Struggles ensue as to how to deal with this knowledge, the guilt, regret and the shame they feel, and thus turn to unhealthy lifestyles of self-condemnation, over-eating, drinking, drugs etc. Their lives are not what they dreamed due to the lies they are told ie. that the baby is just a blob of tissue, the baby is an inconvenience and will hold them back from their dreams, among other lies. This is devastating to women and some are physically damaged causing sterility and/or dangerous infections. Some women become very hardened to justify their actions unless they find forgiveness and freedom in Christ.

We must protect our babies in the womb. I beseech you to support HB 1373 and to encourage your fellow House representatives to do the same. Thank you for your time and consideration.

Respectfully submitted,
Connie Hardie

Re: HB 1373

Dear Chair Ruby and Members of the Human Services Committee:

I am asking the committee to vote no on the HB 1373. This bill could have devastating unintended consequences for families who rely on IVF to build their families. This bill creates legal liabilities for fertility clinics and healthcare providers. Please look closely to examine how the bill leaves too much room for interpretation, making it vulnerable to litigation. You can already see in the testimonies how many outside entities are pressuring this bill to pass. They will not hesitate to bring prosecution to North Dakota providers who are only trying to help build families. Please protect our healthcare providers as well as couples who want to have a child.

One in six couples struggle with fertility. This affects so many in North Dakota. Do not take this service away from them or the next generation of North Dakotans. I ask that you take the time to listen to people who practice in the clinic to hear what the impact will be. As a Registered Nurse in women's healthcare, I see the large number of women who want to have a child but cannot without the help of the Reproductive Medicine Clinic.

In conclusion, I strongly oppose HB 1373. It would harm North Dakota families.

Thank you for your consideration,

Jennifer Martinson

Olivia Data
Testimony in Opposition to HB 1373
February 5 2025

Chairman Ruby and members of the committee,

My name is Olivia Data, and I am a resident of North Dakota. I am writing to you to urge you to vote “Do Not Pass” on HB 1373.

I understand that many biologists agree that life begins at fertilization. I also understand that there are many Christians in our state who believe life begins at conception. But – even aside from the fact that *not* all scientists¹ and *not* all religions agree², and aside from the fact that attempting to legislate religious morality is a violation of our legislature’s duty to respect all North Dakotans – the idea that life begins at conception must not be codified in this way.

If our state grants legal personhood to a fetus, then we treat abortion as homicide rather than healthcare. Under such a definition, we would limit the bodily autonomy of pregnant people to a dangerous extreme.

Abortion to save a mother’s life would be illegal in many circumstances, even acknowledging Section 2b. Pregnancy is never a health-neutral event, and there are many situations in which a pregnancy could potentially be life-threatening³. When would a doctor be allowed to intervene? When a pregnant person shows the first signs of a high-risk pregnancy? When a woman is bleeding out on an operating table? When she’s already dead? What counts as taking *reasonable* steps to save an unborn child?

If we grant legal personhood to a fetus, then abortion even in cases of rape or incest could be illegal. Perhaps it is your personal opinion that a survivor of the most hideous form of assault should suffer intrusions on their bodily autonomy for at least another 9 months, no matter the cost to their body, career, or mental health. However, I would hope that you at least pause before passing such an opinion into law.

None of us have the right to demand that a fellow human being attach us to their body and use their own life to sustain us for 9 months. Similarly, no one should be forced to surrender their life and liberty for a dangerous or unwanted pregnancy. No woman should be treated as less-than-human in service to a law which ignores the complex realities of health and morality. HB 1373 diminishes the safety and freedom of any person with the capacity to become pregnant,

¹Paulson, Richard J. 2022. “It Is Worth Repeating: ‘Life Begins at Conception’ Is a Religious, Not Scientific, Concept.” *F&S Reports* 3 (3): 177. <https://doi.org/10.1016/j.xfre.2022.08.005>.

²National Council of Jewish Women. 2022. “Advocacy Resource Judaism and Abortion.” *National Council of Jewish Women*. <https://www.ncjw.org/wp-content/uploads/2019/05/Judaism-and-Abortion-FINAL.pdf>.

³MPH, Sara Neill, MD, and Scott Shainker MS DO. 2023. “Is Pregnancy Safe for Everyone?” *Harvard Health*. January 25, 2023. <https://www.health.harvard.edu/blog/is-pregnancy-safe-for-everyone-202301252881>.

and it signals to the women of North Dakota that our bodies and lives can be taken from us on a whim.

Chairman Ruby and members of the committee, I am 21 years old. I have been writing testimony to the North Dakota legislature begging you not to take away my ability to make healthcare decisions about my own body since I was 17 and in high school. I have grown up with the knowledge hanging over my head that many of my legislators value my hypothetical future baby more than they value me. I have grown up terrified that I will not have the right to ownership over my own uterus, that I will not have the right to make my own choices or protect my own life.

I understand that my testimony may seem severe, but I am afraid, and I am sick of being afraid. Please protect girls and women like me who deserve basic safety and autonomy. Please make the right decision. Oppose HB 1373.

Thank you for your time in reviewing my testimony.

Sincerely,
Olivia Data

Do not support HB 1373

As a lifetime North Dakota resident I urge you to vote against every bill that comes before you that undermines reproductive freedom and/or restricts access to reproductive health care. Specifically HB 1373 defining a human being. As we have seen in other states this bill sets North Dakotans up to be denied life-saving care and access to infertility treatments. With infertility disease increasing, North Dakota should be helping couples grow their families, not hindering them. It's strenuous enough facing infertility mentally, physically and financially. Infertility is not just a medical condition it affects North Dakotans daily and impacts our future. We want to build our communities. IVF is a good thing; it supports the birth of babies, grows families, creates communities, makes women moms and men dads. I dream of the day I get to become a mom. I feel grateful that I've had supportive doctors throughout my infertility journey with my fertility treatments including multiple IVFs. Though we still haven't had a successful full term pregnancy yet, I fully believe IVF is good, and have seen so many miracles born from IVF. It's sad to see reproductive rights threatened. It is NOT ok to create more barriers to families dealing with infertility. You can have a personal belief but you don't need to impose it on everyone else, that is what religious freedom is. Let patients and doctors choose the medical advancements to best support their health or grow their family without the government intervening. We want great medical providers in North Dakota. Do **NOT** support or vote for HB 1373. Limiting access by defining a human being puts pregnant women at risk, decreases IVF care and outcomes, and takes medical options and decisions away from educated medical experts. We don't want this for North Dakota.

Thank you,
Robin Holt
Grafton, ND

**House Human Services Committee
HB 1373 - Testimony in Opposition
February 4, 2025**

Chair Larson and members of the Committee,

My name is Shannon Krueger and I am writing in opposition of HB 1373. I have worked in public education for nearly twenty years and have seen the effects of inadequate funding in every school I have had the privilege to work in. Whether it's a dying heating system, a building without enough classrooms, a shortage of supplies, or cuts to staffing, our communities' educational needs are never fully met. Public education needs every bit of funding available. Any amount diverted to private education is an increased shortage to an already strapped system.

I urge you to please vote NO on HB 1373.

Thank you.

House Human Services Committee Members:

I am writing my testimony in support of HB1373. The unborn are human beings and should be protected with the same laws that protect any other human being. The human unborn child, murdered in the womb, deserves the same justice that any human being would be granted. Please vote in support of HB1373 and protect the child in the womb, making the act of abortion illegal.

Thank You

Robin Bowers

To everyone listening here today.

While writing this testimony I have so much sadness in my heart.

How did we even get here? The world and our state of ND were moving in the right direction, and now suddenly, we are going back decades in what feels like the twilight zone. This breaks my heart that this bill was even brought forth and being considered. We can do better and deserve better.

If this bill passes, you have no idea how many people/families this will negatively affect. This would halt all IVF due to the harsh terminology and penalties that IVF medical staff would endure if found guilty of “murder” due to an embryo not making it in any of its phases. This would not only be detrimental but extremely unfair for families like mine, in the process of IVF in ND.

IVF is a beautiful thing that is so important to help families grow and have the children they so desire and love, even before conception. It seems like the people who are in favor of this have neither had to used IVF nor know loved ones who use it or need to use it to build a family. If they did, I would hope they would have more empathy and understanding on what this bill means.

Please consider the affect this will have on the families trying to conceive and lets to better ND.

Thank you,

Andrea Jefferson

House Human Services Committee Members:

I am respectfully writing in support of HB 1373.

Every woman that becomes pregnant is well aware that in approximately 9 months she will give birth to a baby. Every time a woman goes to an abortionist or orders an abortion pill, she knows that she is ending the life of a human being. We have allowed the murder of these innocent children in the United States long enough. Anyone who chooses to kill a baby needs to be punished just like any other person that kills another person. The act of abortion needs to be criminalized immediately.

We want equal justice for the pre-born.

To members of the Human Services committee:

I am writing to you in opposition to the “personhood” bill. This bill puts women’s lives at risk. There have been several cases in other states in America where a pregnant woman had some complications with her pregnancy, was denied care, and died due to the health complications. The reasons for that lack of care were a hospital’s fear of legal charges being brought upon them for providing care because of laws that were enacted such as this one.

Josseli Barnica was one woman who was denied care in Texas due to a litany of abortion and pregnancy-related laws that were recently passed. Hospitals, fearing for their own legal safety, denied care. She later died due to complications from her miscarriage. A third woman died as of November of 2024 due to similar circumstances from her miscarriage and the hospital’s denial of care, again due to the litany of laws in regard to abortion and pregnancy.

Some may argue that the hospitals were in the wrong to deny that care because it was a miscarriage. However, a clinic or hospital will certainly have to look out for their own legal safety in order to continue operation and care for all the other patients and retain their medical staff.

Another aspect of this bill, whether intentional or not, is also worth mentioning. In vitro fertilization has been an effective way for couples to have children and create families. This bill would restrict that option for North Dakota families who are having difficulty with reproduction for whatever reason. It would muddy the waters of IVF and would intimidate doctors and other medical professionals from even practicing in North Dakota for fear of their own legal safety.

A bill such as this one, HB 1373, is too restrictive over a person’s body and health. Furthermore, it convolutes and muddies the legal waters over life and personhood and a woman’s bodily autonomy and even common medical practice. It is inconsistent with the message of liberty and security that are tenets of the Constitution and natural rights of people everywhere. North Dakota already has laws about abortion and its restriction. It is time to stop with these overly restrictive laws that are designed to shape people’s basic behavior, health care, and liberty. I strongly oppose HB 1373.

Chairman Ruby and members of the House Human Services Committee,

I am writing to express my strong opposition to North Dakota House Bill 1373. While I understand the intent behind this legislation, I am deeply concerned about the unintended consequences it may have on families who rely on in-vitro fertilization (IVF) to conceive children. This bill introduces significant legal uncertainty regarding the status of embryos, creating a troubling gray area that could place unnecessary burdens on patients, doctors, and clinics involved in fertility treatments.

I personally know many individuals who have faced heartbreaking struggles with infertility. For them, IVF is not a choice taken lightly—it is a painstaking, emotional, and expensive process filled with both hope and uncertainty. These individuals have already endured so much in their journey to become parents, and HB 1373 would only make their path more difficult. Instead of providing support, this bill would create more obstacles, more legal ambiguity, and more fear for those who are already enduring so much.

We must consider the real-life impact of this legislation. Fertility treatments are already physically, emotionally, and financially taxing. If this bill passes, it could discourage doctors from offering IVF services, restrict access to care, and add layers of legal complications that may dissuade families from seeking the help they desperately need. The strongest people I know are those who have walked the path of infertility, and they do not need yet another burden stacked against them.

I urge you to consider the voices of these families—their struggles, their resilience, and their right to seek medical assistance in building the families they dream of. ND HB 1373 does nothing to help them; it only adds uncertainty and potential harm. Please oppose this bill and stand with the many North Dakotans who rely on IVF to fulfill their dreams of parenthood.

Sincerely,
Nikki Schaff

Human Services Committee
HB 1373
February 5, 2025

Chair Ruby and Members of the Committee,

My name is Casey Loving. I am retired from the Air Force and currently reside in Minot, ND. I have two teenaged children. Over the course of my military career I have lived in multiple states and countries. Because of this I was exposed many other cultures and ways of life that most people do not get to experience. I feel that gives me a unique perspective on life.

I am writing to speak AGAINST House Bill 1373. I do not believe that passing this bill is in the best interest of women's health. I believe that abortion is healthcare and should not only be used as a last resort to save a mother's life. There are many other reasons that a woman should be allowed to have an abortion. Rape, incest, birth defects that would likely result in a high mortality rates or low quality of life to name a few. Also because it is none of my business. Or yours, or anyone else's. A woman's decision to have an abortion is between her and her doctor.

Aside from the abortion aspect of bill, I would like to address concerns that have been raised about IVF. I have multiple friends who have used IVF to conceive in their journey to parenthood. I have helped give them their shots. I held their hands while watching the pink line move across a pregnancy test while waiting for results. I held them while they cried

when it came back negative. I threw them baby showers when it finally worked. I held their sweet little infants in my arms when they were born. I send them gifts on their birthdays and Christmas. I will be there for the graduations, the weddings and everything in between.

During IVF treatment multiple eggs are fertilized at a time to ensure that enough will be available for attempted implantation when the time comes. Many of the embryos may not end up being viable or able to be implanted for one reason or another. Usually multiple embryos will be implanted at once because not all, or any, are guaranteed to stay. That is a discussion had between the doctor and patient. There are often left over embryos after implantation. The patient may choose to freeze them for the time being while waiting to see if the pregnancy takes. There are fees associated with this for freezing and storage.

IVF is extremely expensive. People often use their life savings or take out loans for this treatment. They spend tens of thousands to hundreds of thousands of dollars to have just one or two children. Most insurance does not cover IVF or covers very little. One of my friends took one and half years to conceive via IVF, was blessed with 10 year old twins and is still paying on loans from her IVF treatments.

You may be wondering why I explained how IVF works in the simplest of ways. I just want to ensure you understand before this next part. With the cost of IVF, most people can only afford one or two cycles of treatment regardless of

success. With that being said, many people have left over frozen embryos after their treatment has concluded whether they were successful in conceiving or not. With this bill, an embryo that was created in a clinic via IVF would be considered an unborn child per your definition of "the moment of fertilization upon the fusion of a human spermatozoon with a human ovum" even if that embryo is never implanted within the mother. What would become of those embryos? Based on my research, there are two options. Option one, the patient pays for the embryo freezing and storage fees then passes that financial burden on to their family when they die or until this bill is abolished, should it pass. Or option two, they are forced to give the embryo to someone else in order to avoid paying for the storage for eternity. FORCED to allow someone else to be impregnated, give birth to and raise their child. That is absolutely reprehensible to think about. Would it be legal to force someone to give up their toddler, their 8 year old, or their 15 year old to someone else? Why is there a difference between a born or unborn child in that instance? A child is a child at all stages of life, right? Bottom line, people should be able to choose what they want to do with those embryos and destroying them should be a viable option.

I hope that you strongly consider all aspects of what this bill would impact should it pass. This is not just an anti-abortion bill. That would be bad enough. But this also affects people who have difficulty conceiving. They have hard enough decisions to make when doing IVF treatments and a big enough financial burden. This is America. We are a

country built on our freedoms. We constantly boast about those freedoms in comparison to other countries. Yet it seems as if at every turn, some new bill, some new act, or executive order is being passed infringing on those freedoms and our right and this is just another example of that.

Sincerely,

Casey Loving

Dear Chairperson and members of Health Services Committee,

This bill will be great for hurting the people of North Dakota. This bill will be a perfect tool for driving away our citizens, be they women in search of proper health care, aspiring families in need of fertility treatments, or those very health care providers, gone in fear of the repercussion of giving necessary medical care. This bill will provide an excellent building block for a dystopian future where we care more about the idea of life than the actual lives of the people. By defining a human being as "the moment of fertilization", this bill will perfectly demonstrate an abandonment of science and thinking. This bill will be essential in creating a divide between elected leaders and the people, by ignoring our voices when it matters most.

I urge you to vote NO on HB 1373.

-Cody Kostka, a concerned citizen

To whom it may concern,

I am writing this to urge you to pass HB1373 updating our states definition of human life and when it begins. As a new Father I am recently familiar with hearing the sound of my baby's heart beat from as early as 7 weeks. This same child I got to see with my eyes for the first time several months later but I already knew him and had moments with him that I'll cherish the rest of my life. There is no reason that our state cannot recognize the simple truth that babies are humans from the moment of conception, and we should value them and protect them. I hope that you will consider this as you vote on this bill soon.

Arthur Punton

Ayr, ND

To Whom It May Concern,

I urge the committee to oppose Bill 1373.

The reasons to vote against it are many, backed by science and defense of religious freedom.

Some feel personhood begins at conception; however, to assume most believe this uniformly in our state is a gross misrepresentation. Those who do support this bill cite specific religious reasons, which are not followed or practiced by everyone who resides here. It is worth noting that people who support this bill can make the choice to act in a way that honors its statutes within their own families, without imposing it as law on others who do not subscribe to their personal philosophies or religious beliefs. The arm of the law is not a bludgeoning instrument for those who believe in a specific religion, yet that is what this bill effectively is.

This bill also restricts the rights of over half the state's population to make decisions about their own bodies to an absurd level - if enacted, any person who is pregnant or even could be pregnant would be subject to this law. Those who do not know they are pregnant would be subject to it as well as those who suffer miscarriage. It reduces those who happen to have a functioning uterus and are of reproductive age to effectively second-class citizens, dehumanizing us and violating our right to exist as persons - to make decisions for ourselves and our families. It should go without saying: young women are not cattle to be bred, and should not be considered as such under the law.

Furthermore, the ramifications of this bill would have far-reaching effects, including impacting the ability of IVF treatment facilities to operate in our state, as well as directly impacting the decisions of many couples to pursue family planning in any capacity. Pregnancy, which is already a precarious and uncertain time for many who experience it, becomes a harrowing threat to strip a person of her own right to life, liberty, and the pursuit of happiness.

Several people have submitted testimony in support of this bill. They are loud, in the minority, not representative of our state and, most importantly, wrong.

Intrinsically, each of us understands that this bill represents government overreach and the despicable co-mingling of church and state. In North Dakota, we respect the rule of common sense. This bill attempts to oppose what we know to be true: pregnancy is a nuanced, unique, and complicated time for each person that experiences it. Decisions surrounding this experience are best left to each person in collaboration with medical professionals to make the right decisions for themselves and their families.

Please, for the sake of sanity in North Dakota, vote do not pass on Bill 1373.

The restrictions proposed in House Bill 1373 are not only harmful to the physical and mental health of North Dakota residents, but they also undermine the states commitment to personal freedom and choice. It is crucial that we protect the right of individuals to make decisions regarding their reproductive health in a way that is safe, accessible, and free from political interference.

I urge you to reconsider this bill and to prioritize policies that protect and expand access to reproductive healthcare for all North Dakotans.

Thank you for your time and consideration.

Sincerely,

Elizabeth Jones

Abolish Abortion: Support HB1373

Human Service Committee Members and Legislators,

My name is Jasahd Stewart, an Executive Committee Member of District 5 Republicans in Minot, and I implore you to support HB1373 on behalf of infants being murdered each day due to lack of culpability for mothers.

I would like to point out that the majority of arguments presented in favor of the bill have been founded upon higher law (i.e., biblical law) and Constitutional law contrary to the inconsistent and selfish testimonies given by the opposition.

Morality is not subjective, otherwise cruel acts like slavery, concentration camps, and the Gulags could not be considered objectively evil. Listen carefully, one does not need to be a Christian to have good morals, however, please consider what worldview you are standing on when you cast moral decisions for or against this bill. If there really is "*Nyet Boga*" (no God) as Soviet propaganda used to say, then tell us what is wrong with cracking some eggs to make omelets?

Dark jokes aside, in an allegorical sense, legislators are like the constellations. Laws that you pass serve as guides for the people. Will you craft legislation that leads to righteousness, or evil? Based on your actions, God may choose to shake the heavens causing the stars to fall so that new ones can serve as guides instead.

Laws must also have just scales to rightly punish evil and protect potential victims. The preborn have been treated as less than human for over 50 years, and mothers have not been held accountable for approving infanticide upon their children. How is this loving to mothers when our laws encourage them to murder their own children, let alone loving towards the preborn? Now that the SCOTUS' flawed opinion was overturned, legislators, you no longer have Roe to hide behind.

Yet, there are many of you trying to hide behind IVF as an excuse to still allow the killing. This bill will not ban IVF so long as those involved in this business do not treat any embryos unethically. If they can make one embryo and try to implant it into the mother, this should be allowed until IVF can be revisited in the future. However, the usual method leading to a batch of embryos being killed during the "selection process" is indeed a human massacre.

IVF supporters better be concerned if their *modus operandi* is farming embryos and killing off those who seem potentially “flawed” compared to the few that are chosen for implantations. The number of babies reduced to scraplings via mainstream IVF methods are more than double the deaths rendered by abortions through drugs, chemicals, forceps, and suction devices combined.

Representatives, please consider all the faces of each victim unjustly murdered under your watch. When we stand before the Mighty God and you have to give an account for all the innocent blood spilled upon the ground like water due to the legislative decisions you have made, I ask you, Representatives, will you be able to look those victims in the eyes when you present miserable excuses to God for why you perpetually tolerated the unthinkable in voting against bills such as this?

Therefore, if you repent and support this bill, may God grant you crowns of mercy and honor juxtaposed to the wrath instore for those who enable the shedding of innocent blood. If you vote in opposition of HB1373, you are indeed accomplices to cruel and abominable acts taking place in our land. Woe to you, when the day of the LORD hits you like a thief in the night.

However, now is the opportunity to establish good laws. In the name of Christ, I pray that you will do what is right. Seek justice for the preborn, and the righteous will rally alongside you. Vote yes for HB1373 lest your lamps be put out by going down in history as enemies towards our country, the preborn, and to God. Thank you for your time.

May Light Prevail,

Jasahd Stewart

Executive Committee Member, District 5 Republicans

I am a 32-year-old mother of three, our youngest is currently unborn. I have always been strongly against abortion in any circumstance and at any stage of pregnancy. Seeing the ultrasounds of our children wiggling around with all their small but perfect body parts greatly solidified our need as adults to protect the unborn. They are smaller than the children we see running around our house, but we would never say a short person is less human than a tall person. Their level of development isn't as advanced as our children who have been born, but the same is true of a toddler when compared to a teenager. We would never claim that the toddler is less of a human than the teenager. Their degree of dependency is high. But once a baby is born it is still completely dependent on adults to care for him, or he will die. I would hope everyone in our culture knows that would be wrong to leave that baby to die. The environment of the unborn is different from the baby who is born, but our environment has no bearing on our humanity. The unborn deserve every right given to mankind from our Creator God because they are without a doubt as human as any of us. I strongly support HB 1373 and urge its passage to stop these grave crimes against our fellow men and women.

February 4, 2025

RE: Opposition to North Dakota House Bill 1373

Chairman Ruby and Members of the Committee,

I am writing to share my opposition to North Dakota House Bill 1373. The bill has negative impacts on many, but it personally affects my niece and husband who are desperately trying to start a family. This is why I am writing to express my opposition. The bill as written will deny those trying to start families and it is appalling that you are not serving all your constituents with the basic rights to start a family with medical advancements that allow those miracles to happen.

Please reconsider HB 1373 and do not allow a bill to pass that denies citizens of North Dakota the right to start a family.

Thank you for your time and consideration.

Respectfully,

Terri Dill

Shakopee, MN

Dear North Dakota Leaders,

I write to you today to urgently implore you to take action in abolishing abortion in our state. This is not just another policy issue—it is the most crucial moral, legal, and human rights issue in our day. The right to life, as enshrined in the Constitution and the Declaration of Independence, must be upheld for every human being, from conception onward.

