

## Office of Public Guardianship: FAQs

### What is the Office of Public Guardianship (OPG)?

The Office of Public Guardianship (OPG) was created by the legislature in 2007 because Washington state had no guardianship program for those who could not afford a legal decision-maker. OPG remained a pilot program for 12 years and originally served clients in five counties (Clallam, Grays Harbor, Okanogan, Pierce, and Spokane). The program was expanded to serve King County in 2009, Snohomish in 2010, and Clark, Kitsap, and Thurston Counties in 2011. In 2019, the legislature established the OPG as a permanent program with services available statewide and also expanded the OPG's authority to allow access to less restrictive alternatives (LRAs).

The OPG acts as a conduit to provide qualified surrogate decision-makers for low income adults in need of decision-making support. The OPG contracts with Certified Professional Guardians and Conservators (CPGCs) to provide decision-making services when no else is willing and able to serve. OPG provides legal decision-makers for individuals with diminished capacity and in need of guardianship and/or conservatorship services. We also provide less restrictive alternatives to guardianship/conservatorship for individuals capable of executing a Durable Power of Attorney (DPOA) or Supported Decision-Making Agreement (SDMA).

In 2011, the Washington State Institute for Public Policy (WSIPP) reported that an estimated 4,000 – 5,000 individuals need and are eligible for services through the OPG. Currently, the OPG has capacity to serve around 9-11% of this estimated need.

*In establishing an office of public guardianship and conservatorship, the legislature intends to promote the availability of guardianship, conservatorship, and alternate services that provide support for decision-making for individuals who need them and for whom adequate services may otherwise be unavailable. ([RCW 2.72.005](#))*

### Who qualifies for OPG services and are there additional considerations?

Eligibility requirements for individuals with diminished decision-making ability:

- Are 18 years or older; and
- Have an income that does not exceed 200 percent of the federal poverty level (for 2025, \$31,300.00 annually or \$2,608.33 monthly); OR
- Are admitted to an acute care hospital, psychiatric hospital, or state psychiatric hospital and have an income that does not exceed 400 percent of the federal poverty level (for 2025, \$62,600.00 annually or \$5,216.67 monthly); OR
- Are receiving or are eligible to receive long-term care services through the Washington State Department of Social and Health Services (DSHS); and
- There is no one else qualified, willing, and able to serve.

Due to high demand, priority is given to individuals who are:

- Indigent/homeless;
- Hospitalized and medically ready for discharge, or will soon be medically ready for discharge;

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- 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 necessary to live successfully in the most integrated and least restrictive environment.

### How do I become a public guardian/conservator (contractor) with OPG?

OPG can only contract with a Certified Professional Guardian and Conservator (CPGC). To become a public guardian/conservator and contract with OPG, the CPGC must contact the OPG Program Coordinator and/or submit a letter of interest for review.

- Once accepted as a contractor, AOC will send out a contract to the CPGC for review and signature. OPG contracts are renewed on an annual basis and include boilerplate language applicable to all contractors as well as total contract amount to be paid during the fiscal year.
- To receive payment, the contractor must become a state vendor and [register with the Office of Financial Management](#).
- After the contract is ratified and vendor registration is completed, the contractor can then accept OPG cases and bill for decision-making assistance via forms A19/A20.
- Please note there is a [three-step process](#) before an adult in need of decision-making assistance can be accepted into the program; contractors appointed on cases prior to OPG approval will not be reimbursed by the OPG for providing decision-making services.

### What are the OPG's rates per client?

The OPG serves clients with the highest needs and the fewest resources and offers contractors a monthly stipend significantly higher than Medicaid reimbursements.

- \$750/month for the first three (3) months
- \$450/month post three (3) months
  - After two (2) years in the program, staff will monitor the client using the Program Suitability Assessment (PSA) on an *as needed basis* to determine the client's stability. Clients with little or no ongoing issues and that are mostly stable will have their rates reduced to \$325/month.
- The Program Suitability Assessment (PSA) also allows for temporary rate increase in guardian/conservator fees to accommodate periods of client instability. Contractors can request payment at the \$750 tier for a client if certain thresholds have been met per the PSA.
- Contractors authorized by DSHS to deduct monthly guardianship/conservatorship fees not to exceed \$235/month per WAC 182-513-1530 will be reimbursed the difference per the OPG monthly rate.
- Each OPG client is allotted \$1800 every three (3) years for attorney's fees.
- In guardianship/conservatorship cases where the Attorney General's Office (AGO) or DSHS is NOT the petitioner (e.g. private party, hospital, care facility), OPG will reimburse up to \$700 for pre- appointment attorney's fees when a contractor accepts appointment.
- OPG can also pay for extraordinary legal expenses (when appropriate) on a case-by-case

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basis.

