

**13-1116A. Causation; failure to inform; condition treated.**

A doctor who fails in [his] [her] duty to communicate [alternatives for treatment] [inherent and potential hazards] is liable for harm to the patient resulting from the [treatment] [operation] if a reasonably prudent patient [or patient's representative] under similar circumstances would not have consented to the [treatment] [operation] had [he] [she] known of the [alternatives for treatment] [inherent and potential hazards].

**USE NOTES**

Either UJI 13-1116A or 13-1116B NMRA should be given in every action based upon a lack of informed consent. The instruction appropriate to the case should be selected.

UJI 13-1116A and 13-1116B NMRA do not replace UJI 13-308 NMRA. In many cases, the general instruction on causation will still be appropriate. [As amended, effective November 1, 1991; August 15, 1997; February 24, 1998; March 1, 2005.]