First, from a biblical perspective, we know that God created life with purpose and intentionality. Psalm 139:13-16 and other passages of Scripture remind us that God formed us in the womb, seeing our days before they ever came to be. The Bible clearly affirms that life begins before birth, making abortion a violation of divine law and the sanctity of life. Every unborn child is a gift, and to deny them the opportunity to live is to disregard their inherent worth as creations of God.

Second, the Constitution guarantees the fundamental right to life. The preamble of the Declaration of Independence asserts that we are "endowed by our Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness." Abortion directly contradicts this foundational principle by depriving the unborn of their unalienable right to life. It is the duty of lawmakers to protect and preserve life at every stage of development.

Finally, science supports the recognition of life beginning at conception. From the moment of fertilization, the embryo is a unique, living human being with its own DNA. Advancements in prenatal science have only further affirmed that life begins much earlier than birth, with distinct heartbeats, brain activity, and the ability to feel pain. Denying these facts is not only scientifically irresponsible but morally indefensible.

This issue transcends politics—it is about preserving the most sacred right: the right to life. I urge you to act decisively and abolish abortion in North Dakota. **Pass HB 1373** to grant an unborn child their worth as a human being in North Dakota.

Sincerely,

Alex Lloyd
Minot Air Force Base

To Whom It May Concern:

My name is Heidi Weisgarber, and I am writing in opposition of HB 1373, relating to the definition of human being and person as the terms relate to the offenses of murder and assault, and civil actions for death caused by wrongful acts.

From a young age, I knew I wanted to someday be a mother. To have a child that is half me and half the person I chose to spend my life with has been the ultimate goal. Our story began in February of 2022 when my husband, Caleb, and I started trying to grow our family. What comes so easily to others turned out to be one of the most emotionally, mentally, and physically taxing processes we have ever been through.

Due to both male and female factors, we found out we were unable to get pregnant on our own. We tried so many different ideas, methods, and procedures, but ultimately, our final option was to try in-vitro fertilization (IVF) to make our dream of being parents come true. Thankfully, we had success in this process, and we are now blessed with a beautiful baby girl who will be 3 months old soon, thanks to the doctors and staff at the Sanford Reproductive Medicine Clinic in Fargo, ND.

I tell this short story because the language of this bill, if passed, will create a situation in which IVF clinics could be held liable for abortion of embryos throughout the IVF process. This would hinder the ability of these clinics to provide this extremely important service to couples and families like ours. Without these amazing doctors, we would not have the family we always dreamed of.

If you have not been down this road yourself, know someone who has, or work in women's healthcare, you truly have no idea the negative impact this bill would have for individuals striving to create a family of their own without being able to do so alone. We need IVF clinics, and this bill would effectively take that option away from families who need it.

Please join me in opposing this bill and preserving the right of IVF clinics to practice and help families of all kinds without being held liable for abortion, murder, and/or assault.

Sincerely,

Heidi Weisgarber – IVF Mom

**House Human Services Committee
HB 1373 - Testimony in Opposition
February 4, 2025**

Members of the Committee,

My name is Shannon Krueger and I am writing in opposition of HB 1373. This bill proposes too many risks to people's personal freedoms. If someone experiences a miscarriage, they might be subject to suspicion of criminal activity. This bill possibly limits people's reproductive freedom, and allows excessive government overreach in private healthcare decisions.

I urge you to please vote NO on HB 1373.

Thank you.

My name is Ginna Cross, and I'm proud to have grown up in Fairmount, ND where my parents, siblings and their families still live and farm, and I'm a 2006 graduate of the phenomenal NDSU nursing program. In addition to being a Christian, a wife, and a Registered Nurse, the joy of my life is being a mother of 6 children. My children are not and have never been an obstacle to my success. On the contrary, they ARE my success. For those of you who are mothers in this room, I'm sure you would say the same about your children.

I'm thrilled that with HB 1373, my home state of North Dakota has the opportunity to lead the way across the nation in finally protecting the most vulnerable among us, the preborn child.

My husband and I are the Co-Executive Directors of Alliance Family Services, which is a large pregnancy help organization based in Wisconsin that consists of 3 clinics, a mobile clinic that we park in front of a busy Planned Parenthood, and a transitional home that provides safe housing to mothers and their children while we work toward a permanent solution. There are a few things that distinguish us from Planned Parenthood.

The first is that we serve God, not demons.

The second is that we actually care about women, instead of exploiting them for financial gain.

The third is that we believe it's wrong to murder innocent human beings, and it is our mission to speak that Biblical, unchanging truth as lovingly and clearly as we possibly can with every woman we possibly can.

I'm going to talk about that word love for a moment, because in this country the word love has been co-opted to mean something it does not mean. Love does not mean nice feelings. Love means caring enough about someone to protect them from harm whether it gives them nice feelings or not. I love my children, therefore, I do not let them play on a busy road. I do not care the slightest bit how badly they would like to play on a busy road. I do not care how much they scream at me for not allowing them to play on a busy road. They cannot play on a busy road precisely because I LOVE THEM. They are well aware that there will be serious consequences if they ever tried such a thing, so they simply would never do so.

Yet somehow when it comes to abortion, we do not love the women and preborn children of this nation at all, because our laws reflect hate toward mothers and children, not love, and this must change.

In our clinics we see hundreds of women each year who are planning to have an abortion. We provide them with detailed and factual education, financial assistance, free medical care and advocate for them to choose life for their baby. Regardless of what they decide, we will continue to care for and help them, speaking the truth in love, and praying for breakthrough in their lives.

After the Dobbs decision in 2022 we saw something very interesting occur in our state which has direct application to the bill before you today. In the first year following the Dobbs decision the state of Wisconsin had a complete abortion ban that shut down all abortion clinics and restricted abortion to an even greater degree than the law that you have currently being held up by your supreme court. Sadly, in the year of our “abortion ban” we saw just as many women planning to have abortions in our clinics as the year prior, when there was no ban. There was absolutely no difference.

The women we saw during that year by and large knew exactly how to obtain abortion pills, knew exactly what those abortion pills would do to their baby, and were more determined than ever to murder their child. The abortion lobby had recognized that the only targets of pro-life laws were abortion doctors. Therefore, they simply moved to equip the mothers themselves to murder their unborn babies without the middleman involved.

And before you think, “Ok, we just need to stop abortion pills!” Restrictions on abortion pills in the United States are useless when there are multiple international organizations standing by to immediately ship abortion pills to any state and any woman that would like to take them, regardless of state law, with no ability for the United States to stop it.

It didn’t take us long during that year to realize that our supposed “abortion ban” had simply shifted the location of these murders as well as the murder weapon. Our law also served to make the abortions in our state unreported, giving the appearance of a decline in abortions. But if you put yourselves in the shoes of the murder victims, I think you’ll find that unreported murders are just as devastating as reported ones. My declarations of joy at living in an “abortion free” state quickly turned into a severe reality check that not only did our law fail to give equal protection to the preborn, it actually didn’t protect the preborn from murder at all. Your current law also will not protect preborn children from being murdered in North Dakota, which is why I am imploring you to immediately pass HB 1373 through this committee, and give equal protection under the law to our most vulnerable preborn neighbors.

You might think the answer to ending abortion is more pro-life pregnancy clinics like ours. But the truth is, even when we are presenting the clearest ultrasound technology, sharing the most factual medical information, providing numerous financial and other support services, still 60% of women who come to us planning to have an abortion go on to have one. This is because it's not ultimately an education issue or financial issue. It's a matter of sin. And what would change the minds of at least 95% of the mothers that we see is a law just like HB 1373. Abortion would be off the table for them as an option in a moment, and we could move right along to helping them with their needs so that they can be great moms. Pregnancy help clinics are amazing and crucial and will continue to be so after abortion is abolished, but pregnancy help ministries will never be able to abolish abortion. Only the law can do that. And that is why your job today is so crucial.

The law is a TUTOR. Currently the law in North Dakota is tutoring the consciences of women that it's wrong for an abortionist to murder her baby but it's perfectly fine for her to do so by her own hand. This is an immoral and corrupt message that Planned Parenthood is extremely happy with.

What you are about to hear in the testimony against this bill is a collection of empty platitudes meant to weaponize your emotions to consider everyone but the actual victims of these crimes. Pay attention to the ways that opponents of this bill try to manipulate you into believing that it's mean and unloving to do the best possible thing you could do for women, which is allow the law to inform their conscience that they must not murder their living, precious baby.

Like a good parent ignores the emotional manipulation of their children in order to do what is truly best, protecting them from situations where their lives could be instantly destroyed, you have an opportunity to hear the opposing arguments for what they are: manipulative and evil nonsense.

You cannot be pro-life and oppose this bill, because this is the only bill in North Dakota this year that will actually protect preborn human life. You certainly cannot be a Christian and oppose this bill, because the Bible says we must speak up for those who cannot speak for themselves. On behalf of preborn children who cannot yet speak for themselves, they would be asking every professing Christian in this room who is opposed to this bill why you will not fight to give them equal protection under the law?

You cannot say on one hand that women are strong and capable of doing hard things, which we are, but on the other hand say that women cannot do the very thing that God created women, and only women, to do, which is bear children. You cannot say on one hand that women are highly intelligent, which we are, but on the other hand say that

with all of the information and technology available at our fingertips every second of the day, we have absolutely no idea that when we become pregnant we are pregnant with our own living, precious, human baby.

As a woman, I am asking you to stop patronizing us with these contradictory arguments. We have agency. When we are willfully choosing to murder our own children it is because of a conscience that has become shockingly depraved and we as American women desperately need our consciences to be informed by the law. Anyone who is opposing this bill is actually supporting and contributing to the rapid moral decline of our nation.

If you say that you love women, then this bill is how you can actually show that. It is the most loving thing you can possibly do. I have numerous friends who are post-abortive. All of these women say that they wish abortion had been a criminal act in their state when they aborted, because if it had been they would never have aborted their baby.

With your actions today, you can be a part of sparing mothers a lifetime of guilt and regret because you helped to rightly inform their conscience with the law.

With your actions today, you can protect real, live sex trafficking victims, whose pimps use the legality of self induced abortion in North Dakota to pressure them to take abortion pills, amplifying their abuse. You can stand with victims of sexual trafficking and other unspeakable abuse by voting YES on HB 1373.

With your actions today, you have the opportunity to recognize the force of momentum that is behind the abolition of abortion movement and to lead the way for the rest of the nation.

You have probably noticed that courageous actions of elected officials are immensely popular right now. Doing the thing that nobody said could be done is being done every day to uproarious applause. And yes, also pushback. But that is the nature of being willing to get into the ring and do what's right. The Christians of this nation will have your back. You can put a stake in the ground right here in North Dakota and say, "no more." Your constituents and the future constituents whose lives can be protected by YOU, today, will be grateful, and the living God will reward your courage.

Dear Members of the Committee,

My name is Isabella Hedlund, and I live in District 43. I support HB 1373.

Up until a few years ago, I did not think it made much of a difference what the laws were regarding abortion and the unborn. Babies were not even on my radar. Frankly, I lived for myself and wasn't bothered with any moral issues aside from looking good in my own eyes.

Everything has changed for me though. About 4 short years ago, I was convicted of God's truth and became a Christian. Since then, I've moved to North Dakota and graduated from UND; I'm now married and 22 weeks pregnant with my first child.

Now that I'm looking to God's Word to judge truth, rather than myself, it has become obvious to me that unborn babies are **as much human** as you or me. It's only common sense that they should enjoy the same protections that you and I do. Moreover, when the unborn are not treated as the human beings they are, it is a heartbreaking injustice that is all too easy to gloss over. God, though, **does not** and will not forget.

I think of my little one in my womb right now, whom I'm already starting to get to know. Almost every time I eat fruit, my baby starts moving around and kicking. I've started to notice when my baby seems to wake up or seems to like what they're hearing. I'm only halfway through my pregnancy, and I know I'm a mom already.

The more that I learn about conception in particular, the more incredible God's design and plan is to me. Did you know that each of the millions of sperm my baby could have been formed from, each one has its own unique genetic material? And did you know that once one sperm has reached the egg, a chemical reaction takes place that changes the composition of the egg's exterior and prevents any other sperm from entering? Not to mention that the entirety of my baby's future development has been set in stone from this one encounter: all the blueprints, all the personality, all of their nature has been determined. My baby's creation is not a mistake or an accident, and he or she existed completely **as a human being** since that one definitive moment when they were created.

That all is to say that I've been a mom since the moment of conception, and my child has existed as a human since that same moment. It is all because of God's choosing.

Members of the Committee, you are in a heavy position. God also appoints the rulers and judges of the land; it is not of your own will, but of God's, that you hold the public office that you do. You have been given an obligation from God to govern **justly**. I urge you to vote in favor of HB 1373, showing mercy to those who are smaller, weaker, and hidden from sight, yet just the

same as you and I before the eyes of God. In James 2:13, God says *“For judgement will be merciless to one who has shown no mercy. Mercy triumphs over judgement.”*

Thank you for your time and service in hearing my testimony and the other testimonies of your people.

Sincerely,

Isabella Hedlund

25.0415.05000

Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1373

Introduced by

Representatives VanWinkle, Henderson, Hoverson, Morton, Rios, Heilman, Wolff, D.
Johnston, Osowski

Senators Castaneda, Clemens, Van Oosting

1 A BILL for an Act to create and enact a new section to chapter 12.1-16, a new section to chapter
2 12.1-17, and two new sections to chapter 32-21 of the North Dakota Century Code, relating to
3 the definition of human being and person as the terms relate to the offenses of murder and
4 assault, and civil actions for death caused by wrongful acts.

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

6 **SECTION 1.** A new section to chapter 12.1-16 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Definitions - Application.**

9 1. As used in this chapter:

- 10 a. "Human being" includes an unborn child.
11 b. "Unborn child" means an individual living human child before birth from the
12 beginning of biological development at the moment of fertilization upon the fusion
13 of a human spermatozoon with a human ovum.
14 2. This chapter does not apply to the unintentional death of an unborn child resulting
15 from:
16 a. Acts performed under the usual and customary standards of medical practice
17 during diagnostic testing;
18 b. A procedure undertaken to save the life of a mother when accompanied by
19 reasonable steps to save the life of the unborn child; or
20 c. Spontaneous miscarriage.

21 **SECTION 2.** A new section to chapter 12.1-17 of the North Dakota Century Code is created
22 and enacted as follows:

Definitions - Application.

1. As used in this chapter:

a. "Human being" includes an unborn child.

b. "Unborn child" means an individual living human child before birth from the beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum.

2. This chapter does not apply to the unintentional injury of an unborn child resulting from:

a. Acts performed under the usual and customary standards of medical practice during diagnostic testing;

b. A procedure undertaken to save the life of a mother when accompanied by reasonable steps to save the life of the unborn child; or

c. Spontaneous miscarriage.

SECTION 3. A new section to chapter 32-21 of the North Dakota Century Code is created and enacted as follows:

Definitions.

As used in this chapter:

1. "Person" includes an unborn child.

2. "Unborn child" means an individual living human child before birth from the beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum.

SECTION 4. A new section to chapter 32-21 of the North Dakota Century Code is created and enacted as follows:

Exceptions.

This chapter does not apply to the unintentional injury of an unborn child resulting from:

1. Acts performed under the usual and customary standards of medical practice during diagnostic testing;

2. A procedure undertaken to save the life of a mother when accompanied by reasonable steps to save the life of the unborn child; or

3. Spontaneous miscarriage.

House Bill 1373: Written Testimony in Opposition to Personhood

from Brendan Boe MD, PharmD, FACOG
House Human Services Committee-2/5/2025

Chairman Ruby and members of the House Human Services Committee,

I am Brendan Boe. I am a board-certified Obstetrician and Gynecologist practicing in Grand Forks, North Dakota. I am writing in opposition to House Bill 1373.

This bill negatively affects the practice of Obstetrics and Gynecology in North Dakota. It will essentially stop the practice of in-vitro fertilization and drive reproductive endocrinology from the state of North Dakota.

This bill will greatly hinder recruitment of general practice OBGYNs, as well as subspecialists, as they will not risk being charged with murder or assault in providing medical intervention for time-sensitive treatment of ectopic pregnancy, septic abortion, and intrapartum hemorrhage.

I cannot practice medicine in a state where my livelihood and freedoms may be in jeopardy by providing standard of care medical practice. Please give HB 1373 a do-not-pass recommendation.

Thank you for your time.

Brendan Boe MD, PharmD, FACOG

To Whom It May Concern,

My name is Kaia Ehrmantraut and I am writing in opposition to HB1373. Defining life as beginning at fertilization directly impacts the ability of IVF providers in our state to provide care for people like my friend, Shauna, who was diagnosed with cancer. Because of IVF, she was able to become a mom after surviving cancer. Please do not allow religion and politics to limit the care that can be provided to patients that want to start a family. I strongly encourage you not to pass HB 1373.

Kaia Ehrmantraut

My name is Jennifer Hull. I am the director of nursing for Alliance Family Services, a multi-pregnancy help clinic organization that specializes in caring for women and families vulnerable to abortion and helping them to understand that abortion is not their only option. We are driven to meet every abortion vulnerable woman where they are and provide the care they need to support their child and family. We provide the highest standard of medical care, counseling services, housing and childcare needs, and work to empower every woman as a mother that God created her to be, as well as becoming a flourishing member of her community. Our services are completely free of charge! My husband & I, along with our 6 children, live in Wisconsin and am writing to encourage the passage of House Bill 1373, also known as the North Dakota Prenatal Equal Protection Act.

I have worked in local pregnancy centers, as well as for an international pregnancy help organization for many years and have seen the devastating effects that abortion has had in our communities. While we celebrated the overturn of Roe, we knew that our work was not over. In fact, it made our work more difficult in many ways. This only increased the self-induced abortion crisis in our nation. So many people, including anti-abortion Christians, view abortion as only happening in the walls of an abortion facility like Planned Parenthood, when in reality abortions are happening at increased levels in the privacy of the woman's home, making her home - her safe place of refuge - an abortion facility where she not only experiences the physical pain of her abortion, but she visualized her baby, whole and with visual body parts, that she terminated, causing traumatic emotional pain. I have spoken to well over 1,000 women who had taken the abortion pills & reached our helpline, in a panic because she did not know this is how it was going to be. In fact, so many of those women stated she was lied to by Planned Parenthood and by the abortion pill supply company that promised it would be quick & easy. Her home, her safe place, now just became a place of trauma that she will always see & remember what she saw, felt & experienced. I have also talked to countless women, many who were experiencing significant side effects from the abortion pills, and some who were having emergent complications, distraught at what was happening, weeping over what she was going through, fearing what would happen if she went to the ER & be found out, regretting her choice, and feeling hopeless, filled with

overwhelming anxiety. Obtaining these abortion pills online & ingesting them, most of the time without having an ultrasound to verify her pregnancy and determining gestational age, is putting her life at risk. The emotional trauma is devastating and can be life-long & the physical complications are dangerous.

This has to end! By encouraging self-induced abortions, labeling them as more convenient, more private, and more affordable, is only harming her further. This is not love. As a nurse I took an oath to 'do no harm'. The absence of laws to prevent the destruction of human life has been a travesty to our nation. We have taken our eyes off of God, developed a warped morality as we continue to depart from the good law of God that has been the foundation of our country, and the foundation of mankind when the law was given to Moses by God himself. We ask God to bless America when we are taking the life of His beautiful creation, His image bearers in the womb. It is absurd.

The law is meant to teach right from wrong, as it is meant to deter actions by having a consequence for the wrong action that was willfully chosen. One of the most compassionate & loving acts we can do for every woman is to make abortion illegal, which would ultimately protect her from the devastating effects and emotional complications that abortion brings. Equal protection rights for the preborn deserve the same equal protection you have. Life begins at conception, and that little life in the womb has purpose and value. Today, you have the opportunity to be the first state in America to spearhead one of the greatest movements in our nation's history. You also have an obligation to God whom you gave an oath to when you took office, and to the God you will also give an account to when you stand before him on judgement day.

I urge you today to pass this bill.

To Whom It May Concern,

My name is Craig Ehrmantraut and I am writing in opposition to HB1373. Defining life as beginning at fertilization directly impacts the ability of IVF providers in our state to provide care for people like my friend, Shauna, who was diagnosed with cancer. Because of IVF, she was able to become a mom after surviving cancer. Please do not allow religion and politics to limit the care that can be provided to patients that want to start a family. I strongly encourage you not to pass HB 1373.

Craig Ehrmantraut

Re: Opposition to HB 1373

Representative Ruby and members of the committee,

My name is Robin J. White and I am a life long resident of Minot. I am writing to express my opposition to HB1373.

This bill would effectively eliminate IVF as an option for North Dakota citizens who are looking to have a child, but are unable to through natural childbirth, by making it a crime should unviable fertilized embryos be disposed of. My daughter is one such prospective mother. IVF is the only option available that will allow she and her husband to have children of their own.

Additionally, this bill fails to provide an exception for abortion of pregnancies in cases of rape or incest. I believe that such an exception is necessary in such cases.

I encourage you to oppose this bill.

Sincerely,
Robin J. White

I am writing this testimony IN OPPOSITION to HB 1373:

I am a nurse practitioner at the only clinic in North Dakota that currently provides IVF services. I have spent the last 8+ years helping couples make their dreams of having children and starting a family come true. I do not take this work lightly. There is an extreme amount of science, and for some people, faith, that goes into assisted fertility procedures, such as IVF. It is possible to believe in both God and in science. Strong proponents of this bill only see one side, and lack the scientific knowledge that is necessary to understand the process of fertilization, embryo growth, and implantation that must take place in order for a pregnancy to result. They fail to understand that up to 50% of all fertilized eggs will not even make it to an embryo. Furthermore, we know that only about 50% of embryos will result in pregnancy. Science is not perfect and we certainly don't pretend to be God. We know there are other factors, many we don't yet understand, that play a part in the transformation from a fertilized egg to a resulting pregnancy. That's where, for a lot of patients, faith comes in.

As healthcare providers, we do our best to help patients achieve pregnancy ethically and responsibly. We don't discard embryos unnecessarily. Many of our patients never end up discarding embryos at all. No one cares more about an embryo than the couple who is so desperately wanting a child.

The bill, as written, would be detrimental for IVF treatment. It would put health care providers providing IVF treatment and patients utilizing IVF treatment at risk for litigation. To put it simply, we would no longer be able to legally provide this care in the State of North Dakota. The vague language of the bill also makes management for non-viable pregnancies incredibly difficult. Experiencing the loss of a pregnancy is a heart-breaking process. It does not need to also be a life threatening one.

I strongly urge you to vote against HB 1373. Do this for the couples who are experiencing the heartache of infertility or pregnancy loss, those who rely on IVF to make their dreams of becoming parents come true, and for the healthcare providers trying to help them achieve those dreams.

Grace Becker
Fargo, ND
February 2nd, 2025

North Dakota House Human Services Committee
North Dakota Legislative Assembly
600 E Boulevard Ave, Bismarck, ND 58505

RE: Opposition to House Bill 1373

Dear Chair Ruby and Members of the House Human Services Committee,

I am writing to express my strong **opposition to House Bill 1373** and urge the committee to **vote against this legislation**. As a citizen of North Dakota and as a Mental Health Therapist licensed in the state of North Dakota, I am deeply troubled by the potential consequences of this bill and the harm it could inflict on North Dakotans.

North Dakota House Bill 1373 seeks to redefine the terms "human being" and "person" within the state's criminal code to include an "unborn child," defined as "an individual living human child before birth from the beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum." This redefinition would extend to offenses such as murder and assault, as well as civil actions for death caused by wrongful acts.

