

Program # 25008A - ADS Public Guardian/Conservator Ramp-down Toward Closure **Version 6/13/2005 s**

Priority: Safety Net Services **Lead Agency:** County Human
Program Offer Type: Existing Operating **Program Contact:** Mary Shortall
Related Programs: 25010A, 25015, 25019
Frameworks: Poverty Framework, 10-year Plan to End Homelessness

Executive Summary

Court-appointed guardians assure food, housing and complex medical services for extremely mentally incapacitated adults when no other service method will work. Legal authority allows involuntary provision of services that prevent client death, institutionalization or homelessness. This offer is partial services only, ramping the program down for future closure.

Program Description

Twenty-four-hour court-appointed decision-making for 150 incapacitated adults, to retain existing services and prevent homelessness. Program clients have complex physical and mental conditions that require intervention at all decision points, in order to deliver appropriate and effective services in any care setting. Guardians make all placements and health decisions including medication, surgeries and end-of-life decisions, assure completion of all legal court work and coordinate with case managers and law enforcement to resolve abuse and exploitation. Supports 10-year Plan to End Homelessness and Poverty Framework by maintaining stable income, housing and medical care for high-risk individuals in a least restrictive, cost-effective setting and to avoid fruitless use of other County resources. Guardians are not legally permitted to close existing cases. This offer provides limited services to current clients only, ramping the program to closure through client deaths. Services to keep the program open at current service levels are represented by a combination of Program Offers 25008 A+B.

Program Justification

The service reduces the cost of other county services, including crisis care, reducing chronic psychiatric bed use and repetitive staff time from County mental health investigators, protective services investigators, and case managers, while preventing repeat homelessness and victimization. Without legal authority these are clients, over 95 percent of whom are Medicaid eligible, who would again lose placements, income and care due to abuse, exploitation and/or irresolvable mental illness.

Performance Measures

Guardianship/Conservatorship service: Serve 150 incapacitated and unstable clients (dropping to about 135 through death in FY06) with guardianship and/or conservatorship decision-making. Remaining current level services are in Program Offer 25008B.

Summary of last year's program results and this year's expected results

During FY05, the program will have served about 160 clients, in addition to providing telephone assistance and staffing/on-site triage to assist County staff with planning for incapacitated clients, and the legal work and case stabilization required to obtain court authority for new clients.

This offer (25008A) closes the service to new clients, eliminating intake, emergency response, case stabilization, and community information/education. Future clients would be ineligible for service.

Program Mandate: 3 Program Choice but No Funding/Service Level Choice

The program is operated under ORS and county ordinance, developed through Multnomah County impetus in 1974. The program was originally operated on County General funds, but has been able to match funds with Medicaid funds in recent years for the 95 percent of clients who are Medicaid eligible, freeing funds for other County programs. The budget for 05-06 reflects a recent state mandate that this service return to County general fund status due to federal policy changes, however, the county is legally committed to existing clients. Legal issues would make an attempt to drop these individuals enormously complicated, expensive and lengthy. This offer represents a “no new clients” means of maintaining minimal service while ramping down program size through client death, about 10% per year. Remaining services are in Offer 25008B. MCR 125.905; ORD 64; 42CFR433.5 and 433.51; Part 4302(2) of State Medicaid manual; Provide Public Guardian services for indigent & people who need services;

Revenue/Expense Detail

	Proposed General Fund	Proposed Other Funds	Proposed General Fund	Proposed Other Funds
Program Expenses	2005	2005	2006	2006
Personnel	\$94,675	\$634,548	\$529,401	\$0
Contracts	\$298,381	\$13,920	\$0	\$2,000
Materials & Supplies	\$1,789	\$11,976	\$6,870	\$1,500
Internal Services	\$9,663	\$67,056	\$91,086	\$9,500
Subtotal: Direct Exps:	\$404,508	\$727,500	\$627,357	\$13,000
Administration	\$0	\$0	\$14,508	\$25,560
Program Support	\$0	\$0	\$32,140	\$116,181
Subtotal: Other Exps:	\$0	\$0	\$46,648	\$141,741
Total GF/non-GF:	\$404,508	\$727,500	\$674,005	\$154,741
Program Total:	\$1,132,008		\$828,746	
Program FTE	0.00	0.00	6.90	0.00
Program Revenues				
Indirect for dep't Admin	\$3,601	\$0	\$0	\$0
Fees, Permits & Charges	\$0	\$17,000	\$0	\$13,000
Intergovernmental	\$0	\$710,500	\$0	\$0
Program Revenue for Admin	\$0	\$0	\$0	\$141,741
Total Revenue:	\$3,601	\$727,500	\$0	\$154,741

Explanation of Revenues

ITAX with limited fee collection, as most clients are impoverished.

Significant Program Changes

The program was previously matched with Medicaid, but State Department of Human Services will no longer allow Medicaid match effective July 1, 2005, based on new federal policy. Negotiations are underway to develop a new Medicaid option that earns federal matching funds.