

Sixty-fourth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1314

Introduced by

Representatives Delmore, Hawken, Maragos

Senators Luick, Nelson, Oban

1 A BILL for an Act to amend and reenact section 14-10-17.1 of the North Dakota Century Code,
2 relating to consent for emergency medical care for a minor who has been sexually assaulted.

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

4 **SECTION 1. AMENDMENT.** Section 14-10-17.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **14-10-17.1. Minor's emergency care.**

7 1. A minor may contract for and receive emergency examination, care, or treatment in a
8 life-threatening situation without the consent of the minor's parent or guardian. If a
9 minor has an emergency medical condition or the potential for an emergency medical
10 condition, consent to emergency examination, care, or treatment of the minor is
11 implied if reasonable steps to contact the minor's parent or guardian are unsuccessful.
12 This ~~section~~subsection does not authorize a minor to withhold consent to emergency
13 examination, care, or treatment.

14 2. ~~Upon the request of a minor who is a victim of sexual assault, a~~A physician or other
15 health care provider ~~shall~~may provide emergency medical care or forensic services
16 ~~related to the~~to a minor who is a victim of sexual assault and any related followup care
17 ~~to the minor~~ without the consent of the minor's parent or guardian. Reasonable steps
18 must be made to notify the minor's parent or guardian of the care provided.