- Contractors are paid \$100 to meet with an approved client of the program for a pre-appointment case assessment prior to accepting a case. This initial meeting helps the contractor assess compatibility, where the client may fit within their caseload, and help to structure a relationship upfront. If the contractor declines a case after the initial meeting, the contractor can still bill OPG for the pre-appointment case assessment.
- Contractors are paid \$300 to close a case due to death, restoration of capacity, or when a client is no longer eligible to receive OPG services.
- OPG reimburses for travel costs incurred on behalf of the client such as mileage which is paid at the current state rate of \$0.70/mile. OPG can also reimburse for other travel expenses such as bridge tolls, ferry rides, and parking fees.
- In extraordinary circumstances, OPG can pay for flight, car rental, and/or lodging costs, however, **prior** authorization is needed before travel.

### Does the OPG provide options for less restrictive alternatives (LRAs)? Are those options reimbursable?

- The OPG promotes least restrictive residential options, family reunification, Durable Power of Attorney (DPOA), and restoration of rights with several examples since program inception.
- Contractors can receive \$525/month for the first three (3) months and \$325/month thereafter to provide LRA services.

### Are there specific contractor duties associated with taking on OPG clients?

Public guardians/conservators serve as independent contractors subject to additional reporting and review requirements and reimbursement process defined by the contract.

- OPG contractors must visit their clients at a minimum of once per month at their residence. An in-person residential visit ensures safe surroundings and provides expanded opportunity to adequately support the clients.
- OPG contractors must submit quarterly Status Reports for each of their OPG clients. The quarterly Status Report provides a template for conducting monthly visit assessments and after documenting conditions, contractors report:
  - Whether public decision-making assistance is still appropriate (serving clients who remain eligible for the program and meet program priorities);
  - Whether the current level of decision-making support remains appropriate for the client; and,
  - If changes are anticipated next quarter as a result of changes in the current quarter.
- OPG contractors are also required to submit quarterly Case Weighting Worksheets which captures their current caseload as well as the level of complexity of each case using a five-tiered scale with corresponding point values.
- OPG contractors join together once a quarter to review program and policy topics, staff a case, and get updates on changes in law and regulations. Contractors are required to participate in

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these meetings as they provide insight into best practices and professional networking opportunities.

- Contractors are reimbursed (\$25) for their time to attend quarterly meetings.

### How are contractors informed about approved OPG cases? Are OPG cases assigned?

- Once an individual is approved to receive services through the OPG, contractors and referrers receive an approval notice via email.
- The approval notice provides contractors intake data on prospective clients; a contractor interested in picking up the case will contact the referrer directly to request additional information and/or accept the appointment.
- All appointments are voluntary and contingent upon contractor acceptance.

### Is there a limit on how many guardianship/conservatorship cases an OPG contractor can have?

- Each Certified Professional Guardian and Conservator (CPGC) working on behalf of a contractor may carry a caseload of up to 36 clients (or 550 points). This includes OPG cases, private pay, pro bono, and/or Medicaid cases. Less restrictive alternatives, like DPOAs, do not count towards the caseload limit.
- Prior to 2019, the statute capped caseloads at 20 individuals. The increase to 36 allows larger agencies, areas with a high client to CPGC ratio, and rural/remote CPGCs more flexibility to utilize individual business models.

### Are there other resources available to OPG contractors?

CPGC decisions made on behalf of a client are final as a fiduciary. However, standards of practice, best management practices, case law, and OPG program requirements also require a multidisciplinary approach to providing services on behalf of clients.

- Contractors are encouraged to participate in networking opportunities to explore community resources for clients. These groups include Area Agencies on Aging, county government, and grassroots consortiums. They often meet on a monthly basis to share resources and provide a forum for integrated problem-solving.
  - OPG contractors are provided compensation for participating in these meetings at \$25 per meeting, up to two (2) reimbursable meetings per month.
- OPG supports CPGC education and training by providing up to \$300/year per CPGC for Board approved Continuing Education training.
- Contractors that provide mentorship/job training to CPGC students in the UW program can receive up to \$1000/per student.
- CPGCs who contract with OPG will also benefit from having access to additional resources, support from staff with respect to case management, problem-solving strategies, and the



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opportunity to collaborate and share ideas regarding ongoing program development and improvement.

For more information, please contact us at [OPG@courts.wa.gov](mailto:OPG@courts.wa.gov) or (360) 705-5308.