

Fifty-fifth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1241

Introduced by

Representatives Maragos, Jensen

1 A BILL for an Act to create and enact a new section to chapter 25-03.1 of the North Dakota  
2 Century Code, relating to the administration of medication to persons requiring treatment; to  
3 amend and reenact subsection 11 of section 25-03.1-02 of the North Dakota Century Code,  
4 relating to the definition of a person requiring treatment; and to repeal sections 25-03.1-16 and  
5 25-03.1-18.1 of the North Dakota Century Code, relating to the use of prescribed medication.

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

7 **SECTION 1. AMENDMENT.** Subsection 11 of section 25-03.1-02 of the North Dakota  
8 Century Code is amended and reenacted as follows:

- 9 11. "Person requiring treatment" means a person who is mentally ill or chemically  
10 dependent, lacks the capacity to make a rational and informed decision concerning  
11 treatment, and there is a reasonable expectation that if the person is not treated  
12 there exists a serious risk of harm to that person, others, or property. "Serious risk  
13 of harm" means a substantial likelihood of:
- 14 a. Suicide, as manifested by suicidal threats, attempts, or significant depression  
15 relevant to suicidal potential;
  - 16 b. Killing or inflicting serious bodily harm on another person or inflicting  
17 significant property damage, as manifested by acts or threats;
  - 18 c. Substantial deterioration in physical health, or substantial injury, disease, or  
19 death, based upon recent poor self-control or judgment in providing one's  
20 shelter, nutrition, or personal care; or
  - 21 d. Substantial deterioration in mental health which would predictably result in  
22 dangerousness to that person, others, or property, based upon acts, threats,  
23 or patterns in the person's treatment history, current condition, and other  
24 relevant factors.

1           **SECTION 2.** A new section to chapter 25-03.1 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Treatment facility authorized to administer medications.** A treatment facility may  
4 administer medication to a person requiring treatment, without the person's consent, provided  
5 the medication is administered in a manner consistent with approved medical practice.

6           **SECTION 3. REPEAL.** Sections 25-03.1-16 and 25-03.1-18.1 of the North Dakota  
7 Century Code are repealed.