

1 department shall establish policies and procedures for establishing
2 a maximum rate schedule for each of the four evaluation types
3 (competency to stand trial, criminal responsibility, diminished
4 capacity, dangerousness) to include all efforts towards the
5 completion of each evaluation such as scheduling and administrative
6 tasks, record review, psychological and other testing, interviews,
7 report writing, research, preparation and consultation. Such
8 policies and procedures shall include input from provider
9 representatives as necessary and appropriate. Any rate schedule
10 shall be fair and reasonable. The department shall consider
11 requests for payment in excess of established rates or other
12 expenses for good cause shown.

13 (b) A forensic evaluator that performs a dangerous assessment
14 evaluation pursuant to the provisions of section three or section
15 four of this article, may not be held civilly liable for acts
16 committed by the subject of the evaluation.

NOTE: The purpose of this bill is to provide civil immunity for forensic evaluators for acts committed by the subject of the evaluation. The bill creates parity with other judicial participants.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.