House Bill 1373 is deeply concerning as it raises significant **legal, ethical, constitutional, economic, social, and public health concerns**. Below is a breakdown of the **negative impacts** this bill could have:

1. Impact on Individuals & Communities

- **Criminalization of Reproductive Healthcare** – The bill could criminalize certain reproductive healthcare practices, potentially leading to legal action against individuals who seek or provide abortion care, contraception, or fertility treatments.
- **Chilling Effect on Medical Providers** – Physicians and fertility specialists may be unwilling to provide certain medical services (such as in vitro fertilization, emergency contraception, or even life-saving procedures for pregnant patients) due to fear of legal liability.
- **Increased Surveillance & Government Overreach** – Women who experience miscarriages or stillbirths could face legal scrutiny to determine if their pregnancy loss resulted from a "wrongful act," subjecting them to invasive government investigations.

2. Legal, Ethical, and Constitutional Concerns

- **Violation of Privacy & Bodily Autonomy** – By legally defining life at fertilization, the bill interferes with personal medical decisions and could violate constitutional rights to privacy and bodily autonomy under federal law.
- **Potential Criminalization of Contraception** – Certain forms of contraception, such as IUDs and emergency contraception (Plan B), could be restricted or banned under this definition, as they may prevent implantation after fertilization.
- **Interference with Assisted Reproductive Technology (ART)** – In vitro fertilization (IVF) often involves the creation of multiple embryos, some of which are not implanted. If these embryos are considered legal persons, clinics may face legal consequences for discarding or freezing embryos, limiting access to fertility treatments.
- **Conflict with Federal Law** – This bill could violate federal protections for reproductive healthcare, leading to costly legal battles for the state.

3. Economic Consequences

- **Increased Healthcare Costs & Liability Risks** – Doctors and hospitals may face higher insurance premiums and legal costs due to the risk of prosecution related to reproductive care.
- **Loss of Medical Professionals** – North Dakota may see a decline in OB-GYNs, fertility specialists, and general practitioners, as many may choose to leave the state rather than risk prosecution for providing evidence-based medical care.
- **Deterrent for Business & Workforce Retention** – Companies may struggle to attract and retain workers, particularly women, and families, if reproductive healthcare options are restricted. Some businesses may even reconsider investing in North Dakota due to concerns about employee rights and healthcare access.

4. Social & Public Health Consequences

- **Worsening Maternal & Infant Health Outcomes** – Restricting reproductive healthcare services can lead to higher rates of maternal mortality, unsafe pregnancies, and increased complications for women with high-risk conditions.
- **Disproportionate Impact on Marginalized Communities** – Low-income individuals, rural residents, and people of color—who already face barriers to healthcare—would be disproportionately affected by reduced access to contraception, prenatal care, and fertility treatments.

- **Potential for Increased Criminalization of Pregnancy** – Women who engage in activities that could harm a fertilized egg (such as taking certain medications, smoking, or experiencing pregnancy complications) could be subject to legal action, leading to unjust prosecutions.

In North Dakota, we pride ourselves on fairness, personal freedoms, and ensuring the well-being of all residents, House Bill 1373 contradicts these values. Rather than solving problems, this bill creates unnecessary burdens and potential harm for North Dakotans.

I urge you to reject House Bill 1373 and instead focus on policies that support the rights and well-being of North Dakotans. Thank you for your time and consideration.

Sincerely,

Grace Becker

Mental Health Therapist and North Dakota Resident

HB. NO. 1373

Hello. Please consider voting in support of HB. 1373. This bill will rightfully amend the law to recognize unborn children as persons, just as we are.

Thank you for your time.

Human Services Committee

HB 1373

February 5, 2025

My name is Hope Burdolski, and I have lived in North Dakota for the vast majority of my life. I consider it home, and plan to settle down and start a family here in the future. I am writing to oppose House Bill 1373.

I have Polycystic Ovary Syndrome (PCOS). This disease affects many women in the world with 8-13% of women diagnosed and approximately 70% of women who are undiagnosed (World Health Organization, 2023), which in turn negatively affects the ability of those women to conceive naturally. Scientific innovation has made significant strides in helping women with fertility issues including in vitro fertilization, but miscarriages do still happen. In a situation involving miscarriage which is already highly emotional, this bill would amplify the pain and hurt of losing a child and place roadblocks in the paths of many families in North Dakota.

I desire to have my own kids someday, and with my PCOS diagnosis, I may have to resort to using in vitro fertilization. However, with the definitions in this proposed bill, it gives me pause on the safety and legality of those embryos, both for me and my health care provider.

As a woman of faith, I do see it important to recognize that life is sacred. However, as a woman of science, I cannot support a bill that gives more rights to a clump of cells that is not compatible with life than the woman carrying them. Please don't stop my dream of having a family before it has even begun.

Vote "Do Not Pass" on HB 1373.

Thank you for your consideration.

Hope Burdolski

World Health Organization. (2023, June 28). *Polycystic ovary syndrome*. World Health Organization.
<https://www.who.int/news-room/fact-sheets/detail/polycystic-ovary-syndrome>

I am writing to express my opposition to House Bill 1373:

1. ****Impact on IVF (In Vitro Fertilization) Services:**** By defining an unborn child as a human being from the moment of fertilization, the bill could potentially criminalize IVF procedures. This would severely limit the options for families struggling with infertility, as IVF involves creating embryos outside the womb and not all embryos are implanted.
2. ****Miscarriage Management:**** The bill's provisions for the unintentional death and injury of an unborn child may not sufficiently cover all medical scenarios. For instance, managing incomplete miscarriages, where some fetal tissue remains in the uterus, might be complicated by the legal implications of the bill. This could put women's health at significant risk due to potential delays in receiving necessary medical care.
3. ****Autonomy and Reproductive Rights:**** The bill could severely limit a woman's autonomy over her reproductive decisions. Questions arise about the availability of emergency contraception (Plan B) and the options for women who have been victims of rape. There is also concern about the mother's life being at risk if the bill's stipulations restrict access to necessary medical procedures.
4. ****Legal and Medical Ambiguities:**** The definitions and exceptions provided in the bill may create legal ambiguities for healthcare providers, potentially leading to a chilling effect where doctors might hesitate to perform certain procedures out of fear of legal repercussions. This could result in delays or denial of critical healthcare for women.
5. ****Broad Definitions:**** By defining "human being" and "person" to include an unborn child from the moment of fertilization, the bill could extend legal personhood to embryos, affecting various aspects of reproductive healthcare and potentially leading to further legislative restrictions.

These points highlight significant concerns about the potential impact of House Bill 1373 on reproductive healthcare, women's health, and personal autonomy. Please seriously consider my opposition to HB 1373.

Thank you for your time,
Catherine Benton
620 28th Ave S
Grand Forks ND 58201
701.412.7917

2/4/2025

RE: Opposition to North Dakota House Bill 1373

Chairman Ruby and Members of the Committee;

My name is Lisa Hanson. As a concerned former North Dakota resident of 12 years, I am sharing my opposition to North Dakota House Bill 1373.

My niece and her husband have been trying to have a baby for several years now. Unfortunately, this is something they will never be able to accomplish on their own. They have suffered the loss of SIX of their children so far and have gone to many specialists, in and outside of the state, to receive the same message; they will never naturally have their own children. They have opted for the next best thing, which for them is to have a surrogate carry their natural child. This is a form of IVF as both her eggs and his sperm have had to be harvested. Under North Dakota House Bill 1373, this process would be impossible due to the loss of fertilized eggs in the process. (please read the details of the bill)

As expected, a personhood bill such as HB 1373 has gotten a lot of attention in North Dakota and outside of your state. A bill written the way this one is has implications far more dangerous than perceived. The Representative who proposed the bill publicly stated that it is an anti-abortion bill, but the exclusions written in the bill do not protect other rights of your state's citizens. The bill has negative impacts to reproductive services, miscarriage management, and necessary medical care during dangerous pregnancies (like life-threatening ectopic pregnancies) or pregnancies of multiples.

It is your responsibility to protect the rights of citizens in North Dakota by recommending Do Not Pass on ND House Bill 1373.

Thank you for your time and consideration as you decide what is best for the citizens of your state.

Respectfully,

Lisa Dill Hanson

Red Wing, MN

I am writing today to urge passage of HB1373. It is time we guarantee children in the womb the life all of us live.

Stopping the murder of unborn children is not radical. It is defeating evil and all those who support it.

Please do pass HB1373

Sincerely,

Roger E. Neshem

Chairman Ruby and Members of The Committee,

As you know, I am a doctorally prepared nurse practitioner and health policy expert.

I urge you to **oppose HB 1373**. This bill threatens to set back a decade of progress in reproductive healthcare, restricting access to IVF, miscarriage care, and life-saving pregnancy treatments—essential services for families who want children more than anything.

Those in favor of this bill claim it will not impact IVF, but this demonstrates a fundamental misunderstanding of how legislation is written, interpreted, and enforced. As someone who has spent years studying health policy, I can tell you that defining life from fertilization puts fertility treatment at risk, creating unnecessary legal uncertainty and driving specialists out of the state. This will limit options for North Dakota families struggling with infertility.

Beyond IVF, this bill will delay medical intervention for pregnancy complications like miscarriage and ectopic pregnancies—putting women’s lives at risk. Healthcare providers will be forced to navigate legal risks instead of focusing on the best treatment for their patients. This is not protecting life; it is creating harm.

I have stood before this committee since 2019, fighting for families facing infertility. Voting “no” on bills like this has real consequences—it means families lose years in their ability to conceive due to the state’s legislative schedule. Every vote against these bills is a vote against families trying to build their future.

I urge you to listen to those of us who understand the dangers of this bill—medical and legal experts who have dedicated our careers to patient care and reproductive health policy. Do not allow misinformation and personal bias to dictate policy that impacts real lives.

I respectfully ask you to **vote NO tomorrow on HB 1373** and instead focus on policies that expand access to care, not restrict it.

1. Threat to In Vitro Fertilization (IVF) and Fertility Treatment

As a provider who has helped countless families struggling with infertility, I am deeply concerned that HB 1373 could criminalize standard IVF practices, making it nearly impossible for patients in North Dakota to access necessary reproductive care. By defining an “unborn child” as a human being from the moment of fertilization, this bill would:

- Prevent clinics from safely handling embryos
- Increase legal liability for fertility specialists, leading to reduced access to care and driving specialists out of the state.
- Force patients to seek care out-of-state, creating financial and emotional barriers for families already struggling to conceive.
- While some in favor of this bill argue it will not impact IVF, this statement reflects a fundamental lack of understanding of how legislation is written, interpreted, and enforced—a dangerous oversight when dealing with medical care and reproductive rights.

2. Criminalization of Miscarriage & Delayed Emergency Care

- While the bill claims to exempt “spontaneous miscarriage,” in practice, it creates dangerous uncertainty for healthcare providers treating pregnancy complications.
- Miscarriage Management: Many miscarriages require medical or surgical intervention (such as D&C procedures), which under HB 1373, could be scrutinized as potential fetal harm. This will cause delays in care, increasing infection risk and emotional trauma for patients.
- Ectopic Pregnancy Treatment: This bill could make physicians hesitant to act quickly in life-threatening pregnancy complications. If the law is interpreted too broadly, providers may wait too long to intervene, putting patients' lives at risk.

3. Restricting Evidence-Based Pregnancy Care

- This legislation would undermine medical decision-making, forcing healthcare providers to navigate legal risks rather than focusing on what is best for the patient. Patients with high-risk pregnancies may be denied lifesaving treatments due to fear of legal repercussions.
- Standard prenatal care, including genetic screening, testing, and even routine ultrasounds, could come under increased scrutiny.

4. Government Overreach in Personal & Medical Decisions

HB 1373 represents unprecedented government interference in the doctor-patient relationship. Medical professionals—not politicians—should be making decisions about pregnancy care, miscarriage management, and fertility treatment. Patients deserve the right to make deeply personal, complex medical decisions without fear of legal consequences.

Thank you for your time,
Dr. Tara Harding DNP, FNP-C

I am a post abortive mother, and I wish HB 1373 had been in place to prevent me from aborting my child when I was 19. Now I care for women every day who are planning or contemplating an abortion. They are conflicted and hurting. They need HB 1373 to inform their conscience of the truth of what abortion is. The ending of a human life. Truth is the most loving thing you can offer these women.

My name is Elise Eggiman and I have the privilege to work with women and men who are seeking to create a family on a daily basis. I listen to their struggles, provide a safe place for them to cry, encourage them when they have lost all hope but most of all, I celebrate when they finally see a positive pregnancy test. I have worked my whole nursing career within Women's health. Helping them through the fertility process, educating them until their last week of pregnancy and also helping them deliver one of the best blessings on earth. To say I am passionate for Women's Health and the right to create a family is an understatement.

One in six couples struggle with infertility and that number continues to grow. Many of these couples try to conceive for years and eventually need to turn to IVF. If this bill is passed, it would limit the services that could be offered in the state of ND. At this time, women and men who reside in the western part of ND have to travel 5-6 hours, across the state, to receive care. If this bill passed, those ND residents would need to seek care even further away, causing more stress and financial drain.

I am asking the committee to vote **NO** on HB 1373. The bill could have devastating unintended consequences for families who rely on IVF to build their families. Specifically, if this bill passes, it would not provide any protection for our healthcare providers if an embryo does not develop or if an embryo transfer does not go as planned. With the poor wording and room for interpretation within this bill, it would likely end access to IVF care in the state of ND.

I strongly **oppose** HB 1373. It would cause hardships on North Dakota families, healthcare providers could not provide adequate care, and it would stop North Dakota families from creating a family.

Thank you for your time and consideration.

Elise Eggiman, RN

Jared M. Sander, MD, FACOG
Fargo, ND 58102
701-367-9511
February 4th, 2025

North Dakota State Capitol
600 E Boulevard Ave
Bismarck, ND 58505

Attention regarding HB 1373

I am writing to express my strong opposition to House Bill 1373, which seeks to establish that life begins at fertilization. As a board certified, practicing obstetrician gynecologist in North Dakota, I have significant concerns about the implications of this bill on women's health, medical practice, and reproductive rights.

First and foremost, the determination that life begins at fertilization is not supported by the consensus of the medical and scientific communities. The definition of the beginning of life is complex and multifaceted, involving biological, ethical, and philosophical considerations. The American College of Obstetricians and Gynecologists (ACOG) recognizes that pregnancy is established only when a fertilized egg has implanted in the lining of the uterus. This distinction is crucial for both medical practice and patient care.

The passage of House Bill 1373 would have far-reaching and potentially harmful consequences for women's health. It could criminalize common and necessary medical procedures, such as in vitro fertilization (IVF), which helps many couples achieve their dream of parenthood. Additionally, it could restrict access to contraception methods that prevent implantation, thereby limiting women's ability to make informed choices about their reproductive health.

Furthermore, this bill could place physicians in an untenable position, forcing us to navigate conflicting legal and ethical obligations. It could lead to increased medical liability and hinder our ability to provide evidence-based care to our patients. The potential for criminal penalties may deter physicians from practicing in North Dakota, exacerbating the already critical shortage of healthcare providers in our state.

In summary, House Bill 1373 poses significant risks to women's health, undermines the practice of evidence-based medicine, and imposes undue burdens on both patients and healthcare providers. I urge you to consider the profound implications of this bill and to oppose its passage.

Thank you for your attention to this critical issue. I am available to discuss this matter further and provide any additional information that may be helpful.

Sincerely,

Jared M. Sander, MD
Obstetrician Gynecologist
Fellow of American College of Obstetricians and Gynecologists
Fargo, ND

Pastor Rob Grunden | February 5th, 2025 | To the Human Services Committee | Regarding HB1373

Chairman Ruby and members of the committee,

My name is Rob Grunden. I'm a Pastor at Hillside Baptist Church in Dickinson. I am in favor of HB1373 and heartily recommend a due pass.

I want to begin with my thanks to you for your willingness to read or listen and to take seriously the people of North Dakota in this matter. There has never been a bill more consequential than HB1373 in the history of this state, a fact upon which I am sure both sides of the matter would agree.

As stated above, I am a Pastor. Among many other things I have the task of standing behind a pulpit nearly each week and proclaiming the truth of God's word to all present, a responsibility that I take very seriously. God says in His word that there shouldn't be many who become teachers "knowing that as such we will incur a stricter judgment" (James 3:1) and I feel the weight of that each week. I stand behind the pulpit each week knowing that before my wife and children, before the elders or congregants in our church, and before the local, state, or national government, I will firstly be accountable to God Himself for the decisions I make when heralding His word. So, I sympathize with your position as fellow servants of the same Almighty God. In Romans 13:4 God refers to the governing authorities as a "minister of God to [citizens] for good." I acknowledge the tremendous weight of this decision that is before you in HB1373.

With that being said, I hope you will indulge me and hear my story. I served in the United States Marine Corps from 2006 to 2010. I was married in 2007 and within a year my wife and I learned that the Lord had blessed us with a child that was to arrive in March of 2009. It wasn't long until, at a regularly scheduled check-up in the Naval Hospital we learned that there were some anomalies showing up in the ultrasound. The medical staff did what medical staff do and scheduled us to see a specialist to determine what was going on with our baby. We arrived at that appointment, went through the ultrasound, after which the doctor informed us that our child had trisomy 13. He told us that our boy (as we

found out) would likely not survive to term, that if he does, he would almost certainly not survive beyond the first few months.

Needless to say, we were both devastated. After essentially telling us that our son wouldn't live anyway, he told us that it would be an easy procedure and that we could just choose to end the pregnancy. Though he wouldn't tell us which choice to make, based on his wording, terminating the pregnancy seemed like the obvious choice to make because this would all end in disaster for our boy anyway. He gave us the news and the implied recommendation and then wasn't leaving the room and seemed to want an answer from us. I asked he and the staff to leave the room so my wife and I could have a minute. When they left my wife broke down and we both wept in despair.

Donna and I were Christians then, and though we were fairly naïve, we knew that both biblically and scientifically human life is precious, dignified, valuable, and as God's very image (Genesis 1:26-27), worthy of life. It was also clear to us that it is God's right alone to "put to death and give life" (Deuteronomy 32:39). So, we chose to move forward with the pregnancy and work through whatever the Lord would see fit to do. The medical staff entered the room again and we gave the doctor our decision. Immediately after we made our intentions clear he commenced to tell us that there are also lots of times that this anomaly goes away and that it's no guarantee that it's trisomy 13. Upon this revelation I instantly went from despair to feelings of anger. Why didn't he say that? Why did he wait until after we made our decision to give us *all* the relevant information? Would he have even told us that if we'd chosen death?

It wasn't until a while after that incident that I put it all together and realized that so-called medical professional was attempting to sell me an abortion the way any salesman sells any *product*.

I do not write this testimony, claiming to have all the statistics. I'm not submitting this as a genius or a person with all the answers for you. I don't know all the studies that have been done or the laws on the books. There are better people for that discussion who are also submitting testimonies on behalf of the bill. I *do* know there are several of you who are husbands, wives, fathers, and mothers. I know several of you are

armed services veterans or engage in other professions which focus on helping people and loving your neighbor.

Only a few years ago the whole nation was all but chanting, “Love your neighbor” in the name of justice. For the better part of the last decade, we’ve heard countless cries over ethnic and class disparities, in the name of justice. Many have metaphorically and physically fought over rights for various groups, all in the name of justice.

Justice is certainly important; incredibly important. It’s biblical. In fact, our creator demands and expects justice. “Righteousness and justice are the foundation of [God’s] throne” (Psalm 89:14). God says, “for I, the Lord, love justice; I hate robbery and wrongdoing” (Isaiah 61:8). And it was in Micah 6:8 that we learn that God “requires” of us that we “do justice”.

So, I’m all for this cry for justice. However, biblical justice requires justice for all. So why? Why would we continue to rob, literally the most innocent among us, of justice. Why wouldn’t we afford the same right to live, to humans of any age and in any stage? Since human life begins at conception (and there’s no valid argument otherwise), there is no other logical option under God but to afford the right to life to all human beings; to all who bear the image of God.

This bill does one thing. It clarifies a biblically and scientifically indisputable fact. That is all. This bill would be one step closer to true justice for *all* humans. This bill would be one step closer to affording rights to the only group in our nation who seem to have none. This bill would be one step closer to no more couples being coerced and pressured to kill their child simply because another fallible human believes it’s the right move.

Our son’s name is Dallas. He’s a great kid. He’s the healthiest person in our family of four. He’s excelling in school, is enjoying the second year of his first job and, Lord willing, will have his license next month. And if the abortionist had his way, Dallas would be dead right now, and he would’ve been one dead baby richer.

I respectfully urge the passage of HB1373, as a bill that aligns with justice for *all*, as the Author of Life demands.

HB 1373
House Human Services Committee
February 5, 2025

Chair Ruby and members of the House Human Services Committee,

My name is Dr Ana Tobiasz. I am an obstetrician/gynecologist and maternal fetal medicine physician practicing in the state since 2017. My specialty is in caring for high-risk pregnancies. I am one of five physicians practicing maternal fetal medicine in the entire state. I strongly urge a DO NOT PASS on HB 1373.

This bill has both intended and unintended consequences. The obvious intended consequence is a complete abortion ban in all circumstances except for the “life of the mother” with draconian penalties. The unintended consequence of this bill is that it will completely stop all IVF services in this state. While I do not specialize in reproductive endocrinology, I am familiar with the IVF process and have colleagues who practice in this specialty who can attest to the fact that this bill will prevent them from providing this necessary healthcare to individuals and families faced with infertility.

The portion of this law I can speak to based on my professional expertise is the actual intent of this law: to ban all abortions. Currently, there is no abortion clinic in North Dakota. The only abortions that are currently being performed are for instances of health- or life-threatening conditions necessitating termination of a pregnancy prior to the time of viability. Abortions have in general have been done only on an emergent basis over the last two years. There is a flawed assumption that doctors who practice obstetrics and gynecology in this state are not acting in their patient’s best interest or that we are somehow trying to provide abortions where they are not medically indicated. To be clear: there is not a health care professional in this state that is providing abortion care except where it is necessary to the health or life of the pregnant patient. Doctors and other health care professionals are using their many years of medical training and judgement to apply the standard of care to women and families experiencing unforeseen health conditions for pregnancies that are very desired. I do not believe that pregnant North Dakotans should unnecessarily suffer or die in pregnancy. This law will cause unnecessary harm and death.

North Dakota’s most recent abortion ban, SB 2150, which is less extreme than this bill, has already been struck down by the lower court and is on appeal with the North Dakota Supreme Court. The North Dakota Supreme Court refused to put the law back into effect while the appeal proceeds because it believes SB 2150 is likely unconstitutional and endangers pregnant North Dakotans by failing to adequately inform doctors how sick and endangered a patient must be before we can intervene without being charged with a crime. This is an absurd way to practice medicine. These laws not only endanger any pregnant patient in our State, but they also make our State a place that has struggled to attract doctors, making health care access worse, particularly in rural areas.

HB 1373 violates the North Dakota Supreme Court’s finding, issued in April 2023, that our Constitution protects the right to abortion where necessary to preserve a person’s health because this bill only permits abortions when necessary to prevent death. We already know that the North Dakota Constitution does not permit laws that only allow abortions necessary to prevent death. In my experience, I can assure this committee that if a law like this one were permitted to stand, it would undoubtedly lead to care being delayed to the point of no return — meaning pregnant women will die for lack of medical care that the doctor knows needs to be provided at an earlier stage than this law would allow. Good medical care should be readily accessible. Well-trained obstetricians/gynecologists should not be prevented from providing care that they know their patients need.

