

50 to the identification of any patient upon whom an abortion was
51 performed or induced.

§16-2M-6. Penalties.

1 (a) Any physician or other licensed medical practitioner who
2 intentionally or recklessly performs or induces an abortion in
3 violation of this article is considered to have acted outside the
4 scope of practice permitted by law or otherwise in breach of the
5 standard of care owed to patients, and is subject to discipline
6 from the applicable licensure board for that conduct, including,
7 but not limited to, loss of professional license to practice.

8 (b) Any person, not subject to subsection (a) of this section,
9 who intentionally or recklessly performs or induces an abortion
10 in violation of this article is considered to have engaged in the
11 unauthorized practice of medicine in violation of section
12 thirteen, article three, chapter thirty of this code, and upon
13 conviction, subject to the penalties contained in that section.

14 (c) In addition to the penalties set forth in subsections (a)
15 and (b) of this section, a patient may seek any remedy otherwise
16 available to such patient by applicable law.

17 (d) No penalty may be assessed against any patient upon
18 whom an abortion is performed or induced or attempted to be
19 performed or induced.

§16-2M-7. Severability.

1 If any one or more provisions, sections, subsections,
2 sentences, clauses, phrases or words of this article or the
3 application thereof to any person or circumstance is found to be
4 unconstitutional or temporarily or permanently restrained or
5 enjoined by judicial order, or both, the same is declared to be
6 severable and the balance of this article shall remain effective
7 notwithstanding such judicial decision, including for all other
8 applications of each of the provisions, sections, subsections,
9 sentences, clauses, phrases or words of this article: *Provided,*
10 That whenever any judicial decision is stayed, dissolved, or
11 otherwise ceases to have effect, such provisions shall have full
12 force and effect.

