

1 **13-1116B. Causation; failure to inform; condition not treated.**

2 A doctor who fails in ~~[[his]-[her]]~~their duty to communicate the [condition] [likely result
3 if the condition remains untreated] is liable for harm which results to the patient from the untreated
4 condition if a reasonably prudent patient [or patient[']s representative] under similar
5 circumstances would have acted upon the information to avoid the harm.

6 USE NOTES

7 *See* Use Note, UJI 13-1116A NMRA.

8 [As amended, effective November 1, 1991; August 15, 1997; February 24, 1998; March 1, 2005;
9 as amended by Supreme Court Order No. S-1-RCR-2025-00126, effective for all cases pending or
10 filed on or after December 31, 2025.]

11 **Committee commentary.** — *See* committee commentary, UJI 13-1116A.