A real-life example of this conundrum is as follows. I am a high-risk pregnancy specialist who is consulted frequently by obstetricians/gynecologists across the state for medical advice. After ND's current abortion ban, also known as SB2150, was passed in 2023, I was contacted by a colleague who had a patient experiencing heavy bleeding prior to the point the pregnancy was viable. The patient was bleeding so heavily she was receiving blood transfusions, and her blood pressure was very low (also known as hemorrhagic shock). Patients in this state of health can die within minutes without appropriate intervention. The appropriate standard of care in this circumstance is to perform an abortion while providing resuscitative efforts including intravenous fluids and blood transfusions, and other medications to preserve their blood pressure. My colleague had already spoken to another colleague in advance of our conversation, who told her that the law required that she wait until the patient declined to the point her blood was no longer clotting and she goes into liver failure (a condition called disseminated intravascular coagulation or DIC) and near death. Is that what any of your constituents expect from their physicians? Now imagine that same patient, after nearly dying from pregnancy complications because her doctors were scared to intervene earlier for fear of being charged with a crime, was then charged with murder because a lawyer somewhere, reading about the situation in a medical chart, decides that the patient acted too early and wasn't really at risk of dying. The result of this law will be pregnant women dying while surrounded by doctors who are entirely capable not only of saving their life, but of preventing the situation from needlessly escalating to the point that the patient's life is at risk in the first place. These are very real situations that our physicians see all the time. Pregnancy can be complicated and dangerous. Our patients deserve to know their lives matter and our doctors deserve to be able to provide pregnant patients the best care.

Laws in our state should not impede appropriate medical care. Doctors and health care professionals who care for pregnant individuals are highly educated and trained to follow and apply the standard of care. Our training did not prepare us to weigh the risks of going to jail in order to take care of our patients. If this law passes, our state will face an even higher shortage of physicians and health care professionals who are willing to work here to provide ob/gyn care. We already have a maternity care desert. I for one will not put myself and my family at risk to continue to practice medicine in a state that incorrectly assumes that obstetricians and gynecologists in this state are not acting in their patient's best interests.

I strongly urge a DO NOT PASS on HB 1373.

Dr Ana Tobiasz, MD
American College of Obstetricians and Gynecologists, ND Section Chair
NDMA member
Maternal Fetal Medicine Physician

Hello Members of the House and Human Services Committee,

Thank you for hearing this testimony and for considering what I have to say about why to vote **Not to Pass HB 1373**.

I think it's fair to say that we all agree that this Bill is about the human lives in the state of North Dakota.

I want to start by saying that I am submitting this testimony after I met an incredible woman. She is proud to have been born and raised in a small North Dakota town. She is brilliant and hard-working. There are truly not enough ways to say what a blessing her friendship is. And she deserves to be proud of North Dakota. To return to her home knowing her and every other woman matter equally.

But this Bill changes that. It changes it because in the debate of abortion, healthcare, and children, the conversation forgets about the mother. And legally redefining what a zygote or 'unborn child' is, changes the world for the women and girls of any age.

They are wonderful people with unlimited potential. Who, just as my friend has, will journey into other parts of the country to do incredible things. Who will represent North Dakota and work to make the state better for the people in it. Which is undoubtedly the foundational belief in every part of this country, to improve the lives of the people in it.

And that starts with trusting people to make the right choices with their healthcare providers. With showing people that they're equal, as the 14th Amendment says. That these women and girls are right in trusting their government to provide them equal protection. That life, liberty, and the pursuit of happiness is true for everyone.

I urge you to vote to protect the women and girls *already living* in North Dakota. Give the people the opportunities they have trusted their government to protect.

I urge you to vote **Not to Pass** on **HB 1373**.

Thank you for hearing my testimony.

February 4, 2025

RE: Opposition to House Bill 1373

Chairman Ruby and Members of the Committee,

My name is Erin Gullickson, a citizen of North Dakota, I am a patient who has undergone invitro fertilization (IVF), a prior health care worker with several years spent in Obstetrics and Gynecology, a mother who has buried a child, and a compassionate advocate for those who choose to keep their reproductive healthcare and medical records private.

I've read through many of the testimonies submitted prior to my own, topics thoroughly covered include religious beliefs, God's favor, and biblical scripture, medical definitions, terminology, and women's rights.

What I hope and pray remains in your thoughts as this bill is debated and following its outcome are the voices of those who freely chose to speak of their own personal reproductive healthcare journeys. These are the voices I noticed spoke in opposition to this bill. They have stepped out of the personal right to healthcare, privacy and protection to share their own stories.

We, who wanted to expand our families and were given the privilege to attempt IVF are all thoroughly educated with all of the statistics, routines, medications, and possible outcomes. Along with this comes an excruciating and difficult timeline of procedures, events, and decisions to make. None of us take any of these decisions and choices lightly. Bottom line, some of these decisions directly involve ending what this bill defines as 'life', which would relate to the offenses of murder and assault.

If we are to define the beginning of life by language offered in this bill as, 'beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum', then we must acknowledge that the majority of families not wrestling with reproductive issues discover 'life' began in utero after 5-6 weeks of pregnancy, or later.

If, as Christians we are going to argue we fully understand the Almighty mind of God and/or all of the biblical texts already shared to clearly define God's definition of when life begins, then surely we can explain the priest who curses a pregnant woman's bowels in Numbers 5, or men striking a pregnant woman in Exodus 21, both which result in the death of the unborn.

Please pay close attention to the voices who willingly share their private, personal, reproductive experiences and stories. We/these are the constituents who would be gravely affected by the passing of this bill. Our healthcare providers would be directly, negatively impacted by this bill. I strongly encourage you to oppose this bill. Please leave the private and personal healthcare decisions in the hands of properly trained physicians and their patients. As it is, too many vulnerable people have already had to divulge private medical information and personal stories to speak out in opposition.

Chairman Ruby and Members of the Committee, I ask you, as a North Dakota constituent, to oppose this bill.

Sincerely,

Erin Gullickson
Benedict, ND 58716

I'd like to express my support for this bill that would rightfully give pre-born children personhood and the human rights they deserve. From the time of fertilization, new DNA is formed to create an individual person that just needs time and space to develop into who God created them to be. Each of those pre-born humans should have the right to life and the chance that we all have been afforded that have the opportunity to engage in this conversation today, I urge you to support this bill.

HB1373

Chairman Ruby and members of the House Human Services Committee,

My name is Ellen Johnson, I am a genetic counselor at the Sanford Health Reproductive Medicine Clinic in Fargo. I have worked with countless individuals and couples who have been impacted by genetic disease, either with a personal diagnosis, a family history, or a previously affected child. Fertility treatments such as in vitro fertilization (IVF) may be the only way for these individuals or couples to have biological children, or the only way to reduce the risk of passing a genetic disease on to future generations. HB1373 will prevent our clinic from providing this vital service and I am writing to you to express my opposition to this legislation.

There appears to be a misconception that patients who struggle with infertility – sometimes for years and years – prior to undergoing IVF choose to willingly undergo a process that takes months of planning, countless medications, injections, ultrasounds, and office visits (which may or may not be covered by insurance) to simply create and then throw away embryos on a whim. These embryos and resulting pregnancies are the most desired and cared for that I can imagine. Patients grieve the embryos that stop developing before they can be transferred, the embryos that don't survive the warming process on the day of their planned transfer, and those that inherit incurable genetic diseases or non-viable chromosome abnormalities. No one cares for these embryos more than the parents they come from.

There have also been concerns raised about selecting for multifactorial traits in embryos, including things like hair color, eye color, height, etc. This is not a service offered at our clinic. I would imagine that the providers at our clinic share many ethical concerns with members of the committee regarding this type of screening. Furthermore, I can confidently say I have never had a patient ask me for screening to tell them the hair color or intelligence of their future children. The questions I do hear from patients include whether screening will help them finally achieve a successful pregnancy, if it will help lower the risk of yet another devastating miscarriage, and if it can prevent them from losing another child to a lethal genetic disease.

I love that we are able to care for our community with treatments like IVF to help families in North Dakota. While our clinic is located in Fargo, we serve patients from across the entire state. Infertility affects 1 in 6 couples, regardless of if they live in a small community or a large city; and for those in North Dakota we are able to provide IVF to help them achieve their dreams of creating a family. The nature of HB1373 as currently written leaves us vulnerable to criminal and civil liability by the nature of the IVF process and our clinic would no longer be able to access this service. I urge members of this committee to vote Do Not Pass on HB1373.

Thank you,

Ellen Johnson

Senior Genetic Counselor

Sanford Health Reproductive Medicine

Good morning- thank you for the opportunity to speak to you again as you consider House Bill 1373. I am here today in firm opposition.

This bill directly and negatively impacts the ability to access necessary IVF services to countless North Dakotans aiming to grow or start their families. It is intentional in its vagueness and provides no protection for those aiming to create the very thing it claims to want to protect: LIFE. Instead, 1373 would leave room for these individuals to be labeled criminals.

Last week, I shared a bit of my story with this committee when I came here in support of HB1477. Considering the bill before you, I think it bears repeating. “Seven and a half years ago, I walked into the Sanford Reproductive Clinic and asked for help. Like many, I had a deep and persistent desire to be a mother. What I did not know was that it would take another 4 years, 17 assisted attempts, and profound loss, from the moment I asked for help, for my first child to be born. It would not have been possible without the knowledge and resources of my medical team. Two years later, I was fortunate enough again to experience unbridled, overwhelming joy and gratitude as we welcomed our second son into the world. It is a miracle that he is here today; that miracle was IVF, and the subsequent care it provided.”

Today I would like to share a little more of our story with you.

When we set out to give our first son a sibling- IVF terrified me. The medications, the time, the cost, and still no guarantee of a baby. Ultimately, it was the path forward for our family. We spent months preparing, and tens of thousands of dollars. We were lucky though- we were able to retrieve mature eggs, then have healthy embryos, and finally on our third transfer, I became pregnant. It was not an easy pregnancy, and the journey after was anything but straight forward. Finley was born in February 2023 and has needed three separate surgeries- the first of which when he was only a day old. He has fought for his life at every obstacle, and today you would see a happy, silly, healthy 2-year-old --not the adversity he has faced. Now its our turn to fight for his right to be here.

The bill before you is vague by design. It is riddled with collateral damage that would create lawbreakers out of those that long to be a mother, a father. It is an insult to those who have poured every ounce of themselves into the mere hope of having a child. I do not know if the sponsors of HB1373 have hidden malicious intent or if it is a willful ignorance of the consequence of their actions, but neither have a place in the laws of North Dakota.

One week ago, members of this committee met in this same room and asked Representative Hanson if there was any legislation that would bar the practice of IVF- here is the legislation we have feared. North Dakota now has an opportunity to learn from other states, and the side effects of poorly written fetal personhood legislation. The ramifications are far, wide, and by the words of this bill, undefined. Our state risks losing health care providers, further damaging its already declining birth rate, and jeopardizing women's health.

I implore this committee not to rush- the least we are owed by our legislators is that they slow down long enough to listen. Please listen to the medical experts and providers in our state. Please listen to the stories of those of us whose children and families would not be here if this bill was already law. Please listen to the stories of those of us whose children and families would not be here if this bill was already law. We will continue to share them with you in the hope that it is enough to help the future families of North Dakota. Please listen when we say that "There is no one that cares more for an embryo than an IVF patient. However, no one understands more than an IVF patient, that an embryo is not a child." For if it were, I would have four children today instead of two. Please see my sons' lives and protect the lives of my future children. Please join us in opposition of the bill before you today.

Thank you again for your time and willingness to hear me today. I am more than happy to answer any questions the committee may have.

Chairman Ruby and Members of the Committee,

I am writing this testimony to express my opposition to House Bill 1373, which would have a significant and detrimental impact on the ability of North Dakotans to access vital reproductive healthcare services, including in vitro fertilization (IVF) treatments. I have been a nurse for almost 18 years, and for the past several years, I have been working at the only IVF clinic in North Dakota providing support and care to patients from across North Dakota.

Infertility is a medical diagnosis, and patients should have access to treatment of this medical disease. I have witnessed firsthand the profound emotional and physical challenges that families face when trying to conceive. IVF treatments have given many families the chance to experience parenthood, and this bill threatens to take that opportunity away. HB1373 defines an unborn child as a person at the moment of fertilization of an egg. Should HB 1373 pass, our clinic would no longer be able to continue providing these essential services.

We currently serve patients who have no other access to reproductive healthcare services in our state, and without this clinic, many would be forced to travel great distances, at significant financial cost, or forgo treatment altogether. These are individuals and families who are deeply invested in their desire to grow their families, and they deserve access to the healthcare services that can make that dream a reality. To deny them these services is to deny them a fundamental opportunity to build their families.

I urge you to carefully reconsider the implications of HB 1373, as it not only limits access to essential healthcare but also has the potential to cause long-term harm to the families who depend on IVF and other reproductive services. I ask that you vote against this bill and continue to support policies that prioritize patient access to compassionate and comprehensive care.

Sincerely,
Lorie Visness

This is an unnecessary clarification targeting at risk women and minorities. Im appalled that tax payer money is being wasted on issues like this.

I am in opposition to HB1373.

Samantha T Miller
Reynolds ND.

My name is Erica Millar. I am the Director of Medical Operations for Alliance Family Services, an organization comprised of medical clinics and services specializing in care for women and families vulnerable to abortion. This means we can serve nearly all women and any family, as 50% of all pregnancies worldwide are unplanned and any woman and any family can be vulnerable to the damaging physical, emotional and spiritual effects of abortion. I live in Southeast Wisconsin, am a mother of 4 myself and a Nurse Practitioner and Certified Nurse Midwife. I am writing to vigorously advocate for the passage of House Bill 1373, the North Dakota Prenatal Equal Protection Act. In my role as Women's Healthcare Provider, I regularly encounter women at various points along the gestational road. I see women before they conceive, in the midst of finding out they have conceived, at numerous points along a 40 week gestation, postpartum, pre and post miscarriage and pre and post abortion. I've seen 12 year old mothers and 48 year old mothers and just about every possibility in between. I witness first-hand the wreckage left by supposed "healthcare" that has lied to them, hidden the truth, and manipulated their choice for profit. I have also seen wide-eyed, educated women of means willingly terminate their pregnancies for no reason at all, simply because the law says they can.

The rise of the chemical abortion, and particularly the mail-order abortion pill paired with a "tele-health" visit has led to negligence at best and malpractice and fraud at its worse. I personally have cared for women who paid for abortions who did not ever have viable pregnancies, were not pregnant at all, and even 1 who had an ectopic pregnancy. None of these women should have been sold abortions. But they were. This is not healthcare. The 50 years of Roe blinded our society to obvious truths that were always right in front of us:

- An embryo, a fetus, a baby is a unique, distinct, human being. A person.
- It was always, that same unique, distinct, human being and person. (I see them at 6 weeks. I see them at 14 weeks. I see them at 26 weeks. They are always that same person.)
- It is not moral, not socially acceptable, not lawful to identify certain ages, times or circumstances to kill a person. Killing children is always wrong.

The law must not craft itself in accordance to the will or whim of society. The law must be rooted in truth and justice and societal whims must bend accordingly. I implore you to be courageous today and stand firm on the side of gestational justice. Pass this bill.

Chairman Ruby and committee members:

My name is Alli Harrison and I am here in opposition of House Bill 1373.

I am a woman that was born and raised in North Dakota. I received my Bachelor's degree in nursing at the University of North Dakota. I worked in Women's Health as a labor and delivery nurse for five years before returning to graduate school to get my Master's Degree and board certification as a Women's Health Nurse Practitioner. I chose to continue my career in healthcare in North Dakota as a woman taking care of other women. I am a healthcare provider that cares deeply about the women, men and families of this state. I am a healthcare provider that is standing here today providing testimony in opposition of a bill that threatens to end important medical treatments for patients in our state. Thank you for this opportunity to explain how HB 1373 will harm North Dakota men and women who need specialized services to create a family

I have had the honor of providing care to women and men who suffer from infertility for close to 10 years now. Every single day is filled with highs and lows, happiness and sorrow, and an unexplainable feeling that only a woman who wants to become a mom can explain. And for those of us sitting across from the patients each and every day in that exam room, an unexplainable passion for helping them achieve their dream of having a child. HB 1373 threatens to make this amazing work impossible.

If passed, HB1373 could put North Dakota's only fertility clinic that provides IVF (in vitro fertilization) in jeopardy of needing to close their doors. This is a bill that will impact 1 in 6 couples that suffer from infertility. This bill will also impact patients with a cancer diagnosis or rare genetic condition that need IVF to conceive. In 2024 alone, we provided care to people across the state of North Dakota - 150 of them live in Grand Forks County, 142 of them live in Burleigh county, 86 from Ward County, and 130 residing in Stark and Morton County. These are YOUR constituents.

Sponsors of this bill have suggested that passing this bill will not ban IVF and that creating embryos, freezing them, and then implanting them will remain completely legal under this bill. Indeed, this bill does include a very short list of exceptions in which criminal charges would not apply. Unfortunately, this list does not include any scenarios in which an IVF provider would be able to use their highly educated, board certified, medically licensed background to provide IVF treatments without risk of litigation.

This bill calls for the definition of a human being to include an unborn child and for an unborn child to be defined as a "living human child before birth" from the moment

fertilization occurs between two cells, an egg and a sperm. During IVF, a sperm and an egg are placed together with the goal that fertilization occurs. Not all eggs fertilize. IF fertilization occurs, the cells begin to divide, and IF the division of cells continues, an embryo can result. Not all fertilized eggs develop into embryos. In fact, usually only 70% of mature eggs fertilize, and of those fertilized eggs, only 50% continue to develop into a blastocyst or embryo, which can be transferred into a uterus. Let me break that down a bit—if a woman gets 15 eggs during IVF, approximately 10 will fertilize, and 5 embryos will result. Each embryo transferred into the uterus has about a 20-60% chance of implanting, depending on age and other variables. For many, these numbers are much lower—fertilization rates may be low or absent, especially in cases of male factor infertility which accounts for up to 40% of infertility couples. Like any medical diagnosis, medical treatments work well for some, but not for others.

This bill implies it provides legal protection to medical providers if a loss of life occurs during diagnostic testing. An important clarification is that IVF is not diagnostic testing. This bill also provides protection in cases of spontaneous miscarriage. Spontaneous miscarriage is defined (per the American College of Obstetricians and Gynecologists) as a nonviable, pregnancy in the uterus, without a heartbeat. A fertilized egg is NOT a pregnancy in the uterus. A fertilized egg that does not make it to an embryo stage is NOT a pregnancy in the uterus. An embryo that is placed in a uterus during an embryo transfer that does not result in a positive pregnancy test is NOT a pregnancy in the uterus. NONE of these scenarios would be defined as a spontaneous miscarriage. However, with how this bill is written, ALL of these scenarios would be considered a loss of “life” and ALL of these scenarios put the patient and provider at risk of litigation and places them in the same category as criminals.

IVF is a treatment for a medical diagnosis. IVF services bring life into this world. This bill limits the ability of medical providers to treat their patients. Infertility patients are warriors, seeking one specific victory at the end of a very taxing physical, mental, and financial war—that victory being the ability to become moms and dads and to create a family.

Committee members and Chairman Ruby, I strongly urge you to place yourselves in the shoes of the patients that are sharing their stories today— what would your friend, your daughter, your brother, your niece, or your son say if their ability to have a child with the assistance of infertility treatments in North Dakota was taken away if this bill passes? Now picture yourself in their shoes again--your family member or friend having the ability to receive the medical treatments that they need in order to create the family they have dreamed of. All because of your opposition of this bill.

Please show your support of North Dakota patients hoping to start families by voting no on this bill. Thank you for your consideration.

Alli Harrison

In Opposition to Bill HB1373

More research and clemency needs to be given on what is a fetus, emotionally we want to see it as an extension of ourselves and apply personhood to it but we must also understand that it starts out as a collection of cells that over time form to a newborn. There's many factors that one goes through while experiencing a pregnancy and unfortunately complications can happen and that isn't a stress one should feel that they'll be persecuted for murder if something were to go wrong during pregnancy. We've seen plenty of cases around the country where a complication happens, or an unforeseen tragedy happens, and the expected mother's life or well-being become at risk. Whether it's complications with the pregnancy or something medical that tremendously difficult decision should come between the mother experiencing the pregnancy and their trusted medical provider.

My name is Aaron Pratt; I live in Pittsburgh, PA. I am writing to express my support for HB 1373, the North Dakota Prenatal Equal Protection Act, and to urge all involved to move this bill forward.

Proverbs 14:34 reads, "Righteousness exalts a nation, but sin is a reproach to any people." Since 1973, abortion has been the shame of this nation and sadly, it is a glorified shame -- celebrated daily in this country through the sacrifice of innocent, preborn babies in the womb. God is not pleased.

You have an opportunity to move forward a just and righteous bill in the sight of almighty God -- a bill that protects the most vulnerable among us: image bearers of God, who, individually, are being knit together by Him, in their mothers' wombs. More than the opportunity, however, you have a duty before God, your creator, to do all that you can to defend these little ones -- your neighbors in the womb. The position of authority that you hold is one that was given to you by God, and you will give an account to Him for what you have done to protect the precious little ones that He has gifted to each and every mother who conceives.

I pray that the vote that you make will be the righteous one, the one that pushes HB 1373 forward toward equal protection for the preborn. Though evil voices may rise in opposition to this bill, set your face like flint on obeying the one and only true God, and honoring His holy name, by rescuing those who are being taken away to death, who, as you well know, are your innocent preborn neighbors in the womb, who are senselessly murdered daily. Millions of babies in the womb have been slaughtered in this country, and I pray that you all would have the courage to say, "Not one more in North Dakota!" -- "No more innocent bloodshed from these precious little souls."

Christ is King -- may He be praised!

Aaron

HB 1373

Chair Ruby and members of the committee,

I encourage you to vote yes to pass HB1373. Giving equal rights to all human life is foundational for a society to thrive and live in love towards each other and the future. I'm very thankful the committee is considering this.

Although I have many more things I could speak on, I know some of the deepest concerns are for access to abortion and IVF treatments.

To address the concern for access to abortion, I'd like to say that I believe we can grow into a society that does not see their unborn children as something that can simply be torn apart and tossed into the trash. Unplanned or inconvenient, they are human and deserve the right to life and potentially born (even in the sacrifice the mother must make during pregnancy and delivery - I've done it 5 times so I do understand it is not an easy thing.) We don't need abortion in ND - we need great care for women and preborn children AND better resources and support for after the children are born.

To address the access to IVF treatments, I'd like to sensitively say that I believe we need to be more careful in how we pursue creating our own families. Since a human life starts at conception, how we treat these embryos through IVF is of the utmost importance. I believe HB1373 will encourage more cautious actions taken in these instances.

Thank you for the work you do in ND. Sincere blessings and prayers to you all.

Jocelyn Rodgers



**Opposition for HB 1373
House Human Services
February 5, 2025**

Chair Ruby, Vice Chair Frelich, and members of the Committee,

My name is Katie Christensen Mineer, and I am the North Dakota State Director of External Affairs for Planned Parenthood North Central States. I submit this testimony in strong opposition to HB 1373, an extreme and dangerous attempt to grant legal rights to fertilized eggs.

Planned Parenthood North Central States provides advocacy, education, and expert reproductive health care, across our five-state region. At our Moorhead health center, over 50% of our patients are residents of North Dakota. We have tens of thousands of supporters throughout the state, and our education team reaches more than 500 North Dakotans each year. Our mission affirms the human right to reproductive health care and freedom.

HB 1373 is out of step with science, medicine, and the will of the people in our state. When a nearly identical personhood measure appeared on the ballot in 2014, voters rejected it by a 2:1 margin—sending a clear message that they do not support this kind of government overreach.

If enacted, this bill could limit access to miscarriage and pregnancy complication treatments. A pregnant person needing lifesaving medical care, such as chemotherapy, could be denied treatment due to legal uncertainty. The bill's vague and confusing language would have a chilling effect on healthcare providers, who may fear prosecution for providing essential care.

Furthermore, this bill would ban abortion in all cases including rape and incest—ignoring the trauma survivors face. It would also exacerbate racial and ethnic disparities in healthcare, making it even harder for marginalized communities to access necessary reproductive health services.

Strict laws, like the one proposed here, have led to a decline in medical professionals practicing in affected states. A 2024 study found that OB-GYNs in states with abortion bans reported increased distress, fear of legal repercussions, and intentions to leave.¹ Additionally, the Association of American Medical Colleges reported a decrease in applications to OB-GYN residency programs in states with abortion bans, which further restricts access to care.² And lastly, all these factors lead to poorer health outcomes, including maternal mortality and increased risks for pregnant individuals.³

The Planned Parenthood Minnesota, North Dakota, South Dakota Action Fund strongly urges a Do Not Pass recommendation on HB 1373.

