

N.C.P.I.—Crim. 220.49  
INCLUDING [FALSE] [MISLEADING] INFORMATION ABOUT THE INTERNET  
WEBSITE OF ANY TREATMENT PROVIDER WITH THE INTENT TO DEFRAUD.  
FELONY.  
GENERAL CRIMINAL VOLUME  
MARCH 2024  
N.C. Gen. Stat. § 90-113.151(d)(2)  
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220.49 INCLUDING [FALSE] [MISLEADING] INFORMATION ABOUT THE  
INTERNET WEBSITE OF ANY TREATMENT PROVIDER WITH THE INTENT TO  
DEFRAUD. FELONY.

The defendant has been charged with including [false] [misleading] information about the internet website of any treatment provider with the intent to defraud.

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt:

First, that the defendant [[included [false] [misleading] information with the intent<sup>1</sup> to defraud another person about the internet website of any treatment provider<sup>2</sup>]] [[surreptitiously [directed] [redirected] the reader to another internet website]].

And Second, that the defendant did so knowingly.<sup>3</sup>

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant knowingly [[included [false] [misleading] information with the intent to defraud another person about the internet website of any treatment provider]] [[surreptitiously [directed] [redirected] the reader to another internet website]] (nothing else appearing),<sup>4</sup> it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or both of these things, it would be your duty to return a verdict of not guilty.

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1. For a definition of intent see N.C.P.I.—Crim. 120.10.

2. "Treatment provider" means a person or entity that is, or is required to be, licensed, accredited, or certified to provide substance use disorder treatment services. For purposes of this Article, the term includes treatment facilities. N.C. Gen. Stat. § 90-113.150(5).

3. A person acts "knowingly" when the person is aware or conscious of what he or she is doing.

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4. N.C. Gen. Stat. § 90-113.153 provides that this does not apply to “[a] general hospital licensed under Article 5 of Chapter 131E of the General Statutes” or “[a] hospital authority organized under Article 2 of Chapter 131E of the General Statutes.” See *State v. Carey*, 273 N.C. App. 593, 849 S.E.2d 111 (2020) (holding that the language “‘does not apply’ is exculpatory, and is not an underlying element of the offense.”).