§ 322.1. Incapacitated person; examination reports. 1. At any proceeding under this article, the court must issue an order that the respondent be examined as provided herein when it is of the opinion that the respondent may be an incapacitated person. Notwithstanding the provisions of this or any other law, the court may direct that the examination be conducted on an outpatient basis. If the respondent is in custody at the time the court issues an order of examination, the examination may be conducted at the place where the respondent is being held in custody so long as no reasonable alternative outpatient setting is available. The court shall order that two qualified psychiatric examiners as defined in subdivision seven of section 730.10 of the criminal procedure law examine the respondent to determine if he or she may be diagnosed as a person with mental illness or an intellectual or developmental disability.

2. If an order of examination has been issued pursuant to subdivision one, the proceedings shall be adjourned until the examination reports have been filed with the court. Every such report shall be filed within ten days after entry of such order. Upon a showing of special circumstances and a finding that a longer period is necessary to complete the examination and report, the court may extend the time for filing the examination report.

3. Each report shall state the examiner's opinion as to whether the respondent is or is not an incapacitated person, the nature and extent of his examination and, if he finds the respondent is an incapacitated person, his diagnosis and prognosis and a detailed statement of the reasons for his opinion by making particular reference to those aspects of the proceedings wherein the respondent lacks capacity to understand or to assist in his own defense. The chief administrator of the courts shall prescribe the form for the examination report.