Katie Christensen Mineer
kchristensen@ppncs.org
701.388.7369

1. Sabbath EL, McKetchnie SM, Arora KS, Buchbinder M. US Obstetrician-Gynecologists' Perceived Impacts of Post-Dobbs v Jackson State Abortion Bans. *JAMA Netw Open*. 2024;7(1):e2352109.
2. KFF Health News. "Medical Residents Are Starting to Avoid States with Abortion Bans, Data Shows." *NPR*, 9 May 2024.
3. Declercq, E., Barnard-Mayers, R., Zephyrin, L. C., & Johnson, K. (2022, December 14). *The U.S. Maternal Health Divide: The Limited Maternal Health Services and Worse Outcomes of States Proposing New Abortion Restrictions*. The Commonwealth Fund

Chairman Ruby and Members of the Committee,

My name is Shelby Weight and I reside in Williston, North Dakota (District #23). I write to you as a woman who is the mother of three children. As a mother, I deeply desire my three children to grow up in a world that honors the sanctity of life.

I am vehemently **in support of** HB 1373 otherwise known as the ND Equal Protection Act for Pre-Born Persons. The unborn only differs from the born in terms of size, level of development, environment and degree of dependency none of which should be the rubric on which we grant personhood. I ask you: are not human and person synonymous? This bill simply recognizes what science tells us and seeks to afford the unborn child the same basic rights we all have as born people, namely the right to live.

As once said by Mother Teresa, "A nation that kills its children in the womb has lost its soul." Truly, there is no future of families where children are commodified and killed. Children deserve to grow up in a society where they are cherished and looked after first. A **Do Pass** on this bill not only upholds the Constitution of our country but, more importantly, it faithfully stands for what the Bible says: we are fearfully and wonderfully made in the image of our Creator God.

It is likely you will hear arguments in opposition to this bill which seek to disregard what we all know an unborn child is. And so I ask you: is any argument good enough to justify the direct and intentional killing of the smallest members of our society simply because they are hidden from the naked eye in their mother's womb?

I urge you to vote objectively rather than philosophically. I ask that you support verifiable facts rather than arbitrary value systems. I ask you to vote in the way of justice and righteousness, upholding truth where there have been so many lies. I urge you to fight for the most vulnerable in our society - the unborn - and give voice to those who cannot speak for themselves. I implore you: fear God rather than man.

Respectfully submitted,

Shelby Weight
810 W Broadway
Williston, ND 58801

House Judiciary Committee
Testimony of Travis R Zabloutney HB1373
February 4, 2025

Chairman Ruby and members of the Human Services Committee:

My name is Travis Zabloutney resident of Minot and I strongly urge you to support HB1373.

I intend to keep my testimony brief as you have already read volumes if you started at the top as I have reading both testimony in favor and opposed. There is very little I can add at this point and very little I disagree with on the side favoring the passage of 1373.

The testimony from many is compelling Including that from Jody Clemens, Sadie Olson and Tanya Humphreys. I stand in firm agreement with Amber Vibeto, Grace Deal, Greta Luna, Ben Easling, Greg Demme and others. Please read and consider all of their testimony.

Finally I remind you that the resolution in establishing Equal Protection Under the Law for the Unborn was give overwhelming support of nearly 2/3s of the delegates in attendance at the NDGOP Convention held in April of 2024.

Respectfully,

Travis Zabloutney
701-721-2188

Dear Legislators,

My name is Luke Anglin, a student in the East Tennessee mountains, businessman, pro-unborn activist, Christian, and servant of the Lord Jesus Christ. I am writing to support House Bill 1373, the North Dakota Prenatal Equal Protection Act.

Nearly 250 years ago, our founders wrote: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights.” My question for you is, “Will you protect all life equally?”

I ask this because of the danger and injustice of failing to answer “yes.” If you would give a different punishment to the murderer of a black man and the murderer of a white man, do you protect all life equally? Certainly no. If you were to punish the murder of a 30-year-old and a 1-year-old differently, then you also commit an injustice. If you were to treat the killing of a 1-year-old differently than the killing of a preborn person, then you have failed to be equitable and just.

The unborn are treated as choices in this land. What kind of a nation are we if we cannot even protect our most innocent and vulnerable?

Many have believed a false story that abortions have been greatly limited and even banned in many states. But the word is spreading from all sides: abortions have risen since the overturning of Roe V. Wade, even in “abortion-free” states. Pro-life laws have been written to “end” abortions, and yet they make the act of abortion entirely legal for the mother in every way—special murder rights for mothers! This is the equivalent of claiming to write anti-slavery laws, but they make slavery illegal for everyone but the slaveowner.

I do not draw this parallel to slavery lightly. We praise the lawmakers and leaders who had the bravery to stand up to the evil of their day and made a name for themselves by stopping the injustice of slavery. They recognized that all humans were made in God’s image and the truth we now have expressed in the 14th amendment: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; **nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.**”

The refusal to sign this Equal Protection bill means disobeying the U.S. Constitution, putting yourself on the wrong side of history, and most importantly, disobeying God Himself. Isaiah 10:1-3 declares God’s curse on those who “write evil laws.” God says that you are His servants, appointed to reward good and punish evil (Romans 13:1-7). You are also commanded to “Rescue those who are being taken away to death; hold back those who are stumbling to the slaughter” (Proverbs 24:11).

Here is God’s command for leaders on earth: “Now therefore, O kings, **be wise**; be warned, O rulers of the earth; **Serve the Lord with fear**, and rejoice with trembling.

Kiss the Son, lest he be angry, and you perish in the way, for his wrath is quickly kindled. Blessed are all who take refuge in him” (Psalm 2:10-12).

On behalf of God, I ask that you would serve this nation well, do an act of immense heroism, and stop the bloodshed of innocent humans in this nation. I ask that you would write your history well, and become the first state to abolish abortion. And I ask that you would uphold the 14th amendment of this country, and vote for the Equal Protection Bill.

Sincerely,

Luke Anglin

TESTIMONY IN OPPOSITION
HB 1373

February 4th, 2025

Chairman Ruby, and members of the House Human Service Committee,

My name is Lisa Hermosillo, and I am here to urge you to vote a **DO NOT** pass recommendation on HB 1373. There is no doubt in my mind, that the notion that life begins at conception is in fact not evidence-based, but an attempt to religiously justify infringement and control of women in every level of government.

How exactly does the legislature plan to be able to pinpoint and narrow down when fertilization actually occurs? Do we have a single Legislator that has worked as a nurse, healthcare provider, a doctor, nurse practitioner, OR an OBGYN? A Legislator that has lost a baby to a failed IVF treatment or a loved one who has experienced the devastation that so many families have? It is not only concerning but also very frustrating that we continue to circle back to bills such as this one. If the legislature wants to define life as “at the moment of fertilization” is it a fair assumption to make that there will be additional provisions set forth ensuring that zygotes and mothers will qualify and maintain adequate care? For instance, a mother would be able to qualify for additional benefits such as life insurance? Insurance coverage? Can they claim the zygote on tax returns? The mother would be able to start collecting child support payments? WIC benefits individually for both the mother and the zygote and will be carried over through the other embryonic and fetal stages?

If this personhood bill passes, what will be the process when IVF fails? Will you also hold embryo banks accountable if something were to happen to embryos? Who would be held criminally liable, the doctor or the mother? How about eggs that are no longer needed by families? We are tiptoeing around some dangerous waters... Can we please just allow families to choose how and when they want to start a family on their own?

Lastly, HB 1373 has the potential to encourage healthcare workers in our state to uproot and seek employment elsewhere where they will not face continual attacks of legal threats to their licensure or ability to do their job. It's well known that we are struggling with shortages in healthcare. Retention rates are low, and this bill may very well be a deciding factor for workers to turn down or not even consider job opportunities in ND.

The very fact that this bill does not include protections for IVF is emotionally and mentally manipulative and cruel to women, their spouses, and significant others. There's enough uncertainty happening and it's not right to cast this type of fear onto North Dakotans.

Out of all the challenges we face as a state, it is more than shameful that this bill was even introduced.

No, despite what some Legislators seem to believe, we are not a pro-life state, instead, we are a pro-regulation, pro-control, state.

v/r

Lisa Hermosillo

“A mother by choice. A mother for choice.”

District 38

Minot Air Force Base

Chairman Ruby and commissioners,

My name is Lanny Kenner and I'm requesting yes votes on house bill 1373.

If someone kills a pregnant woman they can be charged with a double homicide because it was a woman's intention to have the baby but the murderer took that choice away.

I feel abortion should have the same rules even though it may be the mother's intention to end the life of the baby. Babies have a will to live given to them by God. I am so glad that none of your mothers aborted you! We are all children of God whether you believe in God or not.

If the mother could just hear the baby's cries for help she would never have the abortion. My heart breaks every time I hear of someone having an abortion. I can't imagine how God feels when someone is doing away with his precious children. Children are our future and with abortions there is no future and that is the reason I am requesting a DO PASS on House Bill 1373. The future is in your hands. Thank you very much for your time. Lanny Kenner

Lauren Carrasco Testimony in favor of ND HB 1373

I am in favor of ND HB 1373, giving equal protection to the unborn from conception as life begins at conception. My testimony began in 1994. Please bear with me while I give context to my testimony, as it is lengthy.

I was 22 years old, pregnant by a man quite a few years older than I, who was Native American. We married when I was 6 months pregnant. I was on state Medicaid at the time where I lived and the OB/GYN was not a good doctor. He only gave me two ultrasounds during my pregnancy, one at 12 weeks when I was spotting (which he said quote, "normal fetal growth and movement") and another the day my daughter was born by emergency c-section, to quote, "See her position, which was breach, rear end first." As the tech was doing the ultrasound, she had a concerned look on her face. I asked her what she saw, to which she replied, "I don't see any kidneys in your baby." My baby was put through numerous tests, to which the medical professionals determined my daughter was in distress and she needed to be delivered immediately by emergency c-section.

My daughter was born with a rare congenital disease in which one of her kidneys never developed, and the other was half-sized and it never functioned fully, in essence, born with chronic renal failure. She was full-term but because of her kidney disease in utero, her urine output was minimal, which becomes the amniotic fluid, which the baby "breathes" for lung development. At the time of her birth, her amniotic fluid was only 43%. My daughter was full-term but was 4lbs, 13oz, her lungs were underdeveloped, and when the doctors bagged her, they blew holes in her lungs (pneumothorax). She was whisked off to the NICU, had chest tubes inserted and a chest needle into her heart. She was on a ventilator since her lungs were not strong enough to breathe on her own. The doctors told us to, "Make your peace with your higher power because that baby will not be leaving the hospital alive." I had become a Born Again Christian when I was pregnant with my daughter. To make a long story short, I've witnessed the power of prayer. A few days after the doctors said what they said, they told us, "Miraculously, your daughter's lungs are completely healed, and we do not know why or how!" I told them, "We know!"

My daughter was able to come home after spending the first 24 days of her life in the NICU, and I was finally allowed to hold her in my arms. My daughter would face many

challenges during her short life, as she was developmentally delayed with a diagnosis of autism, mild cerebral palsy (she was ambulatory, but her joints dislocated), and epilepsy. I cared for my daughter, and she became my life. Her father worked jobs as a Native entertainer, sharing his culture, but it was not a steady income. He also was a recovering alcoholic who had severe cirrhosis of the liver, but I suspected he continued drinking as he was physically, mentally, emotionally, and spiritually abusive to me.

I became pregnant a second time, six months after my daughter was born. I was very scared as I was having great difficulty caring for my child, who had 2-5 visits per month at the Children's Hospital 75 miles away from where we lived, as well as dealing with her father's worsening health. I was still very young, and individuals in my family, and a doctor asked me how I'd care for two children and a sick husband, with very little income, or resources. Then I was asked, "What if you have another child who has special needs with major health issues again?? How are you going to do it with two??" I was pressured to have an abortion, and I didn't know what other options were available, but that doesn't absolve me of accountability. Ultimately, I made the decision to murder my baby in utero. I also did not tell my husband I was pregnant again. One of my family members took me to an abortion doctor and this family member paid for the abortion when I was 5 weeks along. I remember when they put me under, I felt a "tugging" sensation in my lower abdomen, as I slightly woke during the procedure, and someone gave me more anesthesia. The next thing I remember was waking up, it was over, and I cried. The doctor said, "The fetus was not developing well." The doctor didn't tell me if my baby was a boy or a girl. I left with my family member, and I tried everyday to put the abortion out of my mind, to not think about it, and to focus on my daughter with all her health issues.

I later found out that the doctor who performed the abortion sterilized me at 23 years of age (was it because I was married to a Native American, or because I was on Medicaid at the time, I do not know). He scarred up my uterus so badly that the environment was not conducive to any viable birth, and I never became pregnant again...I *could NOT get pregnant again*, even when planning to try to have more children.

My daughter was not a candidate for an organ transplant. If she could have received one of my kidneys, I would have given one to her. She had her father's rare blood type. He was able to get on a liver transplant list, as the doctors and I thought he was 5 years sober. After he received a liver transplant in 1997, he went back to drinking and within 4 years, he died from liver and kidney failure. My daughter's kidney specialists told me that my daughter would

need to be on dialysis before transplant, even if she could get on a list. They said she'd have to be sedated 5-6 hours a day, 5-6 days a week (because she had great difficulty at the site of her blood), and with having one half-sized kidney, it would take some time for her to come off sedation, only to turn around the next day to be on it again. Basically, my daughter would have had zero quality of life. And they also believed with her continued worsening health, that she would not be strong enough to endure an organ transplant. I had to make the toughest decision: to choose ***quality of life over quantity.***

My daughter was such a blessing to me and taught me so much about strength and perseverance. Her little body endured so much pain from her kidney disease. The last two months of her life, she was under hospice care at home. The day she passed away (January 4, 2006), she was not feeling well so I lay in bed with her. Her eyes were looking at something and I asked her what she saw. She told me, "Angels, mommy!" I asked her what she wanted. Her reply, "Be with Jesus, mommy." I asked her, "You want to go be with Jesus?" She replied, "Yes, mommy!" By this time, I was crying but trying not to let my daughter see my tears. I told her, "If you need to go, babygirl, you have my permission. Mommy will be alright. I love you; Nana loves you, Uncle Phil and aunt Lynn love you, and Ernie loves you (my fiancé). My daughter told me she loved all of us too. I called my fiancé who lived in another state and was on shift at his fire department; he was on speaker phone listening to us. My daughter then lay in my arms as I was rocking her. She pushed me away, she then said, "No," and pulled me close to her, I told her, "Mommy is here, I love you, I'm not going anywhere..." she then hugged me, kissed my cheek, her breathing became very shallow, and she passed in my arms. My daughter died a little over two months before her 12th birthday.

Later that year, I moved to where my fiancé was living, only to find out that he had been on dialysis since 2003, two years prior to our meeting and starting to date, and he didn't tell me because he "wanted my focus to be on my daughter." My new husband had been an athlete all his life and used steroids that destroyed his kidneys, and eventually his heart. He also contracted streptococcus twice without getting treatment. When strep isn't treated, it can attack the kidneys, which that is what also made his kidneys worse. I was a perfect match for him, but he had been removed from the kidney transplant list before we met because he continued using steroids. He told me he couldn't and wouldn't stop using them. He believed he *had* to continue using them because dialysis "wastes his muscle." This portion of my story is much longer but I won't go into that for this testimony. My husband died two years and three months after my daughter passed away, and I was devastated again.

I went off the deep end after my husband died, and while I didn't blame God, I became so worldly, living for myself, trying to bury my grief rather than face it, which was very destructive. So, while Jesus Christ was my Savior, He didn't have Lordship over my life...I hadn't surrendered to His Lordship over my life...until late 2019. I was a prodigal whom the Lord drew back to Himself. It was at this time I began watching movies and documentaries about abortion and what the baby goes through during the procedure, whether it is typical abortion in a clinic with torturous tools suctioning out the baby or ripping the baby's limbs apart and crushing its skull, or chemical abortion via the abortion pill. These documentaries broke my heart, and it seriously bothered me to the point that I could not stop thinking about what I had done to my own baby.

In 2022, I became a member of a church plant and through Biblical counseling, I have repented for the murder of my baby, I am so deeply sorry for what I did to unborn child, and I will always have a hole in my heart until I am reunited with **both** of my children in Glory!! The Lord, through His Holy Spirit, has put it on my heart to speak out against abortion, to let women know there are other options like adoption, couples who are willing and wanting to adopt children, even those with health issues and developmental delays, there are sound Christian churches who will go alongside the woman through her pregnancy, helping her and her unborn baby with necessities, prenatal care, food, shelter, etc. I want women to know having an abortion will affect them for the rest of their lives (I carried this for almost 30 years before receiving counseling). I truly wish there had been a law in place that would have held me accountable for murder back when I had an abortion. Were there a law in place, I wouldn't have thought about having an abortion, nor do I believe anyone would have pressured me into having one, knowing the consequences of my actions would have been loss of freedom. I believe abortion should be abolished because it is wrong!! It is murder, and taking an innocent life, especially of those most vulnerable, is not justified whatsoever. There must be equal protection for the unborn! Women and abortionists should not receive immunity or impunity from prosecution. There is no justified reason for the shedding of innocent blood. A baby is not an inconvenience. Circumstances are not a reason to murder one's unborn child.

Human Services Committee

HB 1373

February 5, 2025

Chair Ruby and Distinguished Members of the Committee

Today, I stand before you to speak on a truth that is not only rooted in science but in the deepest moral fabric of our hearts: life begins at conception.

From the moment of conception, a unique and unrepeatable human being comes into existence—one who possesses distinct DNA, separate from that of the mother and father. This is not a mere potential for life; it is life itself. A life that, if left unharmed, will grow, develop, and one day take its first breath in the world.

But beyond the science, beyond the biology, there is an undeniable moral truth: every life has inherent value and dignity. Each of us was once a tiny being in our mother's womb, unseen but not insignificant. Just as we cherish the rights and protections afforded to us now, we must extend that same protection to the most vulnerable among us—those who cannot yet speak for themselves but whose right to exist is no less sacred.

We live in a society that claims to stand for justice, for equality, for the protection of the innocent. But how can we truly uphold these values if we deny the very first and most fundamental right—the right to life?

We must be a voice for the voiceless. We must stand firm in the belief that life is not a privilege granted by governments or circumstances but an inherent right bestowed upon us at the very moment we come into existence.

Let us commit to building a culture that cherishes life at every stage—from the womb to natural death. Let us uplift mothers in difficult circumstances, provide support for families in need, and affirm that every child is a blessing, not a burden. Let us replace fear with hope, despair with love, and indifference with action.

Because when we defend the unborn, we defend the very essence of what it means to be human: to love, to protect, and to uphold the dignity of every person.

Thank you, and may we continue to stand for life—without compromise, without apology, and with unwavering love for all.

Sharlet Mohr
Williston, ND

Dear House of Representatives Committee Members,

I urge you to vote NO on HB 1373

This bill is not well thought out. Its language is vague and too broad, leaving room for all sorts of lawsuits and litigation...wrecking lives in its wake. The language of this bill is too blanketed for a very complex topic. It could also potentially have negative effects relating to the process of IVF and how the whole scientific process is applied to help people who struggle with fertility achieve pregnancy.

This bill also does not protect women from pregnancy due to rape or incest...termination of this type of pregnancy would result in murder charges for the victim based on already horrendous circumstances. Nobody should be forced to unwillingly carry through a pregnancy from an attacker.

Please come up with a bill that supports life but protects women by not forcing full term pregnancies borne from heinous circumstances and maybe it COULD have more support.

Legislation like this is just terrible and controlling, imposing one person's religious and ethical beliefs over another without room for extenuating circumstances.

Please vote NO on HB1373

Respectfully submitted,

Matt Williamson
Minot, ND

To the members of the House Human Services committee,

My name is Charlton Stanley and I would like to voice my support for HB 1373. I am strongly pro-life and would like to see the end of legalized murder in North Dakota. For far too long we, as a state, have participated in the shedding of innocent blood. Long has passed the time for this to end. Please vote yes on HB 1373.

Thank you for your time,

Sincerely,
Charlton Stanley



**House Human Services Committee
Representative Matt Ruby, Chair**

February 5, 2025

HB 1373

Chairman Ruby and committee members: My name is Steffen Christensen and I am a reproductive endocrinologist with Sanford Reproductive Medicine in Fargo.

I am here to strongly oppose HR1373. I believe the definition changes will have unintended consequences for fertility medicine that will be detrimental to patients wishing to start families in North Dakota, and to the recruitment and retention of physicians within our state.

This bill introduces definitions which at best misunderstand the natural fertility process, and at worse create liability for results beyond any individual's reasonable control. This creates a climate of uncertainty for physicians, nurses, laboratory personnel, healthcare providers, and patients themselves. Individuals whose sole aim is assist in the creation of new life and new families, would be subjected to potentially severe penalties for results they cannot control and do not intend.

This uncertainty is a critical issue in recruiting and retaining physicians who want to practice fertility medicine, particularly when we already face challenges recruiting healthcare professionals to our state. In 2023, North Dakota had four practicing infertility physicians, but with my retirement later this year, we will be left with just one. Recruiting skilled physicians to North Dakota is already an uphill battle, and this bill will make it even more difficult—if not impossible. The fear of legal liability for doing the admirable work of helping North Dakota citizens become parents could deter potential medical professionals from considering North Dakota as a place to practice.

Furthermore, we cannot ignore the impact on the next generation of healthcare professionals. There are over 300 medical students at our university who are closely watching how the legislature handles bills like this, which could impact their future ability to practice medicine in North Dakota. If they perceive the state as a place where medical professionals are at risk of prosecution for providing standard care, many may be discouraged from returning to practice here. We already face shortages in family medicine and certain specialties, and we cannot afford to make it even more difficult to retain or attract physicians.

I urge you to reconsider this bill, as it poses a serious threat to the recruitment and retention of qualified healthcare professionals in North Dakota. The potential for legal uncertainty will only worsen our ability to attract the skilled professionals we desperately need in order to maintain and improve the quality of healthcare across our state.

Thank you for your time and consideration. I trust you will take these concerns into account as you make decisions that will shape the future of healthcare in North Dakota.

Steffen Christensen, M.D.
Sanford Reproductive Medicine
701-234-2700

My name is Meagan McDougall, and I usually introduce myself as a proud North Dakotan. My family has been in North Dakota for generations, and I chose to stay in North Dakota to work, live, and hopefully build my family. You can ask any of my friends and they'll affirm that I am always pitching the value of living in North Dakota – kind people, affordable living, job opportunities – the American dream.

Part of my American dream is that I'll have the opportunity to have kids and grow my family. This is why I am writing today in opposition of HB 1373. HB 1373's changed definitions of "unborn child" will put IVF services at risk in the state of ND, which is a critical fertility treatment that my family needs to be able to have children.

For my family, and many people in my network, treatment from facilities like Sanford Reproductive Clinic in Fargo, where I receive my care, is a medical necessity in order to have children. The providers at this clinic state that their work results in 150-180 births each year, and that 3% of babies each year are conceived via IVF. The extremely narrow definition of "unborn child" presented in this bill will put undue risk on the providers and institutions providing this care. With the wording of this bill, we risk families losing their ability to expand, and being forced to make the awful choice to let go of their dream, seek care in other states, or potentially move their families closer to where they can receive necessary treatments. We risk families not considering North Dakota as a place to seek employment opportunities due to not having access to necessary care, which will impact all North Dakota businesses. We risk facilities like Sanford Reproductive Clinic's ability to operate in North Dakota and be forced to shutter their doors.

I want to continue to introduce myself as a proud North Dakotan. Please support families like mine and across the state by opposing HB 1373. Please protect the lives of our future children by keeping IVF services accessible to all North Dakota families so they have the ability to grow and build lives in my beautiful state.

