

CHAPTER 94-03-02 DEFINITIONS

Section
94-03-02-01 Definitions

94-03-02-01. Definitions.

The terms used throughout this article have the same meaning as in North Dakota Century Code section 54-23.4-01 unless otherwise defined in this section:

1. "Age of majority" means eighteen years of age or older.
2. "Alternative medical service" includes acupuncture, herbal remedies, and homeopathy.
3. "Applicant" means either the claimant or the victim as defined in North Dakota Century Code section 54-23.4-01.
4. "Crime victims compensation fund" means the fund established in the North Dakota treasury under the authority of the North Dakota department of corrections and rehabilitation and its division of adult services in accordance with North Dakota Century Code chapter 54-23.4 for the administration of crime victims compensation and payment of compensation for economic loss arising directly from criminally injurious conduct.
5. "Division" means the North Dakota department of corrections and rehabilitation's division of adult services.
6. "Economic loss" means financial detriment resulting from allowable expenses, including work loss, replacement services loss, medical expense, mental health services, and if the injury resulted in death, funeral expense, and dependent's economic loss and replacement services loss. Economic loss includes detriment caused by pain or suffering or physical impairment.
7. "Home health services" means medical services provided outside of a clinic or hospital to treat the victim of criminally injurious conduct.
8. "Immediate family" means a spouse, parent, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, or grandparent.
9. "Medical provider" includes licensed physicians, licensed physician's assistants, licensed nurse practitioners, licensed physical and occupational therapists, licensed pharmacists, licensed speech language pathologists, licensed dentists, licensed optometrists, and licensed chiropractors, massage therapists, and includes public or private hospitals, clinics, and pharmacies that employ physicians, physician's assistants, nurse practitioners, physical and occupational therapists, pharmacists, speech language pathologists, dentists, optometrists, chiropractors, and massage therapists.
10. "Mental health provider" includes licensed psychiatrists, licensed clinical psychologists, licensed or certified professional counselors, and licensed or certified social workers, and includes licensed public or private hospitals, clinics, and treatment facilities that employ psychiatrists, clinical psychologists, professional counselors, and social workers.
11. "Noneconomic detriment" includes pain, suffering, inconvenience, permanent or temporary physical impairment, and other nonpecuniary or noneconomic damages.
12. "Offender" means an individual who has committed an act of criminally injurious conduct.

13. "Reasonably incurred expenses" means allowable expenses incurred that are consistent with what a reasonable person would incur in the conduct of the same business in the same or similar circumstances.
14. "Resident of this state" means an individual who is domiciled in North Dakota or is in North Dakota for other than a temporary or transitory purpose. Whether an individual is a resident of North Dakota must be determined as defined in North Dakota Century Code section 54-01-26.

History: Effective January 1, 2017.

General Authority: NDCC 54-23.4-04

Law Implemented: NDCC 54-23.4-01, 54-23.4-04, 54-23.4-12