



2021 SB 2265
Senate Human Services Committee
Senator Judy Lee, Chairman
January 26, 2021

Chairman Lee and members of the Senate Human Services Committee, I am Melissa Hauer, General Counsel for the North Dakota Hospital Association (NDHA). I testify in support of Senate Bill 2265 and ask that you give this bill a **Do Pass** recommendation.

This bill will provide access to routine health care for unaccompanied homeless minors. Generally, only persons age 18 and over can consent to their own routine medical care. Unaccompanied homeless youths encounter difficulty associated with providing legally authorized consent for their health care when they are unwilling or unable to secure that consent from their parent or legal guardian. These minors are unable to obtain care for even routine health problems, which creates a serious health hazard. Routine infections and illnesses go untreated and, without basic health treatment, relatively minor conditions can worsen until they become emergencies. At that point, physicians can treat the condition under existing laws on emergency care. However, the youth may have missed school and work and placed his or her basic health and safety at risk, as well as others.

With the change provided by this bill, youths who are homeless without a parent or guardian, will be able to access needed health care in the specified circumstances. Hospitals support allowing minors to consent to their own medical treatment in these situations. Most states have addressed this issue, using a variety of approaches to ensure that homeless youth on their own can obtain needed medical care. Because available data suggest that unaccompanied youth experience higher rates of mental illness, substance abuse, pregnancy, and sexually

transmitted disease than other youth, we support providing access to preventive medical services without parental consent for homeless youth.

Hospitals also support the bill's provision on page two, lines five through seven, that states an unaccompanied homeless minor who is a parent may consent to, contract for, and receive medical, dental, and behavioral health examinations, care, or treatment for the minor's child. This is an issue for health care providers when a minor brings his or her child in for care. The minor, under current law, is unable to consent to his or her own care and it is unclear who has authority to consent to care for the minor's child. Can the minor, who is the child's parent, consent? This bill will provide that clarification.

In summary, we believe the bill will provide better access to health care for unaccompanied homeless youth by allowing them to consent to that care in the specified areas. In turn, this should lead to better health through more appropriate, preventive care and less reliance on emergency care. We ask that you give this bill a Do 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