Thank you for taking the time to read this testimony.

Human Services Committee

HB 1373

February 5, 2025

Chair Ruby and members of the Committee,

My name is Amber Hoekstra and I am an embryologist in the only reproductive medicine clinic in North Dakota. I am speaking as a North Dakota citizen with a knowledgeable, educated background regarding the subject of this bill. Bill HB 1373 sets to define personhood as when a sperm cell fertilizes an egg cell because "life begins at conception". As an embryologist, I know this is not entirely accurate. This ball of cells that begins to form after fertilization has a long way to go before becoming a viable human being. The first five to seven days after an egg and sperm join, it travels through the female reproductive tract. It is these same five to seven days that these cells are monitored in the IVF lab. At this point, the cells are multiplying, but they would not be able to sustain on their own. After this time, if the cells have developed normally, they may implant in the uterus.

Not all fertilizations will create viable embryos that will become human beings. In spontaneous conceptions, between 13 and 23% will end in a biochemical pregnancy. That means that in these pregnancies, the dividing cells did not develop properly. The cells that first form after conception can become any cell needed to create any part of a human being. During development, they differentiate, and, in some instances, they don't become what is essential to continue to form a viable embryo. This is scientific fact and cannot be dictated by specific personal viewpoints. You can't say that life begins at conception when not all conceptions will become a life. As an embryologist, it is worrying to think that I could be charged with assault or murder because these cells were completing a process that has happened throughout humankind's existence.

I urge the committee to vote No on HB 1373. Many North Dakotans rely on fertility treatments to create families. Passing this bill would make it more difficult to provide these services due to the risk of a criminal offense, thereby limiting family building for these citizens. Unfortunately, 1 in 6 people are facing this reality today. One group's ideology shouldn't limit choices for others. North Dakota needs to provide care based on scientific evidence and not personal beliefs.

Thank you for your consideration,

Amber Hoekstra MLS(ASCP)^{CM}

I am writing to ask you to support HB 1373 because I believe that every human being, regardless of their circumstances, has value and should be protected to the fullest extent of the law. Thank you for your time.

Sincerely,

Paul Chaplar

Psalm 139:14

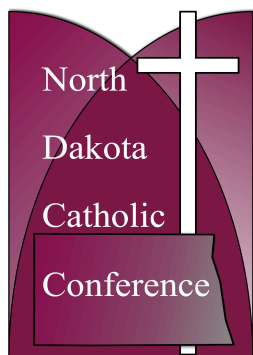
Chairman Ruby and Members of the Committee,

I am writing to express my opposition to HB 1373. This bill proposes to define an unborn child as a person at the moment of fertilization of an egg which will eliminate services that are essential to residents of North Dakota. As someone who cares deeply about the well-being of our communities and state, passing this bill will result in unintended consequences. The proposed bill fails to account for the significant positive impact that these services have on our communities today. Instead of cutting crucial resources, we should be focusing on improving and expanding access to essential services for those who need them most. I respectfully urge you to vote no on HB1373. I trust that you will consider the long-term implications this bill would have on the health and well-being of North Dakota residents.

Thank you for your time and attention to this matter.

Sincerely,

Ashley Erickson



*Representing the Diocese of Fargo
and the Diocese of Bismarck*

To: House Human Services Committee
From: Christopher Dodson - Co-Director
Date: Feb 5, 2025
Re: House Bill 1373 - Criminalizing Women Who Have Abortions

The North Dakota Catholic Conference is firmly committed to building a culture of life by advocating for legislation that ends abortion and provides support for women in need so that abortion becomes unthinkable. Although we share with some of the supporters of this bill the desire to end all abortion, this bill is not acceptable as a means to that end.

The central problem with HB 1373 is the imposition of a criminal punishment on women who have abortions. The Catholic Church has consistently held that for pastoral, moral, and prudential reasons, the law should not criminalize the woman. In most cases, if not all, she is an abortion's second victim. Our experience as counselors, spiritual advisors, and caregivers to women who have had abortions tells us that the decision to have an abortion is often the result of intense pressure, coercion by others, and a fear-driven attempt at self-preservation -- all in a culture of lies about the choices before her and a society that too often leaves her alone with her "choice." Criminalizing her only compounds her victimization and serves no purpose.

Abortion is a grave moral wrong. Not every moral wrong, however, demands a corresponding penalty in the civil law. Moreover, civil law must further a legitimate purpose and extend only so far as is necessary to achieve the desired end. Since she is one of the victims, criminalizing a woman who has had an abortion does not further the interest of justice. To punish the woman as a criminal is unnecessary. It is enough to extend criminal culpability to the abortionist, who is truly the wrongful actor.

To say that a woman who has had an abortion should not be punished in the civil law does not mean that she has acted without fault. Her act is terribly wrong. However, compassion, not a desire to punish, should guide our response to her. We should be mindful of Christ's response to the woman accused of adultery: "Neither do I condemn you."

This compassionate approach to post-abortive women has also been the approach of the pro-life community at large. Just before the release of the 2022 *Dobbs* decision that overturned *Roe v. Wade*, 75 pro-life leaders signed an open letter to state lawmakers urging them to oppose legislation that would criminalize or punish women for obtaining an abortion. The signatories included the heads of the U.S. Conference of Catholic Bishops' Pro-Life Committee, the National Right to Life

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Committee, the Susan B. Anthony List, the Pro-Life Action League, and virtually every other major pro-life organization nationwide.

Proponents of HB 1373 claim that the 14th Amendment of the United States Constitution and Article 1, Section 1 of the North Dakota Constitution require the state to treat abortion statutorily the same as murder. They go so far as to say that failure to pass HB 1373 violates both constitutions. The claim has no legal merit. The U.S. Supreme Court has not held that unborn children are “persons” under the 14th Amendment. If the argument that homicide statutes must, by law, include unborn children were true, all of our homicide statutes would currently be unconstitutional and unenforceable. The Equal Protection Clauses of the U.S. and state constitutions have no relevance to HB 1373 and they certainly would not save it from a constitutional challenge.

The North Dakota Supreme Court has found that the North Dakota Constitution includes a legal right to abortion to preserve the life or health of the mother. *Wrigley v. Romanick*, 2023 ND 50, 988 N.W.2d 231 (2023). Although the meaning of “health” remains unclear, it is clear that HB 1373 has no exceptions for health. On its face, HB 1373 would be considered unconstitutional.

The bill also leaves intact the state’s existing statutes that prohibit abortion, unborn homicide, and unborn assault. The conflicting provisions and definitions would provide abortionists another ground to challenge the law. This flaw also could jeopardize the state’s existing laws protecting unborn children.

Moreover, the bill’s exception for abortions to save the life of the mother is not clearly defined. This makes the bill likely to be challenged as unconstitutionally vague.¹

In short, three constitutional problems are immediately apparent. Under North Dakota law, in cases like this, if the state loses it has to pay the challenger’s attorney fees and costs. To give you an example of these costs, the parties currently challenging the state’s existing abortion laws are seeking \$141,988.57 for just the trial portion of the case. The costs associated with defending human life are sometimes worth it. But in a case like this, where the law is obviously unconstitutional, we might as well write the check to the abortionists now.

Proponents of HB 1373 contend these legal risks are necessary because mail-order abortion drugs have resulted in more abortions being done on North Dakota women than ever before. Specifically, they claim that in 2023 one thousand unborn children from North Dakota were killed by abortions that “remained legal” under North Dakota law. According to the claim, 780 of these abortions were done out-of-state, and 221 were done with mail-order abortion pills. There are many problems with this assertion that warrant attention.

First, abortions done on North Dakota residents out of state are not abortions that “remained legal” under North Dakota law. They were legal under the laws of those other states. An individual cannot be charged under North Dakota law for an act that occurred in another state, even if the act is illegal in our state. HB 1373 will not, and cannot, change that.

Second, the claim that 221 North Dakota women used the abortion pill in 2023 is highly suspect. The figure is derived from the total number of presumably pregnant women who requested the abortion pill from a national abortion pill provider during the two months immediately following the *Dobbs* decision in July of 2022. We do not know how many of these women actually used the pills. Moreover, the pro-abortion groups manufactured a false narrative that abortions would immediately be banned and that women should quickly order abortion pills. The numbers do not account for this “panic effect” that occurred in the few months immediately after the *Dobbs* decision.²

In fact, abortion was legal and available in North Dakota during these months. The court had immediately enjoined the law which would have gone into effect and the abortion center was still operating in Fargo. In other words, there would have been no reason for women to seek mailed abortion drugs during this time.

Nevertheless, the proponents would like us to believe that the *Dobbs* decision and the mere possibility that North Dakota’s abortion might go into effect immediately caused a 26% increase in the number of North Dakota women getting abortions.³ The claim is, quite frankly, unbelievable. Many factors contribute to why abortion numbers go up or down, but no credible study has ever concluded that abortion restrictions cause abortion numbers to go up. Indeed, the research shows the opposite.⁴

We share this information not because we want to attack the bill’s well-meaning supporters. We share this information because it is relevant to the decision before you. Supporters of HB 1373 are asking this legislative body to depart from the wisdom and experience of every major pro-life organization in the country, criminalize all women who get abortions, and place our existing laws in legal jeopardy so the state can stop 221 phantom abortions that no one can show actually exist.

Perhaps these additional abortions do exist and are, by their clandestine nature, impossible to prove. If so, they would also be impossible to prove if HB 1373 is enacted. Passage of HB 1373 would, therefore, accomplish nothing while destroying years of hard work to build a culture of life in North Dakota.

We realize that this may be a very difficult issue for those who oppose abortion. We all want abortion to come to an end. However, we cannot embrace the proposal recommended in this bill. It is misguided, legally flawed, built upon faulty premises, ultimately pointless, and harmful. Anyone who is genuinely pro-life can, in good conscience, oppose this bill.

We urge a **Do Not Pass** recommendation on House Bill 1373.

¹ The exception to save the life of the mother in HB 1373 is broader than the exception in our existing law.

² Other problems with the claim, which comes from *Babies Unprotected: An Analysis of Self-Induced Abortion Numbers in States with "Bans"* by the Foundation to Abolish Abortion, include:

- The authors rely on Aiken ARA, Starling JE, Scott JG, Gomperts R. *Requests for Self-managed Medication Abortion Provided Using Online Telemedicine in 30 US States Before and After the Dobbs v Jackson Women's Health Organization Decision*. JAMA. 2022;328(17):1768–1770. doi:10.1001/jama.2022.18865. That study was designed to measure the increase in requests for the abortion pill and the reasons for the requests during the two months following *Dobbs*. It was not designed to determine actual numbers.
- Extrapolating from those two months does not account for the “panic effect” of women thinking that abortions would be immediately banned and, therefore, decided to “stock up” on the pills.
- The reasons collected by the researchers indicate that the requestors were motivated not by an immediate desire to have an abortion, but by fears of a possible ban in their states.
- The authors claim that 88% of requests result in abortions, but they refer to a study from Abigail Aiken, et al. using 2019 numbers, when abortion was mostly legal. They then state Abigail Aiken, et al. confirmed those numbers in a 2024 study, but that study merely stated that the abortion provider reports were consistent with the 2019 and older studies.
- Aiken’s 2024 publication actually states that “it is likely that a substantial number of people continued their pregnancies” after making the abortion drug request. Citing other research, she goes to write: “Indeed, data on birth counts for the first half of 2023 suggest an increase of approximately 2.3% in states with total abortion bans in place relative to states without such restrictions.” This directly contradicts the Foundation to Abolish Abortion’s claim that abortion bans increase, rather than decrease, abortions.

³ The five year average for abortions for North Dakota residents before *Dobbs* was 836. (NDDHHS, Vital Statistics.) An additional 221 abortions would be a 26% increase.

⁴ <https://www.nationalreview.com/corner/cdc-releases-new-abortion-data-for-2022/>. If, as the bill’s proponents claim, pro-life laws and pro-life court decisions increase, rather than decrease, abortions, HB 1373 would also increase abortions in North Dakota.

May 12, 2022

An Open Letter to State Lawmakers from America's Leading Pro-Life Organizations

To all State Legislators in the United States of America,

With the leak of a draft U.S. Supreme Court opinion written by Justice Samuel Alito in *Dobbs v. Jackson's Women's Health Organization* that appears to show a majority of the Court may be in favor of reversing *Roe v. Wade* and *Planned Parenthood v. Casey*, there has been increasing news coverage of state-level momentum to enact laws that protect mothers and their unborn children from the tragedy of abortion.

Over the past 50 years, under the shadow of *Roe v. Wade* and *Doe v. Bolton*, abortion has taken the lives of more than 63 million unborn American children¹. But the tragedy of abortion isn't limited to the unborn child who loses her life. The mother who aborts her child is also *Roe's* victim. She is the victim of a callous industry created to take lives; an industry that claims to provide for "women's health," but denies the reality that far too many American women suffer devastating physical and psychological damage following abortion.

The abortion industry tries to dismiss reports and studies of post-abortive trauma. But even as far back as the 1980s, scientific researchers and the mainstream media were documenting the reality of abortion's consequences.

Studies examining the records of over 50,000 California Medicaid patients from 1989-1994 found women who underwent abortions experienced 2.6 times more psychiatric admissions in the first 90 days following pregnancy than women who gave birth, and 17% higher mental health claims over the following four years.²

¹ National Right to Life estimate based on data reported by the U.S. Centers for Disease Control and Prevention through 2019 and the Guttmacher Institute through 2017. See *The State of Abortion in the United States, 2022*, updated release May 5, 2022, www.nrlc.org/uploads/communications/stateofabortion2022.pdf.

² Priscilla Coleman, et al, "State-Funded Abortions vs. Deliveries: A Comparison of Outpatient Mental Health Claims Over 4 Years," *American Journal of Orthopsychiatry* Vol. 72, No. 1 (2002), pp. 141-152 compared claims for first time outpatient mental health treatment in California between 14,297 aborting women and 40,122 women who gave birth four years after the event and found the rate of care 17 % higher among the aborting group. Another study by P. Coleman and colleagues, "Psychiatric admissions of low-income women following abortion and childbirth," *Canadian Medical Association Journal*, Vol. 168, No. 10 (May 13, 2003), available at www.cma.ca/cgi/content/full/168/10/1253, looked at the records of 56,741 women in the California Medical system and found aborting women having 2.6 times more psychiatric admissions than women giving birth in the 90 days following the event.

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A 1989 *Los Angeles Times* survey³ found 56% of women who had abortions felt guilty about them, and 26% mostly regretted the abortion. Subsequent studies suggest that these numbers may be low, reporting that adverse emotional and psychological effects are sometimes delayed, not surfacing for 5 or even 10 years after the abortion⁴.

Despite promises from her partner to the contrary, a woman's relationship will often dissolve following an abortion^{5,6}. The clinic staff is gone, and the woman has no desire to return to the place she associates with failure⁷. Even friends who know about the abortion hesitate to bring up the subject. When this happens, she is left to deal with her pain, her doubts, her questions all alone⁸.

Women are victims of abortion and require our compassion and support as well as ready access to counseling and social services in the days, weeks, months, and years following an abortion.

As national and state pro-life organizations, representing tens of millions of pro-life men, women, and children across the country, let us be clear: We state unequivocally that we do not support any measure seeking to criminalize or punish women and we stand firmly opposed to include such penalties in legislation.

³ George Skelton, "Abortion often causes guilt, poll finds," *The Sacramento Bee*, March 19, 1989, p. A7.

⁴ J. Trybulski warns about uncomfortable emotions and thoughts that surfaced months or years later following a woman's abortion in "Women and abortion: the past reaches into the present," *Journal of Advanced Nursing*, Vol. 54, No. 6 (June 2006), pp. 683-90.

⁵ Winfried Barnett, et al, "Partnership After Induced Abortion: A Prospective Controlled Study," *Archives of Sexual Behavior*, Vol. 21, No. 5 (October 1992), pp. 443-455. Barnett and colleagues found that 20 out of the 92 aborting couples, or 22%, in their study group had separated after one year. Among the 2,000 plus cases of post abortion trauma that Theresa Burke worked with, she encountered several women whose marriage dissolved as a consequence of their abortions. See Theresa Burke, *Forbidden Grief* (Springfield, IL: Acorn Books, 2002), pp. 208, 212, 217.

⁶ Linda Bird Francke gives classic accounts on pp. 74 and 97 of *The Ambivalence of Abortion*. Burke offers examples from cases in *Forbidden Grief* on pp. 34, Ann Speckhard's study of thirty high stress aborters in *Psychosocial Stress following Abortion* (Kansas City, MO: Sheed & Ward, 1987) found 46% of her subjects reporting a subsequent break up with her impregnating partner, Speckhard observes: As the male partner was often the only other one who knew of the abortion, ending the relationship left a large void in the subject's life, which contributed to feelings of loneliness, isolation, and alienation (p. 54).

⁷ Even forty years after her abortion, "Elsa" tells Linda Bird Francke that "even now I have trouble driving by the 72nd Street entrance to the West Side Highway in New York where his office was." Linda Bird Francke, *The Ambivalence of Abortion* (New York: Dell, 1978), p. 313. Burke quotes a woman in *Forbidden Grief* who says "I just can't go near that place. It freaks me out. I'd rather drive a hundred miles than have to pass that place. I just can't do it. It makes me sick" (p. 94; see also pp. 38-39). Also see Magyari, et al, 1987.

⁸ An example of such isolation is found in Burke's *Forbidden Grief*, p. 189.

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If the Supreme Court does overturn *Roe v. Wade*, they will be honoring the unambiguous division of powers described in the Constitution, returning abortion policymaking back to our elected state and federal legislators. This will be a tremendous opportunity for states to create durable policy that can stand the test of time. But in seizing that opportunity, we must ensure that the laws we advance to protect unborn children **do not harm their mothers.**

We are America's leading advocates for life. We come from very different backgrounds and perspectives, but we are united in our mission to protect unborn children and American women from the greed of the abortion industry. We have been in this fight for decades – many of us have dedicated our lives to this cause. We understand better than anyone else the desire to punish the purveyors of abortion who act callously and without regard to the dignity of human life. But turning women who have abortions into criminals **is not the way.**

In 1977, then-National Right to Life President Dr. Mildred Jefferson observed in her welcome letter to those attending the annual National Right to Life Convention:

The fight for the right to life is a people's fight for its existence and its continuity. It is a country's fight for its survival and its future. The right-to-life cause is not the concern of only a special few but it should be the cause of all those who care about fairness and justice, love and compassion and liberty with law.

Our charge as a movement has not strayed from those words written by Dr. Jefferson. In fighting for our country's future generations, we are called to act with love and compassion as we seek fairness, justice, and liberty for unborn children and their mothers.

Criminalizing women is antithetical to this charge.

We will continue to oppose legislative and policy initiatives that criminalize women who seek abortions, and we will continue to work for initiatives that protect unborn children and policies that provide and strengthen life-affirming resources for abortion-vulnerable women.

We call upon all pro-life legislators to stand with us. We ask you to continue to act with love and compassion toward abortion-vulnerable women. We urge you to reject any measure that seeks to criminalize women who have abortions.

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Sincerely, for Life,

Carol Tobias
President
National Right to Life

Marjorie Dannenfelser
President
Susan B. Anthony List

Archbishop William E. Lori, Chairman
Committee on Pro-Life Activities
U.S. Conference of Catholic Bishops

Eric J. Scheidler
Executive Director
Pro-Life Action League

Dr. Gregory P. Seltz
Executive Director
Lutheran Center for Religious Liberty

Ralph Reed, Founder and Chairman
Timothy R. Head, Executive Director
Faith & Freedom Coalition

Aaron Lara
Presidente
Congreso Iberoamericano
por la Vida y la Familia

José L. González
Founder and President
Semilla

Marie Ashby
Executive Director
National Association of Pro-Life Nurses

Destiny Herndon-De La Rosa
Founder and President
New Wave Feminists

Catherine Glenn Foster
President and CEO
Americans United for Life

Jeanne F. Mancini
President
March for Life Action

Brent Leatherwood
Acting President
Ethics and Religious Liberty Commission
Southern Baptist Convention

Bradley Mattes
President
Life Issues Institute

Kelsey Hazzard
President
Secular Pro-Life

Kristen Day
Executive Director
Democrats for Life of America

O. Carter Snead, J.D.
Director
de Nicola Center for Ethics and Culture
University of Notre Dame

Terrisa Bukovinac
Founder and Executive Director
Progressive Anti-Abortion Uprising

Herb Geraghty
Executive Director
Rehumanize International

Joe Kral
President and Editor-in-Chief
Society of St. Sebastian

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Cheryl Lewis
Director
Alabama Citizens for Life

Karen Lewis
Director
Pro-Life Alaska

Luis Howard
Director
Arizona State Right to Life

Rose Mimms
Executive Director
Arkansas Right to Life

Brian Johnston
Director
California Pro-Life Council

Chad Schnitger
President
Faith & Freedom Coalition of California

Steven Ertelt
Director
Colorado Citizens for Life
Editor, LifeNews.com

Suzy Smith
President
Pro-Life Council of Connecticut

Rita Rinaldi
Director
Delaware Citizens for Life

Ross T. Gillfillan, National Director
Derrick Jones, President
DC Metro Life Alliance

Hon. Lynda Bell
President
Florida Right to Life

Martha Zoller
Executive Director
Georgia Life Alliance

Janet Hochberg
Director
Hawaii Life Alliance

Kerry Uhlenkott
Legislative Coordinator
Right to Life of Idaho

Dawn Behnke, Esq.
President
Illinois Federation for Right to Life

Mike Fichter
President and CEO
Indiana Right to Life

Kristi Judkins
Executive Director
Iowa Right to Life

Steve Scheffler
President
Iowa Faith & Freedom Coalition

Maggie DeWitte
Executive Director
Pulse Life Advocates

Mary Wilkinson, President
Carol Dengel, National Director
Kansans for Life

Hon. Addia K. Wuchner, R.N.
Executive Director and CEO
Kentucky Right to Life

Benjamin Clapper
Executive Director
Louisiana Right to Life

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Hon. Karen Vachon
President and Executive Director
Maine Right to Life

Darla St. Martin
President
Maryland Right to Life

Myrna Maloney Flynn
President and CEO
Massachusetts Citizens for Life

Barb Listing
President
Right to Life of Michigan

Scott Fischbach
Executive Director
Minnesota Citizens Concerned for Life

Barbara Whitehead
Director
Mississippi Right to Life

Susan Klein
Executive Director
Missouri Right to Life

Medora Nagle
Director
Right to Life of Montana

Sandy Danek
Executive Director
Nebraska Right to Life

Melissa Clement
Executive Director
Nevada Right to Life

Lance Lemmonds
President
Nevada Faith & Freedom Coalition

Roger Stenson
President
New Hampshire Citizens for Life

Anne M. Perone, Esq.
President
New Jersey Committee for Life

Angie Smith, President
Ethel Maharg, Executive Director
Right to Life Committee of New Mexico

Anne LeBlanc
Chairman
New York State Right to Life

Bill Pincus, M.D., President
Barbara Holt, National Director
North Carolina Right to Life

Jason Williams
Executive Director
North Carolina Faith & Freedom Coalition

McKenzie McCoy
Executive Director
North Dakota Right to Life

Michael V. Ciccocioppo
Executive Director
Pennsylvania Pro-Life Federation

Christopher Merola
Executive Director
Pennsylvania Faith & Freedom Coalition

Mike Gonidakis
President
Ohio Right to Life

Tony Lauinger
State Chairman
Oklahomans for Life

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Lois Anderson
Executive Director
Oregon Right to Life

Barth Bracy
Executive Director
Rhode Island State Right to Life

Lisa Van Riper, President
Holly Gatling, Executive Director
South Carolina Citizens for Life

Dale Bartscher, Executive Director
Valerie Johnson, National Director
South Dakota Right to Life

Stacy Dunn
President
Tennessee Right to Life

Mark Hoffman, Ph.D.
Director
Right to Life of Utah

Mary Hahn Beerworth
Executive Director
Vermont Right to Life Committee

Olivia Turner
President
Virginia Society for Human Life

Esther Ripplinger
President & CEO
Human Life of Washington

Wanda Franz, Ph.D.
President
West Virginians for Life

Heather Weininger
Executive Director
Wisconsin Right to Life

Larry Hell
President
Wyoming Citizens for Life

I stand in support of HB 1373 and ask the committee to for a DO PASS vote.

