

10A NCAC 27H .0202 DEFINITIONS

For the purposes of Rules .0201 through .0207 of this Section, when a capacity evaluation is ordered by a Court to be conducted through the Local Management Entity-Managed Care Organization LME-MCO, the following terms shall have the meanings indicated:

- (1) "Forensic Evaluation" means an examination ordered by the court through the LME-MCO to determine the defendant's current mental state and whether the defendant has the capacity to proceed to trial.
- (2) "Licensed Clinician" means the same as defined in Rule 10A NCAC 27G .0104.
- (3) "Local Certified Forensic Evaluator" means a Licensed Clinician who:
 - (a) has completed the training for certification and annual training seminars described in Rule .0204 of this Section;
 - (b) is employed by an LME-MCO, if permitted pursuant to 122C-141(a), or under contract with, an LME-MCO as a Forensic Evaluator; and
 - (c) is paid by the LME-MCO with public funds.
- (4) "Pre-Trial Evaluation Center" means the Forensic Services Unit located at Central Regional Hospital.

History Note: Authority G.S. 15A-1002; 122C-54; 122C-115.4(a); 122C-191(b); 143B-147; Eff. July 1, 1982; Amended Eff. January 1, 1996; May 1, 1990; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017; Amended Eff. June 1, 2018.