

WA Office of Public Guardianship: FAQs

Legislative Directives

- **Legislative Intent, as defined in statute:**

In establishing the office of public guardianship, the legislature intends to promote the availability of guardianship 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)

- **Eligibility criteria:**

...individuals with diminished decision making ability who are...

- 18 years or older;
- A Washington State resident;
- Income <200% of federal poverty level or are receiving long-term care services through DSHS; and
- No one else is qualified, willing and able to serve

- **Program priorities:**

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

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

Program Objective/Benefits

- Serving clients with the highest needs and the fewest resources for a **monthly stipend** significantly higher than Medicaid reimbursements (\$710 for the first three months, \$440 post three months).
- Allows for temporary increase in guardian fees to accommodate clients instability; guardians can request payment at \$710 tier if certain thresholds have been met per the Program Suitability Assessment (PSA).
- Each OPG client is allotted \$1600 every three years for attorney's fees; OPG will also reimburse \$700 for attorney's fees for each case when DSHS is not the petitioner; OPG can pay for extraordinary legal expenses when appropriate.
- Guardians are paid \$100 for pre-appointment case assessment to determine whether or not to accept a case.
- Guardians 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.
- All travel expenses incurred on behalf of an OPG client are reimbursable.
- Guardians serve as independent contractors subject to additional reporting and review requirements and reimbursement process defined by contract.

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Working to Double Clientele

During the 2019 Legislative session, the OPG received additional funding and helpful policy reforms including expansion of services to statewide, a change in program status, from pilot to permanent, and expanded service options that are reimbursable (DPOA and estate administration).

- **Caseloads Increase (also enacted during 2019 Legislative Session):**
Each CPG working on behalf of a contractor may carry a caseload of up to 36 clients (or 550 points), including OPG and other clients. Once a CPG exceeds 20 clients, they complete case weighting, a five tiered scale with corresponding point values that asks the CPG to access relative difficulty of a case within their case load. Prior to 2019, the statute capped caseloads at 20 individuals. This increase allows larger agencies, areas with a high client to CPG ratio and rural/remote CPGs more flexibility to utilize individual business models.
- **Notice of potential appointments:**
OPG guardians in a region are presented intake data on prospective client's to structure relationship up front. All appointments are voluntary and contingent upon guardian acceptance. Often high needs cases or DDA clients without resources to pay for a guardian are referred to the program.
- **Success stories of client transitions:**
The OPG promotes least restrictive residential options, family reunification, DPOA and restoration of rights with several examples since program inception. And because need exceeds resources, the program maintains an active waitlist.

Contractor Considerations and Duties

- **Monthly In-Person Visits at the Client's Residence:**
OPG guardians visit their clients at a minimum of once per month at their residence. An in person residential visit ensures safe surroundings and provide expanded opportunity to support OPG clients.
- **Seeking Reimbursement via A-19/A-20:**
Contractors submit reimbursement for services rendered through an A-19 form. These forms require back up documentation through a Time and Expense Sheet and the Quarterly Status Report. Contract language identifies monthly stipend paid to guardians for their services to OPG clients, triennial attorney fees, and travel reimbursements. Other supplies or services critical to the safety and well-being of a client that cannot be obtained in a reasonable time frame or other attorney fees for services provided to the client will be reimbursed on a discretionary basis.
- **Quarterly Meetings:**
OPG contractors join together quarterly for an hour to review program and policy topics, staff a case, and get updates on changes in law and regulations. Contractors are strongly encouraged to participate in these meetings as they provide insight into best practices and professional networking opportunities.
 - Contractors are reimbursed (\$25) for their time to attend quarterly meetings.
 - These meetings may also be an opportunity to earn Continuing Education Units (CEUs). CPGs are required to complete a minimum of 24 credit hours of approved education during each reporting period.

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Quarterly Status Reports and Check-ins

The **QUARTERLY GUARDIANSHIP STATUS REPORT** provides a template for conducting monthly visit assessments and is required backup documentation for seeking reimbursement of public funds from the OPG. After documenting conditions, contractors report:

- Whether public guardianship services are still appropriate (serving clients who remain eligible for the program and meet program priorities);
- Whether guardianship remains appropriate for the client; and
- What changes are anticipated next quarter as a result of changes in the current quarter?

Coordination with Client, Family/Friends and Other Professionals

CPG 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.

- Guardians are encouraged to participate in networking opportunities to explore community resources for OPG 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.
- Guardians are provided compensation for participating in these meetings at \$25 per meeting, up to two (2) reimbursable meetings per month.

Recruitment Process

- CPG must submit application/letter of interest to OPG coordinator for review.
- Once accepted as contractor, AOC will send out contract for review and signature. Contract 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 year.
- After contract is ratified, contractor can then accept OPG cases and bill for guardianship services via A19/A20.
- Please note there is a three step process before an IP can be accepted into the program; contractors will not be reimbursed for providing guardianship services to those not accepted.

For more information, please contact:

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