

Fifty-ninth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2131**

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact subsections 7 and 8 of section 25-03.1-02 of the North  
2 Dakota Century Code, relating to the definitions of expert examiner and independent expert  
3 examiner for commitment procedures.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsections 7 and 8 of section 25-03.1-02 of the North  
6 Dakota Century Code are amended and reenacted as follows:

- 7 7. "Expert examiner" means a licensed physician, psychiatrist, psychologist trained in  
8 a clinical program, or licensed addiction counselor appointed by the court to  
9 examine the respondent and to provide an evaluation of whether the respondent is  
10 a person requiring treatment. An evaluation of a respondent's physical condition  
11 may be made only by a licensed physician or psychiatrist, an evaluation of a  
12 respondent's mental status may be made only by a psychiatrist or psychologist  
13 trained in a clinical program, and an evaluation of whether the respondent is  
14 chemically dependent may be made only by a licensed physician ~~or~~, licensed  
15 addiction counselor, or licensed psychologist trained in a clinical program.
- 16 8. "Independent expert examiner" means a licensed physician, psychiatrist,  
17 psychologist trained in a clinical program, or licensed addiction counselor, chosen  
18 at the request of the respondent to provide an independent evaluation of whether  
19 the respondent is a person requiring treatment. An evaluation of a respondent's  
20 physical condition may be made only by a licensed physician or psychiatrist; an  
21 evaluation of a respondent's mental status may be made only by a psychiatrist or  
22 psychologist; and an evaluation of whether the respondent is chemically dependent  
23 may be made only by a licensed physician ~~or~~, licensed addiction counselor, or  
24 licensed psychologist trained in a clinical program.