

**Testimony**  
**Presentation of Section 15 of 2011 House Bill 1297**  
**Health Services Committee**  
**Thursday, April 12, 2012 – 11:40 a.m.**  
**North Dakota Department of Health**

Good morning, Madam Chair and members of the Health Services Committee. My name is Kim Mertz and I am the Director of the Division of Family Health for the North Dakota Department of Health. I am here today to provide a presentation regarding the department's inventory of material relating to abortions and to outline the department's practice of gathering the inventory items pursuant to Section 15 of 2011 House Bill 1297.

Since my last testimony on January 12, 2012, we have received feedback from all stakeholders on the second draft of the booklet informing women of the anatomical and physiological characteristics of the unborn child; support obligations of the father; and information on the various surgical and drug-induced methods of abortion and are currently researching suggested changes. A third draft of the booklet will be disseminated for a final time to stakeholders within the next few weeks. The publication to inform women of public and private agencies to assist them through pregnancy is also being updated. Both publications will be available and disseminated together. These publications will also be available on the North Dakota Department of Health's website.

The Division of Vital Records continues to be responsible for the abortion compliance report and the abortion data report. As indicated in the testimony from October 26, 2011, the Department of Health was informed by the Attorney General's office that a lawsuit had been filed by the Red River Women's Clinic in Fargo objecting to several things in HB 1297. The clinic has objected to the new question #18 on the data report and several questions on the compliance report. The clinic is still submitting the reports, but the questions they are objecting to have not been completed. They continue to use a red stamp that indicates the question is part of the lawsuit and cannot be completed. The hearing for the case is scheduled for April 16-19, 2013.

This concludes my presentation. I am happy to answer any questions you may have.