



Office of Public Guardianship: FAQs

What is the Office of Public Guardianship (OPG)? What is its mission?

The Office of Public Guardianship (OPG) acts as a conduit to provide qualified surrogate decision-makers for low income adults in need of guardianship and/or conservatorship. The OPG contracts with Certified Professional Guardians and Conservators (CPGCs) to provide guardianship and/or conservatorship services when no else is willing or able to serve. Established in 2007 as a pilot program, OPG 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 County in 2011. The program was permanently funded in 2019 and is now available statewide.

In 2011, the Washington State Institute for Public Policy (WSIPP) reported that an estimated 4,000 – 5,000 individuals are in need of and eligible for public guardianship/conservatorship services. Currently, the OPG has capacity to serve 2-3% 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:

- 18 years or older;
- A Washington State resident;
- Income <200% of the federal poverty level (for 2021, \$25,760 annually or \$2,147 monthly) or are receiving long-term care services through DSHS; and
- No one else is qualified, willing and able to serve.

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; 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 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.



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- 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 guardianship/conservatorship services via forms [A19/A20](#).
- Please note there is a [three-step process](#) before an adult in need of guardianship and/or conservatorship can be accepted into the program; contractors will not be reimbursed by the OPG for providing guardianship and/or conservatorship services to those not accepted into the program.

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.

- \$710/month for the first three (3) months
- \$440/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 client instability. Contractors can request payment at the \$710 tier per 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](#) will be reimbursed the difference per OPG monthly rate.
- Each OPG client is allotted \$1600 every three (3) years for attorney's fees except those that have been grandfathered (all appointments prior to July 1, 2021) under the \$1200/triennial payment.
- In guardianship/conservatorship cases where the Attorney General's (AG) office 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 pay for extraordinary legal expenses not included in the previous two bullets above when appropriate on a case-by-case basis.
- Contractors are paid \$100 to meet with an OPG client 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 \$0.560/mile. OPG can also reimburse bridge tolls and parking fees.



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- In extraordinary circumstances, OPG can pay for flight, car rental, and/or lodging costs, however, *prior* authorization is needed before travel.

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 support OPG 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 is required backup documentation for seeking reimbursement of public funds from the OPG. After documenting conditions, contractors report:
 - Whether public guardianship/conservatorship services are still appropriate (serving clients who remain eligible for the program and meet program priorities);
 - Whether guardianship/conservatorship remains appropriate for the client; and
 - If changes are anticipated next quarter as a result of changes in the current quarter.
- 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 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). CPGCs are required to complete a minimum of 24 credit hours of approved education during each reporting period.

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

- Once an individual is accepted to receive services through the OPG, contractors and referrers receive approval notice via email.
- The approval notice provides contractors in a region 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 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.



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- Once a CPGC exceeds 20 clients, they complete case weighting: a five tiered scale with corresponding point values that asks the CPGC to assess relative difficulty of a case within their caseload.
- Prior to 2019, the statute capped caseloads at 20 individuals. This increase allows larger agencies, areas with a high client to CPGC ratio, and rural/remote CPGCs more flexibility to utilize individual business models.

Does the OPG provide options for less restrictive alternatives? 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 \$325/month to provide DPOA services for an OPG guardianship/conservatorship that was terminated due to application of a less restrictive alternative such as a DPOA.

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 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.
 - OPG contractors are provided compensation for participating in these meetings at \$25 per meeting, up to two (2) reimbursable meetings per month.
- 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 opportunity to collaborate and share ideas regarding ongoing program development and improvement.

Who can I contact for more information?

Administrative Office of the Courts
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