

HOUSE BILL NO. 1462

Introduced by

Representatives N. Johnson, Porter, Svedjan

Senators Lee, T. Mathern

1 A BILL for an Act to amend and reenact section 43-17-41 of the North Dakota Century Code,
2 relating to the duty to report injuries.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 43-17-41 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **43-17-41. Duty of physicians and others to report injury - Penalty.**

- 7 1. Any physician or other medical ~~or mental~~ health professional; who ~~has under his~~
8 ~~charge or~~ provides care or performs any professional services for any ~~person~~
9 individual suffering from any wound, injury, or other physical trauma inflicted by ~~his~~
10 the individual's own act or by the act of another by means of a knife, gun, or pistol,
11 or ~~which he has reasonable cause to suspect was inflicted in violation of any~~
12 ~~criminal law of this state~~ suffering serious bodily injury as defined in section
13 12.1-01-04, shall as soon as practicable report the ~~same~~ wound, injury, or trauma
14 to the sheriff or state's attorney of the county in which ~~such~~ the care was rendered.
15 The report must state the name of the injured ~~person~~ individual, if known, ~~his~~ the
16 individual's whereabouts, and the character and extent of ~~his~~ the individual's
17 injuries.
- 18 2. When a report of domestic violence, as defined in section 14-07.1-01, is made to a
19 sheriff or state's attorney as required by this section, the injured individual must be
20 provided a referral to a domestic violence sexual assault organization as defined in
21 section 14-07.1-01 or other victims' assistance program.
- 22 3. The reports mandated by this section must be made as soon as practicable and
23 may be either oral or in writing. Oral reports must be followed by written reports

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- 1 within forty-eight hours if so requested by the sheriff or state's attorney to whom
2 the oral report is originally made.
- 3 ~~3.~~ 4. Any ~~person~~ individual required to report as provided by this section who willfully
4 fails to do so is guilty of an infraction.
- 5 ~~4.~~ 5. Any ~~person~~ individual making a report in good faith pursuant to this section is
6 immune from liability for making ~~said~~ the report.