

****FOR IMMEDIATE RELEASE****

Noem Vetoes Minor Consent Bill

Sioux Falls, SD (March 25, 2022) – This afternoon, Governor Kristi Noem vetoed HB 1223, a bill that authorizes the provision of informed consent by a pregnant minor. Under current law, prenatal care, delivery services (such as epidurals or pain management), and postnatal care are only permitted for pregnant minors if a parent is present and consents to the treatment. If signed into law, HB 1223 would permit health care providers to give prenatal care to anyone who needs it, regardless of age or parental consent.

“This bill was meant to protect pregnant minors from their absent or abusive parents” said Representative Erin Healy, minority whip. “This bill ensures babies can be born healthy and puts the minor mother in touch with a caring adult sooner rather than later.

“I’m deeply disappointed that Governor Noem would rather prioritize controlling pregnant minors and their unborn babies. If Governor Noem cares so deeply about South Dakota babies, why would she veto a bill that facilitates healthier babies and moms? Why is she taking away their agency to have the healthiest pregnancy possible? It’s hard not to see this action as part of a larger-scale effort to punish pregnant minors.”

“HB 1223 passed through both chambers of the South Dakota state legislature successfully with support from medical professionals and advocates. The Governor’s office never opposed the bill, never spoke to me about the bill during session, and never reached out to me about their concerns, even after we made multiple attempts to talk with her team.

“During past testimony, a teen mom was denied an epidural because her parents were not available for consent. The teen mom struggled during labor and the baby was born with brain damage because of a prolonged and dangerous delivery. Disturbing situations like this could have been prevented by HB 1223. Committee testimony also included examples of minors who were denied prenatal care and parents who denied pain management for their minor as a form of punishment. This veto has real-life consequences for pregnant teens and their babies in South Dakota.

“In her veto message for HB 1223, Governor Noem states that the bill is unnecessary because physicians are currently able to treat minors without parental consent, pursuant of SDCL 20-9-4.2. This codified law grants immunity to physicians to treat minors if the minor’s life or health would be threatened. While healthcare providers can currently deliver minor’s babies, prenatal care visits and procedures such as an epidural do not meet the criteria under this statute.

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Please direct questions to Representative Erin Healy, erin.healy@sdlegislature.gov • 605-212-9597