

404120000—Public Guardian/Conservator

Health Services

Greg Diederich, Health Care Services Director

Special Revenue Fund	2017-2018 Actual	2018-2019 Adjusted	2019-2020 Requested	2019-2020 Recommended	Increase/ (Decrease)
Expenditures					
Salaries & Benefits	\$2,715,125	\$3,020,496	\$3,133,662	\$3,133,662	\$113,166
Services & Supplies	899,118	840,922	897,557	897,557	56,635
Centrally-Budgeted Expenses	(115,832)	48,223	166,394	166,394	118,171
Fixed Assets	6,310	68,460	0	0	(68,460)
Total Expenditures	\$3,504,721	\$3,978,101	\$4,197,613	\$4,197,613	\$219,512
Expenditure Reimbursements	(1,687,845)	(2,148,219)	(2,457,540)	(2,457,540)	(309,321)
Total Appropriations	\$1,816,876	\$1,829,882	\$1,740,073	\$1,740,073	(\$89,809)
Earned Revenues By Source					
Interest/Rents	\$47,281	\$41,000	\$0	\$0	(\$41,000)
Charges For Services	888,895	860,809	812,000	812,000	(48,809)
Operating Transfers In	928,072	928,073	928,073	928,073	0
Fund Balance	(47,372)	0	0	0	0
Total Revenues	\$1,816,876	\$1,829,882	\$1,740,073	\$1,740,073	(\$89,809)
Net County Cost	\$0	\$0	\$0	\$0	\$0
Staffing					
Allocated Positions	28.0	30.0	30.0	30.0	0.0
Temporary (Full-Time Equivalent)	2.6	1.5	1.5	1.5	0.0
Total Staffing	30.6	31.5	31.5	31.5	0.0

- Operating Transfers In includes a General Fund Contribution of \$928,073 for 2019-2020.

Purpose

The goal of the Office of the Public Guardian/Conservator (PG/C) is to ensure both the financial and physical safety of incompetent and mentally disabled persons who meet the criteria for conservatorship, as required by law, when there is no viable alternative to public conservatorship.

The PG/C's Office provides:

- Lanterman Petris Short (LPS) Conservatorship services for persons who are gravely disabled as a result of a mental illness.
- Probate Guardianship/Conservatorship services, including investigation of referrals and administration of personal/financial decisions, as defined by the Probate Code.
- Representative Payee services as defined by the United States Social Security Administration and United States

Department of Veterans Affairs for persons deemed by those agencies as being unable to responsibly utilize their funds for food, clothing, and shelter.

Major Budget Changes

Salaries & Employee Benefits

- \$113,166 Salary and benefits adjustments.

Services & Supplies

- \$39,200 Increase in engineering services for lobby project.
- \$25,000 Increase in charges for County Counsel legal services.
- \$22,614 Increase in departmental overhead costs.

404120000—Public Guardian/Conservator

Health Services

- \$6,850 Increase in fleet services and training costs.
- \$5,239 Increase in reimbursement to Health Care Services for administrative support.
- (\$48,000) Decrease in consultant services.

Centrally-Budgeted Expenses

- \$118,342 Cost Allocation Plan adjustment.

Expenditure Reimbursements

- \$359,321 Increase in reimbursement from Mental Health Services (MHS).
- (\$50,000) Decrease in reimbursement from Mental Health Services Act funds.

Revenues

- (\$48,809) Decrease in revenue from conservatorship fees.
- (\$41,000) Eliminate use of trust account interest earnings.

Program Discussion

The 2019-2020 recommended budget for the PG/C's Office totals \$4,197,613, which is an increase of \$219,512 from the 2018-2019 adjusted budget. This change mainly reflects salary and benefits adjustments, engineering costs for remodeling of the PG/C lobby area, increases in allocated departmental overhead costs, and Cost Allocation Plan adjustments, offset by a decrease in costs for consultant services.

In 2019-2020, the PG/C's Office will continue developing policies and procedures for transition to a Behavioral Health Services Intranet platform for on-line access and revision control; create a best practices manual to assist all levels of staff; and analyze and streamline the referral intake process.

LPS Conservatorship Referrals

The PG/C's Office has experienced a dramatic increase in referrals from the criminal justice system for clients arrested

for a criminal offense, who appear to be incompetent to stand trial, and may have a mental illness. In many cases, these referrals are re-referrals of cases in which the PG/C's Office previously declined to petition for conservatorship; however, the Office is obligated by law to perform a new investigation for each referral and evaluations are subsequently performed to determine if the client meets the criteria for an LPS conservatorship. If the evaluation indicates a need for conservatorship, a referral is made to a MHS Psychiatrist and a more intensive investigation performed, including writing conservatorship petitions to Superior Court.

Although these clients may have some form of mental illness, many do not meet the legal criteria for an LPS conservatorship. In these cases, the PG/C may become the client's Representative Payee for public benefits and PG/C staff collaborate with a MHS Case Manager to provide community support and placement assistance. However, since the client is placed in the community, compliance with mental health treatment cannot be controlled or ensured. Staff has established a strong partnership with MHS managers to help facilitate solutions for clients who are non-compliant with medication, and who are at-risk for ending up in the criminal justice system.

A daily challenge for LPS conservatees is the lack of appropriate housing. Due to an acute shortage of housing in the Bay Area and significant funding available to larger counties, open beds in local community care licensed facilities are commonly filled by out-of-county conservatees. The PG/C's Office continues to work collaboratively with MHS on ways to increase housing for conservatees. One of the major strategies has been moving less-acutely-ill clients into supportive housing facilities, which then opens up placements for clients who need to be placed in a licensed board and care facility.

Probate Conservatorship Referrals

The estimated number of Probate Conservatorship referrals for individuals with a major neurocognitive disorder such as dementia or traumatic brain injury, remains largely unchanged for 2019-2020. MHS does not provide case management services or placement assistance for clients with a major neurocognitive disorder diagnosis. Placement for younger diagnosed clients is difficult and placement opportunities for these clients who have accompanying behavioral disturbances are limited. PG/C staff must serve as conservator, case manager, and placement coordinator for these clients.

4041200000—Public Guardian/Conservator

Health Services

Workload Data

	-----Actual-----			Est./Act.	Projected
	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
<i>LPS Conservatorship Cases</i>	286	248	281	274	300
<i>LPS Conservatorship Referrals</i>	110	164	137	126	130
<i>Probate Conservatorship Cases</i>	152	116	161	158	165
<i>Probate Conservatorship Referrals</i>	45	51	50	48	70
<i>Sub-Payee Cases</i>	587	536	574	614	595
<i>Sub-Payee Referrals</i>	59	42	37	37	42