This bill is not about peripherals when it comes to pregnancy. It's not about mom. It's not about dad. It's not about any other interested parties. It addresses whether the fertilized egg, which has been scientifically proven to be a human life, from the moment of conception, should have the same constitutional right as any other human being: the RIGHT to have it's human life developed. A baby has never been a "clump of cells". This is a living human being who will grow into a bigger human being in its first stages of life and has every right to have equal protection under our laws, as specified in our Constitution.

This bill gives that precious baby the protection our Constitution promises. LIFE. The right to live. Not the privilege. The RIGHT.

This bill is about equal protection for the baby. Period.

A DO PASS vote for this bill ensures every human life is protected by the God we profess as well as our God-ordained Constitution.

A Do Not Pass is a vote to keep murder of another human being (who as yet is not able to speak or fight for themselves) as a legal procedure. This cannot stand!

I pray you will have eyes wide open and protect the most vulnerable humans in our society with a DO PASS vote of the committee. If we say we believe in the human rights that are codified in our Constitution, there is no way the rights of any human life can be exempted. Our babies have become modern day slaves, to be treated as property versus a person with the right to the human experience of life. I believe nowhere in its creation were the founders thinking that child sacrifice would ever be an option.

Each of us will have to answer for our choices one day. I pray you choose wisely.

Karmen Siirtola

District 33

Mandan, ND

HB 1373

House Human Services Committee

February 5, 2025

Chair Ruby and Committee Members, I am Dr Collette Lessard, a board-certified physician in Obstetrics and Gynecology practicing in Grand Forks, North Dakota. I have been practicing as an OBGYN physician for nearly 12 years. I am also writing as the Legislative Chair for the North Dakota section of the American College of Obstetricians and Gynecologists.

I am writing this testimony to urge the committee to give a “do not pass” recommendation to HB 1373. HB 1373 is an extreme personhood bill which will have dangerous negative consequences on infertility care (specifically in vitro fertilization), pregnancy care and management of pregnancy complications, and on the recruitment of skilled healthcare professionals to our state.

This personhood bill defines “unborn child” as “an individual living human child before birth from the beginning of biological development at the **moment of fertilization upon the fusion of a human spermatozoon with a human ovum**”. First of all, there is no woman on earth who is pregnant when fertilization occurs. Fertilization of an egg by a sperm occurs in the fallopian tube. That embryo then travels into the uterus, where implantation may occur over the next few days. Until implantation of an embryo into the uterus occurs, **a pregnancy is not established and there is not a trace of pregnancy hormone (hcg) in a woman’s body, ever**. Many embryos never implant and do not develop into a pregnancy. This happens naturally all the time. So to make a bill into a state law that defines life as beginning at the moment a sperm fertilizes an egg is inaccurate and dangerous. An embryo has the potential to become a pregnancy, just like a sperm and an egg all have the potential to become a pregnancy. None of these alone are an established pregnancy.

Passing this personhood bill will be devastating for any family suffering from infertility. Last week, I wrote a testimony in support of HB 1477, which would ensure all North Dakotas continue to have access to the full scope of infertility care. This personhood bill is the exact reason why we need HB 1477 to pass. A personhood bill is an attack on full scope practice of women’s health care, including infertility, management of pregnancy complications and abortion care. If HB 1477 passes, the practice of in vitro fertilization (IVF) will be impossible in the state of North Dakota and hundreds of families affected by infertility will have their ability to grow their family in this state taken away. IVF is the only way many families can have children. Because IVF involves the careful practice of creating

embryos, it will be impossible to continue this standard and very effective medical practice in North Dakota.

HB 1373 tries to carve out some exceptions for pregnancy complications, but these are very limited. If HB 1373 passes, becoming pregnant in the state of North Dakota will be far more dangerous for women. HB 1373 states that it *“does not apply to the unintentional death of an unborn child resulting from: a. Acts performed under the usual and customary standards of medical practice during diagnostic testing; b. A procedure undertaken to save the life of a mother when accompanied by reasonable steps to save the life of the unborn child”*. If a pregnant woman experiences the pregnancy complication of PPROM (preterm premature rupture of membranes) at a previable gestation (hypothetically, let's say 19 weeks) and develops an infection (i.e. chorioamnionitis), at what point is the physician safely able to provide an abortion without being convicted of murder? What steps am I supposed to take to “save the life of the unborn child” who is not viable outside the uterus at 19 weeks? Are we going to require a NICU team to be at birth and attempt to resuscitate babies born before viability? Am I going to be forced to provide non- standard medical care and go against standard, evidence-based care before I can provide this patient an abortion? This personhood bill does not have exceptions for treating ectopic pregnancies. Ectopic pregnancies are pregnancies that have implanted outside of the uterus. These pregnancies are not able to safely grow to the point of viability and these pregnancies are incredibly dangerous and can kill a woman if left untreated. How are we supposed to manage these pregnancies if HB 1373 passes? These are just two of the many examples of how HB 1373 would make being pregnant in North Dakota more dangerous for women.

To wrap up my testimony, let's focus on how we would recruit health care providers to our state. North Dakota is a maternity care desert. There are only about a dozen counties in this state that offer obstetric care and some of these counties do not offer full scope obstetric care (meaning women with ectopic pregnancies, bleeding from miscarriages, and other pregnancy complications need to be transferred to other hospitals in other counties). I have patients that travel more than 2 hours one way to have a prenatal appointment with me. I have described above the dangers to women and criminal dangers to health care providers that would occur if HB 1373 passes. Why would any physician want to come and practice in a state with those implications and dangers? I am certain we will also lose current practicing physicians and other health care providers if HB 1373 passes. Medical students will not want to come back here to practice either. This will all worsen the maternity care desert we have in North Dakota. This will also further make it more dangerous to be pregnant in North Dakota.

This is a state that values life and family. Why would we pass a bill that sacrifices the health and safety of mothers? HB 1373 is dangerous, and I am urging the members of the committee to vote on a “do not pass” recommendation.

Respectfully,

Collette Lessard, MD, FACOG

Dear Members of the House Human Services Committee,

I am writing to urge a DO PASS on HB 1373. The right to life was endowed by our creator, not by man or any document written by man. Without the right to life, we have no rights.

Thank you for your consideration.

Sincerely,

Josey Milbradt

Do NOT pass this bill. As a teenage girl about to move to Fargo, I do not want to be put at risk of not being able to get the care that I could potentially need. I have never been sexually active, though I have been on birth control to regulate my hormones, and I have about 10 friends who have done the same. Along with this, if I were to get sexually assaulted and end up pregnant, would you expect me, A CHILD, to carry another child? It's all "pro-life" until it comes to the mother. What about her? I urge you to not pass this bill, and to think about all the young girls and women who are in the same boat as me. Thank you.

February 5, 2025

Chairman Ruby and Members of the Committee,

I am writing this testimony to oppose HB 1373. As a board certified Obstetrician and Gynecologist who has practiced in this state for my entire career I have served countless couples who dream and work to build a family. I am directly responsible for caring for and diagnosing those couples with infertility, a medical diagnosis suffered by so many of our North Dakota residents. Our residents should be allowed to access the life changing services and treatments that can bring their dreams of a family to fruition.

I strongly oppose HB1373. Using this bill to redefine a fertilized egg as a person is not only incorrect but also the first step in eliminating reproductive services to families all over North Dakota. This state should be investing in families, yet if this bill passes, in vitro fertilization and the reproductive medicine services will then be halted.

Families who have worked and dreamed to have children for years will be told that their diagnosis, their dreams, their family is not important enough to North Dakotans. Patients will seek these services elsewhere in states that do not have such definitions thus leading to increased burdens on those families and the healthcare system. North Dakota runs the risk of losing our incredible Reproductive Medicine Clinic and only local IVF facility. These are essential services for North Dakota families and need to be protected.

Sincerely,

Lacey Krebsbach, MD FACOG

Dear Chairman Ruby and members of the House,

I am writing as a citizen and believe HB1373 is desirable legislation. Please give HB1373 a Do Pass.
Thou Shall Not Kill.

Thank you,

Bobby Costello

District 2 Delegate ND Republican Party

638 Dakota Street South

Tioga, ND 58852

HB 1373

House Human Services

Chairman Ruby and Committee Members, I support HB 1373 which expands the legal definition in North Dakota law to include unborn children as human beings from the moment of fertilization.

Thank You, Gordon Greenstein

US Navy (Veteran)

US Army-NDNG (Retired)



Testimony Opposing House Bill 1373

Mark Jorritsma, Executive Director
North Dakota Family Alliance Legislative Action
February 5, 2025

Good morning Chairman Ruby and honorable members of the House Human Services Committee. My name is Mark Jorritsma, and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in opposition to House Bill 1373 and respectfully request that you render a "DO NOT PASS" on this bill. I would also like to refer you to the final page of this testimony, which contains our organization's formal position on this issue, which was issued in April of 2024.

This bill has been called, "Equal protection under the law for pre-born persons." While that sounds noble and equitable, this bill has become fundamentally about criminalizing women for their abortion, as well as all others tangentially related to the abortion.

Biblical Basis

As a Christian organization, we believe in protecting life at all stages. We also believe that the mother is often the abortion's second victim. Similar to women who are victims of human trafficking, we believe the focus should be on punishing the source of the criminal activity, in this case the abortionists who profit from killing innocent children by providing abortion drugs, and not the women who suffer because of it.

From a biblical standpoint, the issue is about balancing justice with mercy. Numerous biblical texts clearly point to situations when it is more important to side with mercy over justice (Zechariah 7:9, Matthew 5:7, James 2:13, John 8:3-11). Each side in this debate can quote bible verses and debate theological arguments forever, and yet at the end of the day, will likely hold the same viewpoints as they did at the beginning. As Christians in America, we seek to be salt and light in a fallen world. It should not be Christian against Christian or mother against child, but Christian values against our country's abortion complex.

Practical Basis

Using figures from the ND Department of Health and Human Services, 743 women received pills for abortions at the Red River Women's Clinic in 2020. It's safe to assume that the same number of women, maybe more, would be getting abortion pills elsewhere now,

particularly since they don't have to even visit with a doctor at an abortion clinic. This means that 743+ women could have an abortion in ND and be charged if this bill were to become law.

But that's not the end. Consider those other people associated with the abortion act who would also be guilty, presumably as accomplices. It's reasonable to assume that if a young lady were to become pregnant and consider an abortion, she will have at least told one other person; perhaps her best friend, her mom, or the father of the child. That's a minimum of one more person (probably more) who would know about the abortion and be implicated. Now we are up to almost 1,500 (743x2) ND citizens who have committed a crime and must be prosecuted. Further, if this crime is premeditated and classified as a AA Felony, which it likely would be for the mom, she could receive a sentence of life in prison without the possibility of parole for at least 30 years. If she is not caught, she will be looking over her shoulder for the rest of her life, because there is no statute of limitations for a AA Felony in our state.

There is still more. Law enforcement would be diverted from other tasks in order to arrest 18-year-old girls and throw them in prison. The courts would be clogged with criminal trials and the North Dakota Department of Corrections and Rehabilitation would experience a 73% increase in their total prison population.¹

Why did I go through this whole scenario? Because on solely a pragmatic/workability perspective, the numbers clearly show how impractical and unworkable this bill is.

Legal Basis

I am not a lawyer, so while I would love to testify on this basis, I am not sufficiently qualified and I will leave that to other individuals.

Strategic Basis

As we've seen over the past 50+ years, the fight for human life in our country is a marathon, not a sprint. The solution is not short-term public policy that provides additional ammunition for the other side to continue falsely asserting that Christians hate women who have abortions. Instead, the pro-life movement should be committed to saving the life of the child and showing the love of Christ to these women needing our grace and mercy.

¹ 1,500/2,043 current DOCR prisoners. <https://dashboard.docr.nd.gov/us-nd/narratives/prison/2>



NORTH DAKOTA

Family Alliance LEGISLATIVE ACTION

Other Issues

From a political perspective, this type of legislation would be fraught with significant public policy problems. It does not account for coercion of the mother, nor does it differentiate between chemical abortifacients and spontaneous miscarriages. There are critical HIPAA concerns, and the burden of proving intent for the mother and “co-conspirators”. There is also the very real possibility that pregnant mothers will be driven “underground” and stop visiting pregnancy resource clinics, meaning that ultrasounds would be performed on far fewer women, and this very important tool might no longer influence pro-life decision-making.

Final Thoughts

As I stated at the beginning, our organization provided its formal position on this issue in April of 2024. It was provided to delegates of the NDGOP convention, as well as via email to every one of our thousands of constituents across North Dakota. Since that time, we have never received a single negative email or other communication from them on our position, but we have had quite a few constituents and others praising our stance on the issue. Pro-life North Dakotans don’t want mothers to be criminalized for abortions.

I’m sure that the authors and supporters of this bill sincerely believe that it would stop abortions in North Dakota – I am not questioning their motives or belief in this approach. However, North Dakota Family Alliance Legislative Action strongly believes that passage of HB 1373 in its current form would not be consistent with biblical teachings, would undermine decades of work by the pro-life movement in our country and state, would represent a logistical and operational nightmare, and would create a host of other problems that alienate these women, rather than help them.

Let me end with this. Our organization clearly has significant issues with this bill, however, we have to acknowledge that proponents of this bill want the same thing we do – no more abortions in North Dakota. With that in mind, we would encourage the committee to consider undertaking a study during the 2025-2027 interim period to determine whether the concepts presented in this bill could be modified to eliminate some of the issues we’ve discussed. While we agree that eliminating abortion in ND is the goal, this bill as it sits simply isn’t the right tool to do it, so let’s see if we can move ahead together using our best ideas and strategy to achieve our shared goal.



The aforementioned study recommendation notwithstanding, our organization and its constituents must oppose HB 1373 and ask you to render a “DO NOT PASS” on this bill.

Thank you for the opportunity to testify and I would be happy to stand for any questions.



Statement on Criminalization of Women Who Have Abortions

Recent public policy discussions in North Dakota have focused on the criminalization of women who have abortions. This is a difficult issue, with principled opinions on both sides of the topic. However, North Dakota Family Alliance does not support measures that seek to criminalize or punish these women, and we oppose including such penalties in legislation.

As a Christian organization, NDFA believes in protecting life at all stages. We also believe that the mother is often the abortion's second victim. Similar to women who are victims of human trafficking, we believe the focus should be on punishing the source of the criminal activity, in this case the abortionists who profit from killing innocent children by providing abortion drugs, and not the women who suffer because of it.

From a biblical standpoint, the issue is about balancing justice with mercy. Numerous biblical texts clearly point to situations when it is more important to side with mercy over justice (Zechariah 7:9, Matthew 7:2, James 2:8, John 8:3-11). As Christians in America, we seek to be salt and light in a fallen world. It is not mother against child, but Christian values against our country's abortion complex.

We know that abortion has deep and lasting negative effects on a woman's physical, psychological, and spiritual health. A frightened, pregnant woman needs help, not the threat of criminal prosecution, and as Christians, we *can* help. In a study published by BioMed Central, over 70% of post-abortive women said they had an abortion because of financial or partner-related reasons. To help, we propose considering ways to continue supporting women with additional adoption incentives, more daycare options, additional assistance for women in abusive situations, and similar constructive solutions.

From a political perspective, this type of legislation would be fraught with significant public policy and enforcement problems. It does not account for coercion of the mother, nor does it differentiate between chemical abortifacients and spontaneous miscarriages. There are critical HIPAA concerns, statute of limitations questions, and the burden of proving intent for the mother and "co-conspirators". We would be putting law enforcement into an untenable situation and would end up funding the inevitable court cases arising from such short-sighted legislation.

As we've seen over the past 50 years, the fight for human life in our country is a marathon, not a sprint. The solution is not short-term public policy that provides additional ammunition for the other side to continue falsely asserting that Christians hate women who have abortions. Instead, the pro-life movement should be committed to saving the life of the child and showing the love of Christ to these women needing our grace and mercy.

Psalms 127:3

“Behold, children are a heritage from the LORD, the fruit of the womb a reward.”

I believe God is the one who designs every single person and gives them the ability to have breath and live.

Abortion should no longer stand or be a viable option for anyone. It is the ultimate anti-God, sinful, heinous act anyone can perform or allow.

Please, stop the madness. Please, protect every unborn child regardless of their parents sins.

I will be praying for everyone who has had an abortion or desires abortion to see the light of Christ and by God's grace be set free from sin and turn to Christ and be saved.

I'm in support of HB 1373.

Caleb David Rouser.

Proud citizen of North Dakota and the Kingdom of God.

Do Pass Testimony for HB 1373

Dear Chairman Ruby and member of the House Human Services Committee,

Thank you for serving the citizen of North Dakota. In regards to HB. 1373, I urge the committee to vote in favor. The preborn deserve equal protection under the law. This legislation, when looked at face value, is common sense. A preborn life is a human being, all human beings deserve their God-given rights and protection, therefore the preborn should have equal protection under the law. It is that simple.

Give HB 1373 a Do Pass.

Thank you for your time,
Larrissa Chavez
7000 135th Ave. SW
Minot, ND 58701

Chairman Ruby and Members of the House Human Services Committee,

My name is Stephanie Jorritsma, and I am testifying today as a citizen of North Dakota, asking you to render a “DO NOT PASS” recommendation on HB 1373.

I would like to begin by saying that I am strongly pro-life. I founded a pro-life group on my college campus, which I led for two years. I prayed outside the Red River Women’s Clinic, back when abortions were still being performed in Fargo, and I continue to pray for an end to abortion in our country.

That being said, I believe this bill fails as a concept, as an enforcement tool, and as a path forward.

Women who have had abortions are rarely, if ever, doing so out of malice or flippancy over their unborn children. Quite often they are terrified of social ostracism, manipulated by a partner, or simply have believed the many lies of our pro-abortion culture. Truth thrives in the light—this bill pushes women back into darkness, stopping them from opening up about their fears, asking for help, and choosing life for their children.

For post-abortive women, it is already incredibly difficult to open up and find healing. If a woman had an abortion after this bill became law, this bill would hang their past actions over their heads and ensure that none of them can speak to a support group, a therapist, or even a trusted friend, without risk of being reported, prosecuted as felon, and spending the rest of their lives in jail.

We already have programs around our state to help post-abortive women find hope and healing. Why would we take those programs and substitute them with life in prison? What do we hope to accomplish? With our over-crowded jails, why are we taking women who are already in deep pain, the majority of whom would never even consider another abortion, and putting them in jail for the rest of their lives?

I am pro-life because I am for all people—born and unborn. If we leave expectant mothers isolated to fall victim to fear, manipulation, and the abortion complex’s lies, then we are doing them a grave disservice.

With all of this in mind, I am respectfully asking that you render a “DO NOT PASS” on HB 1373. I have provided my contact information below, and I am happy to answer any questions you may have.

Sincerely,
Stephanie Jorritsma
Stephaniejorritsma@hotmail.com



Microsoft Information

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Microsoft respects your privacy.
Microsoft Corporation, One
[Microsoft Way, Redmond, WA 98052](#)

HB 1373 Testimony

2/5/25 9am Pioneer Room
ND Capital

Chairman Ruby and esteemed members of the committee,

My name is Lori Hinz. I come before you today, not as anything else, but as a child of the Most High God, and as a mother of five, three on earth and two in heaven.

I am here to testify in favor of HB 1373 and equal protection for the unborn. I humbly ask you to consider a DO PASS vote for this bill. AND HERE IS WHY;

Shockingly, I know many of you on this committee personally, and I know your strong faith in a good and gracious God. Because of this, I also know that your steadfast moral code comes straight from the Holy Bible, and you know in your core what God's Word says about human life and murder.

I also know many of you are blessed with a sound knowledge of what is in our U.S. Constitution and specifically the 14th Amendment. For this reason, I am assured that you are well-versed in what the law of the land actually says.

These two **pillars** combined, make it very clear you should be in **support** of this bill.

Should be.

But there is a grave danger, an enticement to overthink it and be "conformed to the world..." meaning, be influenced by the **culture** around you, rather than what the Word of **God** and the **Constitution** of the United States **say**.

This is why the fear-peddling fear-mongers become successful. Those who **worry**:

IVF will no longer be available! Untrue.
Mothers will be criminals! Untrue.

What ARE you really afraid of? Let me for a moment address your fear.
And may I remind you, fear is not of God. God does not give you anxiety. Fear comes from the other guy, the bad one.

Are you afraid of what Planned Parenthood will do? Because if you are, you should be aware that a do not pass vote in this committee would be **siding with** Planned Parenthood.

Courage is not easy, but courage is exactly what is needed on this bill. Courage and moral conviction, and as mentioned I know you already possess the ethical foundations...you may just need a boost for your intestinal fortitude.

You know that life begins at conception. You know the definition of murder.
The last part of Section 1 of the 14th amendment reads:

"...nor shall any State deprive any **person** of life, liberty, or property, without due process of law; **nor** deny to any **person** within its jurisdiction the **equal protection** of the laws."

It's all so **very** simple.

You may remember Republicans are the party that abolished slavery.
And Republicans in **this** body should be the party that abolishes abortion in the free state of North Dakota for the **exact** same reason.

- All human beings are created equal and deserve **equal** protection under the law.

I urge you to prayerfully consider your courage quotient, bolster it with the truth you know, and vote DO PASS on HB 1373.
Thank you.

Mr. Chairman I'll stand for any questions you may have.

Dear Members of the House,

I do not have all the fancy words, but I have a beautiful, soon to be 3-year-old, that would not have been possible without IVF. Bill HB 1373 does not provide protection for IVF providers. If the goal is to preserve life, then IVF should be supported, not threatened. No one should deny families their best chance for a miracle. Families should get to decide, not Bills.

Sincerely,

Isabel DeWitt

Bismarck, ND

Chairman Ruby and Members of the Committee,

I am writing this testimony to oppose HB 1373. I directly work with patients who are working to create a family. With my two years of experience working in the medical field on the patient access side, I strongly encourage you to oppose HB1373 so North Dakota residents can continue to receive these services. Infertility is a medical diagnosis, and patients should have access to treatment of this medical disease. HB1373 defines an unborn child as a person at the moment of fertilization of an egg which will eliminate these services to be offered in North Dakota. By eliminating these services, the state risks creating additional burdens for healthcare and community services leading to higher long-term costs. As a resident of North Dakota, I strongly believe that our state's strength lies in its support of all residents and it's essential that we continue to protect services that ensure all North Dakotan's have the opportunity to raise a family and thrive in this great state.

Dear Chairman and Members of the Committee,

I am writing this testimony **IN OPPOSITION** to HB 1373, for many reasons. I am a physician, a wife, and a hopeful future mother. I have recently returned to ND to start my family and career, and unfortunately after years of struggles with infertility, I am now due to start my first IVF cycle in Fargo next month.

