

Good morning, Madam Chair Lee and members of the Human Services Committee. My name is Cora Rabenberg and I am the Director of the Title X Family Planning Program for the North Dakota Department of Health. I am here today to provide testimony in support of Senate Bill 2155.

For the past 45 years, the North Dakota Department of Health has been the Title X recipient in North Dakota. Title X is the only federal program dedicated solely to the provision of family planning and related preventive health services (e.g., cervical cancer screening, sexually transmitted infection testing). The mission of the North Dakota Title X Program is to assist women and men in understanding and taking responsibility for their reproductive health through education, counselling and medical services.

The North Dakota Department of Health grants funding to ten administering agencies who provide services at twenty sites across the state. In 2017, 7,027 women and men received reproductive health services through the Title X Program. Each of the sites are registered under the 340B Drug Pricing Program which allows safety net providers to obtain discounted outpatient medications. The 340B medications are available on site when ordered by a clinician.

Each agency is reviewed by state staff every three years. This review ensures compliance with federal and state requirements. In 2016, we noted that nurses in Title X sites were following a standing order that allowed them to provide contraceptives to clients when a clinician was not on site. The state staff who was assisting in the site review recalled a March 2015 document from the Executive Director of the North Dakota State Board of Pharmacy which states:

It is the opinion of the Board of Pharmacy, the Board of Medical Examiners and the Board of Nursing that the actual dispensing cannot be delegated to others... The practitioner must be the one responsible for actual checking of the medication and providing information to the patient, which in their professional opinion, is necessary for the proper utilization of the medication.... A licensed practical nurse or registered nurse may deliver the medication to the patient after approval by the prescriber. The full document is included as an attachment.

Immediately following this discovery, the North Dakota Department of Health Title X Program notified the agencies and instructed nursing staff to stop the practice of dispensing medications. This change in practice did not affect the service sites that have a clinician on site every day. However, several of the smaller service sites do not have a clinician on site every day. As a result, these sites are no longer able to provide clients with timely access to contraception, which increases the risk of unintended pregnancy.

In problem solving this challenge, utilization of telemedicine has been determined to be the timeliest and most cost-effective solution for providing contraceptives to clients; however, nurses would still not be able to dispense the prescribed medication. Passage of this bill would allow nurses to dispense contraceptives to new clients based on an order from a clinician during a telemedicine visit. In addition, nurses would be able to dispense contraceptives refills to established clients based on an existing clinician order.

When women and their partners have access to contraceptive methods, they are better able to plan and space their births. This leads to positive health, social and economic outcomes for women, families and society.

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