



implication, allows civil liability in others. See Majority Opinion at 20-21. A situation where the defendant-physician “participates in a decision that a person be examined or treated” under the MHPA, and where that decision to examine or treat is made with “willful misconduct or gross negligence,” may be actionable under the statute. 50 P.S. §7114(a) (“In the absence of willful misconduct or gross negligence ... a physician ... who participates in a decision that a person be examined or treated under this act ... shall not be civilly or criminally liable for such decision or for any of its consequences.”). But the statute as written is simply not susceptible to an interpretation that a provider’s failure to treat is actionable, and we may not supply these missing words.