1. This bill as written would **effectively remove IVF as an option** in this state. This would affect residents of ND and its surrounding states, many of whom have to travel hours (often multiple times a month) to reach the only Reproductive Endocrinologist in our state, in Fargo. It is not uncommon to have significant loss of early embryos in this process, and medical professionals will not assume the liability to continue to practice in this state with potential threat of litigation – and who could blame them?
2. The strict definitions in this bill could allow for questioning and **persecution of women experiencing miscarriages**. It is not uncommon for early pregnancies to end in spontaneous abortions (“miscarriages”), sometimes before the woman is aware of her pregnancy. Was it the new workout class? The glass of wine? Or was it just a natural biological process? Other states with similar laws have already seen women questioned or incarcerated.
3. This bill would limit the ability of this state to **attract medical professionals**. I am not an OB/GYN or Reproductive Endocrinologist, but I do treat pregnant patients in my practice, some of whom require medical or surgical abortion. This is something that the writers of this bill have no formal education in, and subsequently do not understand the complexities involved in medical decision making. I wanted to return here to raise my family, but why would I stay if both my medical practice and my personal life are limited to such a degree that I may face **LEGAL CONSEQUENCES**. I would encourage colleagues and friends to avoid this as well. This will only potentiate a crushing physician shortage in this state.
4. **Residents of this state already rejected** this proposition in 2014 when the ballot measure attempting to confer personhood to human zygotes was rejected by over 64% of North Dakotans. This is not the will of the people. Why are we deliberating about this again?
5. Finally, I’d like to bring attention to the fact that a majority of testimonies in support of this bill originate from **out of state interest groups** who have no vested interest in the policies of our state. There seems to be a religious theme to nearly all of these testimonies. The first amendment enshrines our freedom of religion. I have many patients who are not Christian. I should not be forced to make medical decisions for my patients, or health decisions for myself, based on someone else’s religious preferences.

I urge you to please vote **IN OPPOSITION** to HB 1373.

Dear Chairman and Members of the Committee,

I am writing this testimony **IN OPPOSITION** to HB 1373, for many reasons. I am a physician, a wife, and a hopeful future mother. I have recently returned to ND to start my family and career, and unfortunately after years of struggles with infertility, I am now due to start my first IVF cycle in Fargo next month.

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I urge you to please vote **IN OPPOSITION** to HB 1373.

ND Constitution: Article 1 Declaration of Rights

Section 1. All individuals are by nature equally free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty;

Simply put. Life needs to be defended at all stages. Regardless of your religion or lack thereof, life needs to be protected and it falls to our state and national constitution and within the Word of God. Romans 7:7b says "I would not have known what sin was had it not been for the law." We know that murder is a sin.

As a humankind we are aware of the atrocity of murder, but we have been misled to believe that there are times at which it is allowable and we can 'decide' who is allowed to be murdered and not.

As fellow humans and lawmakers you have a responsibility to uphold the law that would not permit murder at any level of human development.

Do not become caught up in the 'what if's' and the strawman arguments and trust our law system to determine to what extent of guilt is in each situation, but go back to the fundamental basis that murder is wrong in all situations and we as North Dakotans and Americans, need to DEFEND life.

Members of the House Human Services Committee,

Thank you for considering my testimony regarding HB 1373. In addition to privacy and freedom concerns, many North Dakotans, especially young professionals such as myself, are simply tired of state lawmakers debating laws like this. We'd prefer our leaders address the real needs of working families, students, and elders in our community.

Further, extreme abortion bans and personhood bills like these deter healthcare providers from moving to and staying in our state. I urge a Do Not Pass recommendation on HB 1373.

"Longstanding issues of access to prenatal and maternal care in rural areas have been exacerbated by the state's abortion ban, a move some obstetricians say has put them on edge over potential legal concerns arising from a termination of pregnancy." - OB-GYN fears, maternity deserts impact health care in North Dakota, North Dakota News Coop, 3 September 2024. <https://www.newscoopnd.org/ob-gyn-fears-maternity-deserts-impact-health-care-in-north-dakota>

Sincerely,
Olivia Schloegel
Jamestown, ND

Committee chair and members I hope you would consider my testimony regarding House Bill 1373. My name is Dylan Taves and I am a North Dakota resident concerned with the acts of the legislature. I stand in firm support of HB1373 and the spirit of the bill. This bill handles an issue regarding the sanctity of human life which has been tarnished in our modern era. As we spend billions of dollars searching the stars and planets looking for "alien life" even going so far to search for single cell organisms, we neglect to consider the newly created life that is found in the womb of a pregnant woman. Life begins at conception when this new DNA is formed and begins to grow. Additionally, under N.D. Cent. Code §§12.1-17.1-01 to 12.1-17.1-04 (1997) it is considered double homicide if a pregnant woman and child are killed in some way. Therefore pass this bill, and make the law consistent.

Please consider this testimony and make the correct decision by passing this bill. Thank you, and may God bless you all.

Chairman Ruby and Members of the Committee,

I am writing this testimony to oppose HB 1373. I directly work with patients who are working to create a family. As someone who has utilized IVF to conceive I strongly encourage you to oppose HB1373 so North Dakota residents can continue to receive these services. Infertility is a medical diagnosis, and patients should have access to treatment of this medical disease. HB1373 defines an unborn child as a person at the moment of fertilization of an egg which will eliminate these services to be offered in North Dakota. By eliminating these services, the state risks creating additional burdens for healthcare and community services leading to higher long-term costs. As a resident of North Dakota, I strongly believe that our state's strength lies in its support of all residents and it's essential that we continue to protect services that ensure all North Dakotan's have the opportunity to raise a family and thrive in this great state.

Sincerely,

Chelsey Olander, a mother made by IVF

Good morning,

My name is Ashley Johnson and I am writing in opposition of HB1373. Defining life as beginning at fertilization directly impacts the ability of IVF providers in our state to provide care for people like my friend who was diagnosed with cancer. Because of IVF, she was able to become a mom after chemotherapy. Please do not allow religion and politics to limit the care that can be provided to patients that want to start a family. I strongly encourage you to NOT pass HB1373.

Sincerely,

Ashley Johnson

Dear Chairman and Members of the Committee,

I am writing to express my strong opposition to HB 1373. I am a father, grandfather, and resident of Bismarck for nearly 40 years. Upon reviewing this bill, it appears to me that the creators of it either 1. Haven't done enough research or consulted with medical/legal professionals to realize the many potential harmful consequences of it, or 2. Are purposefully trying to eliminate the option of IVF in this state and eliminate the possibility for many residents to start families. This bill **should not** be passed as written. Thank you for your time and consideration.

Ronald Wutzke

District 35

Good morning Chairman Ruby and Members of the Committee,

I am writing this testimony to **oppose HB 1373**. For the past 5 years I have worked as a registered nurse at the only IVF clinic in North Dakota. I strongly encourage you to oppose HB1373 so residents in North Dakota and surrounding states can continue to receive these services at our clinic. How can you put a bill into effect that will detrimentally affect layers of care for fertility, reproductive and women's healthcare that you cannot even imagine? You do not know the serious effects of this bill until you or someone you know (which I'm sure you do) needs these services or healthcare which they have the right to receive. HB1373 defines personhood to be the moment of fertilization, when a sperm and egg come together. This bill will eliminate services that we offer in North Dakota due to the risk of criminalization to our providers and staff. By eliminating these services, the state risks pushing residents elsewhere to receive these services which is a huge burden in addition to what they are already facing. As a resident of North Dakota, I strongly believe that our state's strength lies in its support of all residents and it's essential that we continue to protect services that ensure all North Dakotans have the opportunity to raise a family and thrive in this great state we call home. I urge you to vote NO on HB 1373 to protect your family, neighbors, friends and wonderful members of our state and surroundings.

Sincerely,
Chelsie Kainz, RN

Good Day House and Human Services Committee,

I would urge you to render a do pass on HB1373. I know a lot of people are concerned about this making IVF illegal in ND, or that the doctors will be susceptible to punishment if the embryo doesn't take to the womb. We did have to go through IVF to get pregnant, we do have three beautiful children now thanks to the help of IVF. I have looked through this bill thoroughly and if I had to do IVF today, we would still be able to use IVF the same as we did 9 years ago when we got pregnant with our twin boys. This bill does not hinder that process.

I do believe there is an ethical way to use IVF as we did, while protecting life of innocent children and protecting the mother.

Thank you,

Cionda (C.C.) Holter

701-580-4647

District 3

Chairman Ruby and Members of the Committee,

I am writing this testimony to oppose HB 1373. I directly work with patients who are working to create a family. As a woman myself that has utilized fertility services and someone that helps guide women each day to find the healthcare they need, this is a direct attack on women's health care in ND, I strongly encourage you to oppose HB1373 so North Dakota residents can continue to receive these services. Infertility is a medical diagnosis, and patients should have access to treatment of this medical disease. HB1373 defines an unborn child as a person at the moment of fertilization of an egg which will eliminate these services to be offered in North Dakota. By eliminating these services, the state risks creating additional burdens for healthcare and community services leading to higher long-term costs. As a resident of North Dakota, I strongly believe that our state's strength lies in its support of all residents and it's essential that we continue to protect services that ensure all North Dakotan's have the opportunity to raise a family and thrive in this great state.

Sincerely,
JoAnna Thome

”

Chairman Ruby and members of the House Human Services Committee, I am writing in opposition of HB 1373, specifically the language written: “unborn child” means an individual living human child before birth from the beginning of biological development at the moment of fertilization upon the fusion of a human spermatozoon with a human ovum.

As a woman diagnosed with cancer at 22, I was told that having children in my future may not be a possibility unless medical intervention was an option. My husband and I began trying to have a child when I turned 30, and quickly discovered without the help of any type of reproductive medicine, it wouldn’t be possible.

After 9 rounds of Intra Uterine Insemination (IUI), two rounds of In Vitro Fertilization (IVF), about 40 eggs and a tremendous amount of money and tears, we were able to have our son.

None of this was taken lightly. The children we lost while attempting to have one was detrimental to our mental health, our physical health and extremely straining on our marriage. We would do it again in a heartbeat for our son.

This bill is not about families getting the chance to have a child. This bill is about religion, something that reproductive medicine is not. If HB1373 is approved with the current language, IVF treatment will be unavailable to families and women that already carry the burden of infertility. As someone who firsthand lost over 40 eggs because they did not grow after being fertilized, should I be condemned as the language is currently written? If a woman has a miscarriage due to circumstances outside of her control, should she? This is how HB1373 will treat women. How can our state consider itself “Legendary” if we don’t protect the people that will carry on the legacy? How can our state continue to turn down women’s healthcare when they are the ones who bring new life to our state?

I urge you to vote in opposition of HB1373. Protect our providers, protect our women, protect the families and couples that have the hope that one day they will be able to be parents.

Chairman Ruby and Members of the Committee,

I am writing this testimony to oppose HB 1373. I directly work with patients who are working to create a family. As someone with children, I am lucky to have the opportunity to be a mother and I strongly believe that everyone should have the chance to grow their family. The patients I see coming to the clinic are all very eager for the opportunity and have been struggling to achieve this. The clinic provides this opportunity. Please don't take this opportunity away. I strongly encourage you to oppose HB1373 so North Dakota residents can continue to receive these services. Infertility is a medical diagnosis, and patients should have access to treatment of this medical disease. HB1373 defines an unborn child as a person at the moment of fertilization of an egg which will eliminate these services to be offered in North Dakota. By eliminating these services, the state risks creating additional burdens for healthcare and community services leading to higher long-term costs. As a resident of North Dakota, I strongly believe that our state's strength lies in its support of all residents and it's essential that we continue to protect services that ensure all North Dakotans have the opportunity to raise a family and thrive in this great state.

Sincerely,

Emily Mathew

Statement of Opposition to House Bill 1373

Dear committee members,

My name is Brittany Derrow and I am writing to oppose house bill 1373.

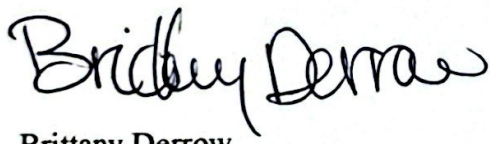
HB1373 seeks to redefine "human being" and "person" to include "unborn child" from the moment of fertilization. While the bill claims to provide exceptions for certain medical conditions and procedures I do not believe these provisions will be capable of covering all possible circumstances thus, leaving ND women and ND families vulnerable and unable to receive quality medical interventions.

I believe this bill will have significant long term negative implications on medical care related to reproductive health. Examples of this that come to mind would be the treatment of ectopic pregnancies and procedures related to IVF.

My husband and I spent 6 years desperately trying to have a baby. During that time, I experienced 3 ectopic pregnancies. If left untreated, I would have died which would have left my oldest son without a mother and my husband without a wife. Thankfully, in 2023 we were able to go through IVF. I august of 2024 we welcomed a heathy baby boy. At this time, we have more embryos waiting that we plan to transfer in the future to continue to grow our family. After such a long road to finally growing our family it would be devastating if this opportunity was taken.

I am deeply concerned that lawmakers are not able write in enough detailed provisions to provide adequate legal protection to medical providers, clinics, and hospitals which will cause ND women to lose access to life saving medical care as well as treatments to assist in achieving pregnancy. I urge this committee to stop this bill from moving forward as there is too much at risk.

Thank you for your time and careful consideration on this critical matter,

A handwritten signature in black ink that reads "Brittany Derrow". The signature is written in a cursive, flowing style.

Brittany Derrow

Chairman Ruby and Members of the Committee,

I am writing this testimony to oppose HB 1373. I directly work with patients who are working to create a family. As someone with 15 years of working at Sanford Reproductive Medicine & 13 years working Labor & Delivery, I strongly encourage you to oppose HB1373 so North Dakota residents can continue to receive these services. Please take time to interpret the wording of this bill. You have access to Reproductive Endocrinologists who have the knowledge to explain how the science and process behind the female reproductive cycle and the IVF process. There is a lot of “grey” areas in this bill. We are the ONLY facility in North Dakota to provide services for men and women struggling with a very personal issue that they did not choose. Infertility is a medical diagnosis. Do not deny care for choices couples have no control over. 1 in 6 couples struggle with infertility. You DO know someone that has been through infertility issues and/or IVF. HB1373 defines an unborn child as a person at the moment of fertilization of an egg which will eliminate these services to be offered in North Dakota due to the wording of this bill as the risk to providers. By eliminating these services, the state risks creating additional burdens for healthcare and community services leading to higher long-term costs. You should be proud that future generations have access to Reproductive Medicine if needed. It should be an option for everyone. Let medical providers provide quality health care especially in women’s health. As a resident of North Dakota, I strongly believe that our state's strength lies in its support of ALL residents and it's essential that we continue to protect services that ensure ALL North Dakotan's have the opportunity to raise a family and thrive in this state.

Reread the bill. Ask the medical professionals. Please think before voting.

Sincerely,

Angie Spokely, RN

February 5, 2025

Good morning, Mr. Chairman and members of the Health and Human Services Committee, my name is Lori VanWinkle, and I represent District 3 out of eastern Minot.

I am here to explain and provide testimony in support for HB 1373 and provide reasoning for why this bill to protect the lives of every pre-born child from unjust and unconstitutional law, is necessary. HB1373 seeks to make it clear in our law that pre-porn children are human and shall be provide all the same protections, provisions and rights as all other born people. This is a commonsense bill that will close a loophole that has allowed the murder of innocent lives to continue in this state, at will, and on demand, by any woman who desires to take a pill and kill her pre-born child.

Let's look at Section 1. This section adds definitions of "human being" and "unborn child" to NDCC 12.1-16, the chapter on homicide, and provides an exception to unintentional deaths during a proper standard of care during pregnancy. Provides an exception to an unexpected death in effort to save both the life of the mother and the child during any lifesaving scenario or complication, and provides an exception for spontaneous miscarriages, which are obviously not willful intentional deaths and thus are not abortions.

Section 2; Adds the same language into code for on our chapter for assault in NDCC 12.1-17.

Section 3 adds the same language into chapter 32-21 on wrongful death, which details the civil remedies available for a wrongful death accusation.

Mr. Chairman and Members of the committee, I will continue.

In 2021, there were 1002 North Dakota children murdered on demand by abortionists and mothers. In 2023, approximately 780 mothers left the state to have abortions, while approximately 221 of them ordered out of state abortion pills and took them in North Dakota to end the lives of their preborn child. Even after the exodus of Planned Parenthood, the total number of preborn North Dakotans murdered was approximately 1001. That is effectively identical to the numbers of 2021, which shows that even while we had a partial ban on abortion at conception, there was no decline in the number of preborn children killed by their mothers, on demand, by alternate means.

Despite this legislative body diligently paving forth a difficult path, we have successfully defunded Planned Parenthood from attaining any more tax payer grants or state wealth, and after passing the partial ban on abortion in 2023 and despite seeing them pack up their demonic agenda and head over the river and through the woods, the abortion pill remains

completely accessible, and this loophole, if left unattended, or neglected via opposing this bill, will invite them right back in and it will be worse off for ND in the end, than it has ever been before, because it will bring their evil agenda back and it will be doubled down along with pill, and it will be full open provisions to at will and on demand destruction of lives and families!

Let me make one more item clear: This bill is about outlawing the destruction of innocent human life, not the creation of it. Some want to make this bill about I VF, but nothing in the bill even mentions IVF. They don't like that the effect of recognizing life from conception would ensure IVF clinics treat the human beings they create invitro, with a proper standard of care. But why would anyone be against that? Yet opponents lie about the bill.

In fact, the entire narrative about IVF has been weaponized against this bill, and it is a false narrative routinely employed by the abortion industry as a scare tactic to oppose any bill that would protect preborn babies.

We should not fall for this tactic. It should come as no surprise that Planned Parenthood is leading the charge against this bill, claiming that it would quote undermine the rights of pregnant people, whatever that means. Don't fall for the false narrative. Planned parenthood and this bill's opponents are opposing this bill because they want it legal to murder babies in North Dakota.

We have a simple choice to make today. You can either side with Planned Parenthood and their agenda of killing preborn on demand, or we can truly stand and support life and uphold HB 1373 and say no longer are we willing to see the shedding of innocent blood in our state! That is the stance of integrity, godliness, and justice! Supporting this bill is standing with We the People that say, we are not willing to allow our emotions to be weaponized and our compassion manipulated and twisted to allow this carve out and immunity, for one portion of the population to murder another portion of our population, without consequence!

Because of depravity over the cultural nonsense of our day, there has developed a disregard of God's holy boundaries for sex and marriage! This must be undone. We must not lie to men, women, and children any longer by telling them that sex is some extracurricular activity that has no boundaries. Sexual union was created for man and woman to enjoy at liberty in the holy union of marriage. PERIOD. The fact that outliers and disobedience exist, does not change God's law and our moral directives! We must stop advising that when the results of that holy union are produced, that the response is to go murder that preborn child and start over on your lust, selfish ambitions and vain pursuits of life. Good God Almighty, NO!

It has been a long time coming, but our eyes have been opened. Now there lies before us a great division and challenge, because truth is offensive! But let God be true and every man a liar, because God's Word and our Constitutions are the Supreme Law and governor over this land.

Murdering anyone should be illegal for everyone. This is a simple reality. Our laws must reflect that, and telling this truth in the context of abortion may be hard for some to hear, but telling the truth and steering someone from murder, is an act of LOVE! To lie to your neighbor, and lead them to murder is hateful and evil! I now see full well that if I deny justice and truth on this subject, I will be continuing to deny the very God I claim to serve and would be breaking my Oath and denying justice to the innocent. And we each will individually stand before God accountable for the justice or evil we allow from our positions of leadership!

Truth has continued to unfold the narratives I have been told, which leaves me in a state of AWE. I see every lie more clearly and if the murder of the preborn, aka "abortion" was really about justice for rape and incest then why, if the woman has so much power and authority over life and death, why didn't we allow her to kill her perpetrators in those cases instead of the innocent child? This is the manifest injustice; law has allowed the criminal a carve out of immunity but has given an innocent baby a death sentence!

And if this was about the health of the mother, why do we murder the baby when with all our epic medical advancements doctors could safely and reasonably plan an earlier delivery! I mean emergency C sections occur all the time!! We promoted FEAR instead of hope and faith and reasonable law and justice, that's why!

Did you know that the earliest known surviving baby was born at only 12 weeks old! That is beyond incredible, and proves it is unneeded to kill a baby in every circumstance where a mother's life may be at risk, however, should that instance occur this bill has that thoughtfully covered and allows doctors to intervene to save the life of the mother if ever needed.

I am an insulin dependent and have had 4 high risk pregnancies. I thank God I never listened to any medical doctor's fear tactics, and instead trusted and prayed because I know God is the author of our days, and no one was going to suggest I worry! I have had 5 difficult pregnancies that produced 4 amazing and incredible children, and only 1 miscarriage. The false claim that this bill endangers the lives of mothers is a scare tactic to distract us from the truth.

A broken heart no man can bear, are we willing to continue to lie to women and girls and tell them the concerns over their future are solvable with murder and effectively sign them up for a brokenness that they will only know once it is too late!!

I mean what happens when life goes on, and they can't pay their mortgage in the future, or lose a job, should they murder someone there too to bring justice to their unfortunate and unplanned event? Should women just be allowed to kill, at all times, and whenever life is difficult? Maybe instead we instill faith, hope and love in them instead of deadly fear, and we not only tell them the truth that life is difficult, and difficulties are a guarantee, but if we look to the Lord and loving support from families, churches, industries and ministries who often offer free services to help to those in times of trouble, we can turn off the cries of innocent blood that never stops crying out for justice!

Please incline your ears to hear, as those who will speak today are speaking deep and undeniable truths, which may convict and offend everything we have been told in life so far. Because, for 52 years, all we have known is a foundation of lies, with an intentional hope that it would weaponization compassion so that an unjust and unconstitutional ruling could wreak havoc over our state and nation. This terrible ruling until recently undone has been one of the most egregious crimes against humanity that we have ever known. We are already at a staggering 4 million murders by abortion world wide this year, and it's only February! 46 Million more will die globally according to yearly statics, before this year ends.

Please stand with those of us today who dare to side with truth as we declare and decree it is time to stop the shedding of innocent blood in our state, and it is time to repent of this great evil so that we may receive God's mercy instead of Judgement! Because to continue this path is to side with the opposition that says yes to the murderous agenda of Planned Parenthood.

If the blind continue to lead the blind, both will fall into a pit. But each of us is still individually accountable for the choice made today. No pastor, no agency, no one except yourself will stand before God to answer for the deeds done in our life. Many may hope to justify siding with Planned Parenthood, but there is no Biblical or Constitutional excuse we can hide behind that allows this depravity to continue.

Mr. Chairman, I thank you for reserving the next hour for the testimony in support of HB 1373,

I have 4 speakers following my testimony. You all should have a recording of Abby Johnson who tells her story as a post abortive woman and an ex abortionist with Planned Parenthood and the regret she has over the thousands of lives she has witnessed be killed by this horrendous act. But next you will hear from Ginna Cross who is a professional in the

counselling setting who deals with the results of women who kill their pre-born children, we will hear from a local voice dear to this legislative assembly, Mrs. Jody Clemens, of her life experience with the effects of abortion, and Bradley Pierce's constitutional attorney, and Amber Vibeto the constituent who help orchestrate bringing this bill forward, and if time permits anyone else can share their heart on this matter. I ask you please to keep all your questions written down and if they do not get answered by my guest speakers, I will return at the end. Thank you, I will turn it over to Abby Johnson's video.

2025 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

HB 1373
2/10/2025

Relating to the definition of human being and person as the terms relate to the offenses of murder and assault, and civil actions for death caused by wrongful acts.

2:15 p.m. Chairman M. Ruby opened the meeting.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rohr
Members Absent: Representative Rios

Discussion Topics:

- Committee action

2:15 p.m. Representative K. Anderson moved a Do Not Pass.

2:15 p.m. Representative Rohr seconded the motion.

Representatives	Vote
Representative Matthew Ruby	Y
Representative Kathy Frelich	Y
Representative Karen Anderson	Y
Representative Mike Beltz	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Cleyton Fegley	Y
Representative Jared Hendrix	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	N
Representative Nico Rios	AB
Representative Karen Rohr	Y

2:22 p.m. Motion passed 11-1-1.

Representative Frelich will carry the bill.

2:22 p.m. Chairman M. Ruby closed the meeting.

Jackson Toman, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1373 ([25.0415.05000](#))

Human Services Committee (Rep. M. Ruby, Chairman) recommends **DO NOT PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1373 was placed on the Eleventh order on the calendar.