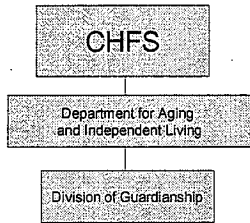


Division of Guardianship

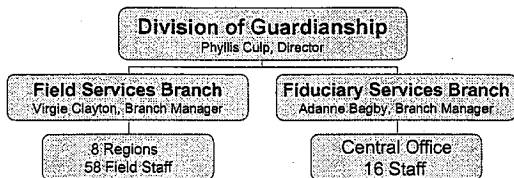
*Where We Are
and
Where We Are Going*



Where are we in the Cabinet?



GUARDIANSHIP Organizational Chart



Guardianship in Kentucky

- **2717 Active Clients 5/14/09**
- **Disabilities in the group**
 - Developmental Disabilities
 - Mental Illness
 - Physical Disabilities
 - Any combination of the above

Guardianship Changes

- Regulations
- Realigned Territories
- Created Field Services Branch
- Correcting Audit Findings
- Policies and Procedures in Progress
- Raising the Visibility of Guardianship

Statutory Authority

- KRS 209- Protection of Adults
- KRS 210.290-State and Regional Mental Health Programs
- KRS 387.500- 387.990 Guardians and Conservators

Regulations

- 910 KAR 2:020 Referral Process
 - Defines terms
 - Outlines process for referral
 - Identifies the procedures to open a case
 - Field Procedures
 - Fiduciary Procedures
 - Guidance for participation in research for wards

Regulations

- 910 KAR 2:030 Accounting Procedures
 - Defines terms
 - Identifies budget process for wards
 - Provides requirements for quarterly provider reports
 - Outlines management of client's funds
 - Income
 - Expenses
 - Medical
 - Personal

Regulations

- 910 KAR 2:040 Service Provision
 - Annual Court Report requirements
 - Renewal of Limited Appointments
 - Restoration of Rights Process
 - Securing successor guardian
 - Selling real estate
 - Decision making on behalf of the ward
 - Quarterly face to face visits
 - Out of state travel

Regulations

- Client placement or movement
 - SCL placement
 - Bed Holds
- Moving to a new region
- Personal belongings
- Physical health needs
 - Consent for treatment
 - Removal of a body organ or limb
 - Involuntary treatment
 - DNR

Regulations

- Death of a ward
- Forms

Regulations

- 910 KAR 2:050 Compensation
 - Defines terms
 - Sets parameters for compensation for services
 - Outlines dispute resolution process

Types of Guardianship

- Full Guardian
- Limited guardian
- Limited conservator
- Conservator
- Any combination of the above
- Can be very specific regarding which rights can be removed

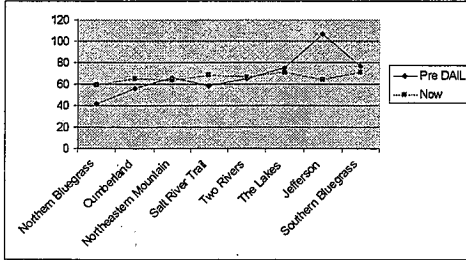
Policies and Procedures

- Field P & P
- Fiduciary P & P

Realigned Territories

- Balanced caseloads
- Combined Northeastern and Eastern Mountain into one Region
- Maintained all current offices
 - Moved Two Rivers to Bowling Green
 - Moved Jefferson County to new offices in L & N Building

Caseloads
When new staff are hired



Created Field Services Branch

- Branch Manager
- 2 Regional Consultants
 - Jennifer Durham
 - Jeff Cecil
- Duties
 - Assist with difficult cases
 - Conduct Utilization Review planning meetings
 - Provide liaison between field and fiduciary staff

Raising Visibility of Guardianship

- Participating in quarterly Core Training for all SCL staff
- Participating in all MFP opportunities
- Requested Guardianship be added to the Northern Ky Mental Health Court planning group
- Developing training schedule
- Representation on DMHDDSA work groups

What's next?

- Wishes:

- Participate in AOC training at District Judges College
- Funds for additional permanent staff and training
- Program for individuals with criminal behaviors who are not competent to stand trial
- Long term simultaneous treatment for both mental health and substance abuse issues.

Challenges

- Stable funding
- Increasing workload
 - Situations of clients
 - Decreased options
- Safety of field workers
- Managing the variety of federal and state regulatory changes regarding income and outgo.

Questions?

Helpful websites

- Kentucky Guardianship Association (KGA) www.kentuckyga.com
- National Guardianship Association- <http://www.guardianship.org/>
- Cabinet for Health and Family Services- <http://chfs.ky.gov>
- CMS.gov

Kentucky Legislature home page-
<http://www.lrc.ky.gov/legresou/legres.htm>

- KRS Governing Guardianship
- Guardianship statute- Chapter 387
 - Adult Protection statute- Chapter 209
 - Adult Protection, Dom. Violence- Chapter 209A
 - Act as fiduciary- Chapter 210.290
 - Living Will statute- Chapter 311
 - Involuntary Hospitalization MI- Chapter 202A
 - Involuntary Facility Admission for MR- Chapter 202B
 - Trusts Issues and Prudent Man- KRS 386 -
 - Veterans' Issues - KRS 388 -

Contact Information

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