

13-1110. Duty of patient.

Every patient has a duty to exercise ordinary care for the patient's own health and safety. A patient who fails to do so is negligent.

USE NOTES

This instruction should be given if there is an issue as to the patient's comparative fault, *e.g.*, by failing to follow the doctor's instructions, as a cause of the claimed injury. UJI 13-1601 and 13-1603 NMRA (negligence and ordinary care) should be given with this instruction.

[As amended, effective January 1, 1987; November 1, 1991; August 15, 1997; approved, effective February 24, 1998; as amended by Supreme Court Order No. 08-8300-033, effective November 24, 2008.]