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Sixty-ninth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1454**

Introduced by

Representatives Henderson, K. Anderson, Frelich, Hauck, Kasper

Senators Paulson, Clemens

1 A BILL for an Act to create and enact a new section to chapter 32-12.1 of the North Dakota  
2 Century Code, relating to the medical liability of a government entity.

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

4 **SECTION 1.** A new section to chapter 32-12.1 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Medical liability of government entity.**

- 7 1. As used in this section, "medical product" means a product used to diagnose or  
8 manage a disease, including a medical device, drug, or biologic.  
9 2. Notwithstanding any other provision of law, a state agency, political subdivision, or any  
10 other government entity, may not require an individual to take, receive, or disclose  
11 whether the individual has taken or received a medical product unless the  
12 ~~manufacturer of the medical product is liable for any death or serious injury caused by~~  
13 ~~the medical product.~~ individual has first been notified of and afforded the opportunity to  
decline such a requirement and the individual has failed to exercise that opportunity.