

§ 130A-414.10. Enforcement.

(a) Whenever it appears that a covered entity has violated or is violating any of the provisions of this Part, the affected individual may commence a civil action for injunctive and other equitable relief against the covered entity for purposes of enforcing compliance with this Part. The action may be brought in the district court for the county where the affected individual resides or resided or was denied the organ transplant or referral.

(b) In an action brought under this Part, the court shall give priority on its docket and expedited review, and may grant injunctive or other equitable relief, including any of the following:

- (1) Requiring auxiliary aids or services to be made available for a qualified recipient.
- (2) Requiring the modification of a policy, practice, or procedure of a covered entity.
- (3) Requiring facilities be made readily accessible to and usable by a qualified recipient.

The Court may not award compensatory or punitive damages for violations of this Part.

(c) Nothing in this Part is intended to limit or replace available remedies under the Americans with Disabilities Act, 42 U.S.C. § 12102 et seq., as amended, or any other applicable federal or State laws. (2021-64, s. 2(a).)