

10A NCAC 28D .0402 BEST INTEREST TEST

(a) The responsible professional shall document in the client record that the administration of psychotropic medication against the client's will is in the best interest of the client. "Psychotropic medication administration is in the best interest of the client" means that:

- (1) the client presents an imminent physical threat to himself, other clients, or state facility employee (Behavior constituting such threat shall be explicitly documented in the client record);
- (2) the client is incapable without medication of participating in any treatment or habilitation plan available at the state facility that will give him a realistic opportunity of improving his condition; or
- (3) although it is possible to devise a treatment or habilitation plan without psychotropic medication which will give the client a realistic opportunity of improving his condition, there is a significant possibility that the client will harm himself or others before improvement of his condition is realized if medication is not administered.

(b) In addition, the following factors shall be considered when determining if psychotropic medication administration is in the best interest of the client, and the responsible professional shall document such considerations in the client record:

- (1) the client's reason for refusing medication;
- (2) the existence of any less intrusive treatments; and
- (3) the risks involved and severity of side effects associated with administration of the proposed medication.

*History Note: Authority G.S. 122C-51; 122C-57; 131E-67; 143B-147;
Eff. October 1, 1984;
Amended Eff. April 1, 1990; July 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*