

**2023 HOUSE HUMAN SERVICES**

**HB 1042**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1042  
1/4/2023

Relating to autopsies, determination of cause of death, and certification of coroner fees in situations involving the unexplained sudden death in infant or child with or without intrinsic or extrinsic factors, or both.

Chairman Weisz called the meeting to order at 11:11am.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. All present.

### Discussion Topics:

- Terminology “sudden infant death syndrome”
- Removal of terminology
- Contributing factors to sudden infant death

Kirby Kruger, Director of Disease Control and Forensic Pathology with the Department of Health and Human Services, introduced HB 1042 with supportive testimony (No. 12288).

Rep. Dobervich moved a do pass on HB 1042.

Seconded by Vice Chairman Ruby.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carried 14-0-0.

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Carried by Rep. Davis

Chairman Weisz adjourned the meeting at 11:19am

*Phillip Jacobs, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1042: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1042 was placed on the Eleventh order on the calendar.

**2023 SENATE HUMAN SERVICES**

**HB 1042**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

HB 1042  
3/1/2023

Relating to autopsies, determination of cause of death, and certification of coroner fees in situations involving the unexplained sudden death in infant or child with or without intrinsic or extrinsic factors, or both.
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2:20 PM **Madam Chair Lee** called the hearing to order. **Senators Lee, Cleary, Clemens, K. Roers, Hogan** were present. **Senator Weston** was absent.

## **Discussion Topics:**

- Language updates to Sudden Infant Death Syndrome (SIDS)
- Unexplained sudden death
- Factors
- Two – four-month range
- Death certificate

2:21 PM **Barrie Miller, State Forensic Examiner, North Dakota Department of Health and Human Services**, testified online in favor. #21283

2:28 PM **Mary Ann Sens, Coroner of Grand Forks County, Professor and Chair of Pathology, University of North Dakota School of Medicine and Health Sciences**, testified in favor. #21444

2:44 PM **Senator Cleary** calls for recess.

2:59 PM **Senator Cleary** reconvenes the hearing.

3:00 PM **Senator Cleary** closes the hearing and will reopen hearing on 3/7/2023.

*Patricia Lahr, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

HB 1042  
3/6/2023

Relating to autopsies, determination of cause of death, and certification of coroner fees in situations involving the unexplained sudden death in infant or child with or without intrinsic or extrinsic factors, or both.
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11:22 AM Madam **Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Hogan** are present. **Senator Clemens** was absent.

### Discussion Topics:

- Committee action

**Senator Lee** calls for discussion.

**Senator K. Roers** moved **DO PASS**.

**Senator Hogan** seconded the motion.

Roll call vote.

<b>Senators</b>	<b>Vote</b>
Senator Judy Lee	Y
Senator Sean Cleary	Y
Senator David A. Clemens	AB
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Kent Weston	Y

The motion passed 5-0-1.

**Senator K. Roers** carries HB 1042.

11:25 AM **Madam Chair Lee** adjourned the meeting.

*Patricia Lahr, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1042: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1042 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.



**TESTIMONY**

**HB 1042**

Good morning Chairman Weisz, and members of the House Human Services Committee, I am Kirby Kruger, Director of Disease Control and Forensic Pathology with the Department of Health and Human Services (Department). I appear before you in support of House Bill 1042, which was introduced at the request of the Department.

This bill updates language related to the classification of deaths in infants and children. With this bill, sections 11-19.1-11, 11-19.1-13, and 11-19.1-16 of the North Dakota Century Code will be updated with the removal of the terminology "sudden infant death syndrome" (SIDS) which will be replaced by "unexplained sudden death in infant or child with or without intrinsic or extrinsic factors, or both". This terminology is consistent with the recommendations of the National Association of Medical Examiners, the American Academy of Pediatrics, the Centers for Disease Control and Prevention and the National Institutes of Health. These professional groups have concluded that the term SIDS does not accurately reflect the nature of many of the pediatric deaths that occur and that the updated terminology is a more accurate classification of these unfortunate deaths.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

Good morning, Chairwomen Lee, and members of the Senate Human Services Committee, I am Dr. Barrie Miller, I am the State Forensic Examiner with the Department of Health and Human Services (Department). I appear before you in support of House Bill 1042, which was introduced at the request of the Department.

This bill updates language related to the classification of deaths in infants and children. With this bill, sections 11-19.1-11, 11-19.1-13, and 11-19.1-16 of the North Dakota Century Code will be updated with the removal of the terminology "sudden infant death syndrome" (SIDS) which will be replaced by "unexplained sudden death in infant or child with or without intrinsic or extrinsic factors, or both." This terminology is consistent with the recommendations of the National Association of Medical Examiners, the American Academy of Pediatrics, the Centers for Disease Control and Prevention and the National Institutes of Health. These professional groups have concluded that the term SIDS does not accurately reflect the nature of many of the pediatric deaths that occur and that the updated terminology is a more accurate classification of these unfortunate deaths.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

1155 Oxbow Ct  
Grand Forks, ND 58203

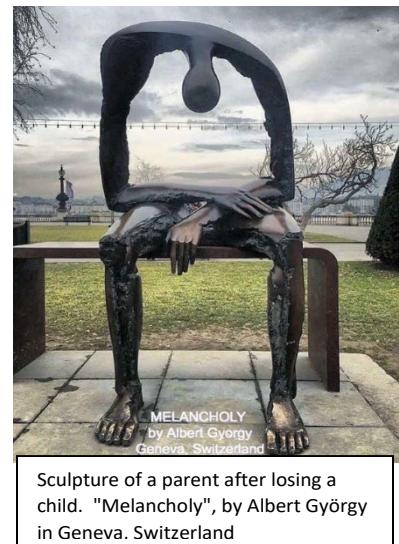
March 1, 2023

Re: Support of HB1042

Honorable Senator Lee and Members of the Human Services Committee

My name is Mary Ann Sens. I wish to speak in support of HB1042, which re-affirms the need for an autopsy, by a qualified forensic pathologist, when an infant in apparent good health dies suddenly. This bill also updates recommended terminology in the certification of these tragic deaths so that we may better understand what is causing them and initiate appropriate medical and public health interventions.

I reside in Grand Forks and for the last 21 years have been Coroner of Grand Forks County, ND and Professor and Chair of Pathology at the University of North Dakota School of Medicine and Health Sciences. As the Coroner, we go to death scenes in Grand Forks county. All are difficult, many with trauma, many unexpected, all with the profound loss of the finality of death. By far the most difficult is the sudden loss of an apparently healthy baby. The loss of a child is not in the normal sequence of human events. We have orphans, widows, widowers – but no name when a child is lost – that is how profound and lasting these deaths are.



In addition to being Coroner, I serve as forensic pathologist for about half of the State of ND Coroners, doing autopsies for the Eastern half of North Dakota. I nearly all of these cases, I speak with the parents; they often come and see me as they struggle with the unfathomable loss and have questions that we often cannot answer. I have been a physician for many decades; I am still haunted by these losses and have been involved in many studies to understand and prevent these deaths. We have learned somethings but a lot of these deaths are still unexplained. Recently a committee of experts on these deaths recommended changes to the name, the way these deaths are tracked and proposed these changes to the World Health Organization. This bill utilizes those changes, using Unexplained Sudden Death in Infancy, rather than SIDS, SUID, SIDU or other categorizations that have lost diagnostic integrity over time.

In closing, I thank you for all the work you do for North Dakota and ask that you take this additional step to help ND families facing the unthinkable loss of a baby and assist those in many areas trying to prevent these tragedies.

Respectfully,  
Mary Ann Sens, MD, PhD