



**2023 Senate Bill no. 2356**  
**Senate Education Committee**  
**Senator Jay Elkin, Chairman**  
**January 30, 2023**

Chairman Elkin and members of the Senate Education Committee, I am J'Patrick Fahn, DO, Chief Medical Officer at CHI St. Alexius Medical Center. I appear on behalf of the North Dakota Hospital Association (NDHA). We oppose Senate Bill 2356 and ask that you give the bill a **Do Not Pass** recommendation.

The bill provides:

Parental rights - Attendance at activities.

1. A school district may not prohibit a student's parent or guardian from attending a school-sponsored student activity in which the student is participating, including an extracurricular activity or co curricular activity.
2. A private entity may not prohibit a minor child's parent or guardian from attending an activity in which the minor child is participating, including a competition, match, contest, or performance

I do not agree with Senate Bill 2356 as written. This bill does not make exceptions for parents who have had their rights taken away by the state under the direction of Child Protective Services (CPS) or may have another form of protective order against them on the child's behalf.

These parents being present may cause the minor undue anxiety or undue mental stress which could affect their feelings of well-being and safety and/or their performance if competing in a sport or arts related activity. The verbiage in subsection 2 is a bit ambiguous and, as a hospital chief medical officer, I worry that this bill could be applied to a variety of other circumstances that it may not originally be intended to apply. Under this bill, one could interpret that hospitals and clinics, most being private entities, would be required to

allow an abusive parent into the minor's room during a clinic or hospital visit as these could be interpreted as "an activity in which the minor child is participating". This potentially puts both the child, other family/guardians, and the healthcare staff at risk. I suspect this is not the intent of the bill but the scenarios described above do not seem to be addressed within this body of work.

For these reasons, we ask that you give this bill a **Do Not Pass** recommendation.

With appreciation,

J'Patrick Fahn, DO  
Chief Medical Officer  
CHI St. Alexius Medical Center