

RCW 11.130.290 Professional evaluation. (Effective until June 30, 2027.) (1) On receipt of a petition under RCW 11.130.270 and at the time the court appoints a court visitor under RCW 11.130.280, the court shall order a professional evaluation of the respondent.

(2) The respondent must be examined by a physician licensed to practice under chapter 18.71 or 18.57 RCW, psychologist licensed under chapter 18.83 RCW, *advanced registered nurse practitioner licensed under chapter 18.79 RCW, or physician assistant licensed under chapter 18.71A RCW selected by the court visitor who is qualified to evaluate the respondent's alleged cognitive and functional abilities and limitations and will not be advantaged or disadvantaged by a decision to grant the petition or otherwise have a conflict of interest. If the respondent opposes the professional selected by the court visitor, the court visitor shall obtain a professional evaluation from the professional selected by the respondent. The court visitor, after receiving a professional evaluation from the individual selected by the respondent, may obtain a supplemental evaluation from a different professional.

(3) The individual conducting the evaluation shall provide the completed evaluation report to the court visitor within thirty days of the examination of the respondent. The court visitor shall file the report in a sealed record with the court. Unless otherwise directed by the court, the report must contain:

- (a) The professional's name, address, education, and experience;
- (b) A description of the nature, type, and extent of the respondent's cognitive and functional abilities and limitations;
- (c) An evaluation of the respondent's mental and physical condition and, if appropriate, educational potential, adaptive behavior, and social skills;
- (d) A prognosis for improvement and recommendation for the appropriate treatment, support, or habilitation plan;
- (e) A description of the respondent's current medications, and the effect of the medications on the respondent's cognitive and functional abilities;
- (f) Identification or persons with whom the professional has met or spoken with regarding the respondent; and
- (g) The date of the examination on which the report is based.

(4) If the respondent declines to participate in an evaluation ordered under subsection (1) of this section, the court may proceed with the hearing under RCW 11.130.275 if the court finds that it has sufficient information to determine the respondent's needs and abilities without the professional evaluation. [2020 c 312 s 203; 2019 c 437 s 306.]

***Reviser's note:** The term "advanced registered nurse practitioner" was changed to "advanced practice registered nurse" by 2024 c 239 s 1, effective June 30, 2027.

Effective dates—2020 c 312: See note following RCW 11.130.915.

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- (g) The date of the examination on which the report is based.

(4) If the respondent declines to participate in an evaluation ordered under subsection (1) of this section, the court may proceed with the hearing under RCW 11.130.275 if the court finds that it has sufficient information to determine the respondent's needs and abilities without the professional evaluation. [2025 c 58 s 5067; 2020 c 312 s 203; 2019 c 437 s 306.]

Effective date—2025 c 58 ss 5058-5170: See note following RCW 7.68.030.

Explanatory note—2025 c 58: See note following RCW 1.16.050.

Effective dates—2020 c 312: See note following RCW 11.130.915.