



WASHINGTON
COURTS

OFFICE OF PUBLIC GUARDIANSHIP

About OPG

The Office of Public Guardianship (OPG) contracts with certified professional guardians and conservators (CPGCs) statewide to provide decision-making support to low-income individuals with diminished capacity and for whom these services may not otherwise be available. OPG offers flexible reimbursement options for contractors which consist of solo practitioners as well as small and large CPGC agencies. Contractors may carry a caseload of up to 36 clients per CPGC, which may be a mix of public guardianship, private-pay, pro bono, and/or Medicaid cases. In addition to paying a higher rate than Medicaid reimbursements, OPG offers additional staff support to its contractors in order to promote high quality guardianship services. Our focus is on serving individuals with the greatest needs and fewest resources.

For more information, contact:

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Who Qualifies for OPG Services?

Eligibility requirements:

- 18 years or older,
- Either have an income that does not exceed 200% of the federal poverty level (for 2023, \$29,160/year or \$2,430/month) or are receiving long-term care services through the WA State Department of Social and Health Services, and
- There is no one else qualified, willing, and able to serve.

Contractor rates

\$710/month for the first three months - this higher rate allows guardians to learn baselines and tendencies; many tasks to be accomplished

\$440/month post three months - assumes that client's needs are more defined; services in place

Program Suitability Assessment (PSA) - allows guardians to claim the higher rate of \$710 on a month-to-month basis due to client instability

\$1600 for attorney's fees allotted for each client every three years and up to \$700 pre-appointment legal fees when DSHS is not the petitioner

Reimbursement for extraordinary legal expenses on a cases-by-case basis

Reimbursement for mileage, pre-appointment case assessment, and closing cases

Reimbursement options for less restrictive alternatives at \$525/month for the first three months, \$325/month post three months (DPOAs)

All appointments are voluntary and contingent upon contractor acceptance

Contractor requirements

Monthly in-person visits to OPG clients

Quarterly meetings, reimbursable at \$25 per meeting

Quarterly reporting requirements

Priority is given to individuals who are:

- Indigent/homeless,
- At significant risk of harm from abuse, exploitation, abandonment, neglect, or self-neglect or
- In imminent danger of loss or significant reduction in public services that are necessary to live successfully in the most integrated and least restrictive environment that is appropriate for a specific individual.

OPG's Success Stories *(Names have been changed to protect client identity)*

Case #1

John was admitted to the hospital for altered mental status. John had been homeless for over 25 years and was living in a tent. He had several diagnoses that contributed to his ability to make decisions. John could not process information or communicate except through gestures or simple yes or no questions. He had no known family, friends, income, or assets. He did not have capacity to understand or sign a DPOA and the hospital filed a petition for guardianship. The hospital submitted an initial guardian search request, but no CPGC expressed interest in the case and John was referred to the OPG.

A public guardian was appointed and John was discharged to a skilled nursing facility where he received 24-hour care, medication management, physical/speech therapy, and social engagement. The public guardian established a primary medical and dental provider and connected John to DSHS services. John continued to exhibit physical and medical stability and was making friends at the skilled nursing facility.

The guardian looked into John's finances and discovered he had been on SSD since the 1990's but the money was going to a homeless shelter in another state. Not only did the guardian reinstate his Social Security benefits, but they also recovered over \$200,000 in backpay.

John, who was once homeless for over 25 years, with no one involved in his life, without a dollar to his name, now has a support system, friends, and sufficient funds to ensure he would be taken care of for the rest of his life. John graduated from OPG after 1 year and 3 months in the program due to being over resourced. Without public guardianship, this outcome may not have been possible for John.

Case #2

Lily was a young adult when a petition was filed to place her under guardianship in 2002. She was born with a disability that impacted her capacity throughout her life. As a young adult, her ADL skills were that of a 4-year-old and her expressive language skills were comparable to a 10-year-old. Lily was not capable of executing a DPOA and needed a legal medical decision-maker due to concerns with future medical emergencies as her abilities continued to deteriorate. She was placed under a guardianship because of her vulnerabilities.

Lily's mother, who was her lay guardian, passed away and a successor guardian was needed. The father was not appropriate to serve and there was no one else willing or able to fill that role. Lily was approved for OPG services and a public guardian was appointed.

Lily made significant improvements in many aspects of her life while under guardianship. She resided in supportive living, received DSHS services, and demonstrated more and more independence as time went on. She was volunteering at a food bank, seeking employment, and was able to seek medical assistance by herself. Lily became very stable medically, emotionally, and physically, and was able to manage most aspects of her life with minimal assistance. The guardian was in favor of a less restrictive alternative and the court agreed.

The court issued an order terminating guardianship in favor of a DPOA, which Lily was able to execute. When the petition for guardianship was filed, Lily was a young adult and at that time already lived longer than most individuals with her condition. It was presumed she would continue to deteriorate, and the guardianship was expected to last for the duration of her life.

Lily is now a middle-aged adult, no longer under guardianship, has a job, is able to perform all of her ADLs, and is able to safely get herself around town using public transportation. While she still has some vulnerabilities, she's able to set her own goals and the DPOA is structured to help her in specific areas she needs. The availability of public guardianship played a huge role in Lily's success.