

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2869. Willful Failure to Act; Fraudulent Conduct; Penalties.

(a) A physician or other health care provider who willfully fails to transfer the care of a patient in accordance with 3 CMC § 2867 is guilty of a felony of the third degree.

(b) A physician who willfully fails to record a determination of terminal condition or permanent unconscious condition or the terms of a declaration in accordance with 3 CMC § 2865 is guilty of a felony of the third degree.

(c) An individual who willfully conceals, cancels, defaces, or obliterates the declaration of another individual without the declarant's consent or who falsifies or forges a revocation of the declaration of another individual is guilty of a felony of the third degree.

(d) An individual who falsifies or forges the declaration of another individual, or willfully conceals or withholds personal knowledge of a revocation is guilty of a felony of the third degree.

(e) A person who requires or prohibits the execution of a declaration as a condition for being insured for, or receiving, health care services is guilty of a felony of the third degree.

(f) A person who coerces or fraudulently induces an individual to execute a declaration is guilty of a felony of the third degree.

(g) The sanctions provided in this section do not displace any sanction applicable under law.

Source: PL 17-35 § 3(2809) (March 23, 2011), modified.

Commission Comment: The Commission changed references to agree with renumbered provisions pursuant to 1 CMC 3806(c).