Master Plan for Aging (MPA) Recommendation Form

#35

COMPLETE

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Q1 Issue Statement: [State the problem your recommendation will address. Insert links to reports where appropriate.]

• There is a critical shortage of representatives and surrogate decision makers to represent the interests of "unrepresented" adults who have not executed advance directives with respect to their medical care, finances, housing, and long-term care. This includes a shortage of conservators and alternative options that are less restrictive in their scope of authority and duration.

Q2 MPA Framework Goal #: [Check which goal/s this recommendation addresses. View MPA Framework document]

Goal 4: Economic Security and Safety. We will have economic security and be safe from abuse, neglect, exploitation, and natural disasters and emergencies throughout our lives.

Q3 MPA Framework Objective #: [Check which objective/s this recommendation addresses. View MPA Framework document]

Objective 4.2: Californians will be protected from abuse, neglect, and exploitation as we age.

Q4 Recommendation: [Explain your recommendation in one to two sentences.]

Assure that individuals with cognitive impairments have supports and representation in decision making and in managing their care regardless of their place of residence (i.e. community or congregate settings).

Q5 Target Population and Numbers: [Describe groups of Californians impacted by this recommendation, with numbers if available.]

All older adults, with an emphasis on underserved groups.

Q6 Detailed Recommendation: [Insert detailed bullet points describing your recommendation.]

• Start a Working Interdisciplinary Network of Guardianship Stakeholders (WINGS). WINGS is a model designed to engage stakeholders in improving states' guardianship systems that operate under the aegis of state chief justices.
• Identify or create standards for public guardians in consultation with the California Association of Public Administrators, Public Guardians, and Public Conservators (CAPA/PG/PA) and national guardianship organizations. These should include standards for caseload size, program management, and best practices.
• Appoint a state level position within DSS to 1) provide liaison among local PGs, and state and federal entities; 2) oversee the provision of technical assistance and training; and 3) represent the needs and interests of PGs within government.
• Identify the training needs of those involved in the conservatorship process, including PGs, APS workers, court appointed attorneys, families, professional conservators, and physicians; and develop core competencies specific to each group.
• Request that the Legislative Analyst's Office explore public guardian programs, including their funding, staffing, training, and caseloads.
• Review recommendations contained in the 2018 report by the LA County Department of Mental Health for the Board of Supervisors that offers 100 recommendations for improving conservatorship based on a comprehensive audit of the state and local system (see below).

Q7 Evidence that supports the recommendation: [Add links or summaries of research evidence that support the recommendation. Provide links or summaries of research evidence that support your recommendation]

• 2018 report by the LA County Department of Mental Health for the Board of Supervisors that offers 100 recommendations for improving conservatorship based on a comprehensive audit of the state and local system (see below). Priority recommendations included 1) the creation of a classification structure for public guardians; 2) a training program for service providers and the public; 3) the expansion of services for conservatees; 4) improvements to the referral and investigation process; and 5) improvements in the tools and procedures used to track and report on the outcomes of conservatorship proceedings.

Q8 Examples of local, state or national initiatives that can be used as an example of a best practice: [Provide any available links and sources.] Local: State: National: Other:

The web site of the American Bar Association lists existing WINGS programs across the U.S. See https://www.americanbar.org/groups/law_aging/resources/wings-court-stakeholder-partnerships0/state-wings/

Q9 Implementation: [Insert actions state agencies, legislators, counties, local government, or philanthropy can take to move this recommendation forward. Some of the entities listed below may or may not be applicable to each recommendation.] State Agencies/Departments: [action to be taken by Governor or specific state agencies] State Legislature: [legislation needed to implement recommendation] Local Government: Federal Government: Private Sector: Community-Based Organizations: Philanthropy: Other:

CDA, California Bar Association, the Chief Justice of the CA Supreme Court (required for WINGS), associations of public and private conservators.

Q10 Person-Centered Metrics: [Individual measures of inputs or outcomes that can be used to measure the recommended action's impact on people.]

Greater autonomy. Preservation of individual rights and choices.

Q11 Measuring Success: [Describe specific metrics that could be used to empirically measure the effectiveness of your recommendation]

Increased availability of surrogate decision makers and representatives for unbefriended or unrepresented individuals by a broader range of elders in need. Increased options for client representative that are less restrictive than conservatorship.

Q12 Measuring Success: [How would we know that the implementation of your recommendation is successful?]

Short term: By 2020…	**• Appointment of Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) members, development of work, and commencement of meetings. • Completion of standards for public guardians that include standards for caseload size, program management, and best practices. • Appointment of a state level position within the Department of Social Services to 1) provide liaison among local PGs, and state and federal entities; 2) oversee the provision of technical assistance and training; and 3) represent the needs and interests of PGs within government. • Plan for addressing the training needs of those involved in the conservatorship process, including PGs, APS workers, court appointed attorneys, families, professional conservators, and physicians; and develop core competencies specific to each group. • Commencement of Legislative Analyst's Office study of public guardian programs, including their funding, staffing, training, and caseloads.**
Mid term: By 2025…	**• Adoption of standards for public guardians throughout state • Full implementation of WINGs, including ongoing reports and recommendations • Improved coordination among DSS, other state agencies, national organizations, local PGs, the Judicial Council, and others involved in conservatorship • Implementation of training plan**
Long term: by 2030…	**• Continuum of decision-making supports, regardless of their place of residence, ranging from informal supported decision-making to conservatorship for all unrepresented older adults in need; • Decision making authority is tailored to meet individuals' specific needs and capacity; and • Public guardians across the state are in compliance with uniform standards of practice that protect conservatees' and proposed conservatees' rights.**

Q13 Data Sources: [What existing data can be used to measure success or progress?]: Existing data sources: [specify datasets, variables, and data owner/location] Suggestions for data collection to evaluate implementation of this goal when no data sources exist:

Existing databases of conservatorships as available. Data on unnecessary hospitalizations due to lack of patient representatives or surrogate decision makers.

Q14 Potential Costs/Savings: [insert any research, actuarial analysis or other evidence of the cost of this recommendation or potential savings]

Reduced number of hospital days for non-medically needy unrepresented patients

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Q15 Prioritization: [How would you prioritize your recommendation relative to other needs/priorities?] **High**

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