

Lake County  
Public Guardian, Public Conservator and  
Public Administrator Programs

May 2023

With Mental Health Awareness Month in May and Alzheimer's and Brain Awareness Month in June, it is an opportune time to recognize those suffering from these challenging conditions and the county staff who serve them. Specifically, we would like to take this opportunity to raise awareness of the Public Guardian, Conservator and Administrator's office and the specialized work they do in coordination with Behavioral Health, the Court System and local hospitals for some of the most vulnerable members of the community.

The Office of Public Guardian, Conservator and Administrator serves the local community through three specialized programs:

- Public Administrator (PA),
- Public Guardian (PG), and
- Public Conservator (PC).

Lake County Social Services (LCDSS) has operated these programs for several decades and in recent years has witnessed a notable increase in the number of referrals to this office. This is likely due, in part, to the growth seen in the aging population. Between 2010-2060, the California Department of Finances predicts that the population of those aged 60 and older will increase by 166% within the State, and in Lake County it is projected to increase by nearly 20%\*. These projections are anticipated to create unique challenges within Social Services locally, as well as across multiple sectors within the State including healthcare, skilled nursing facilities, hospitals, the housing market and economy.

Currently LCDSS PA/PG/PC programs are served by a total of four (4) staff:

- 2 Social Workers
- 1 Social Services Aide
- 1 Social Worker Supervisor

Current staffing cost:

FY 23/24 staff cost (4 positions) - \$381,624.36

FY 23/24 projected overhead cost for 4 staff - \$24,808.94

*Lake County Social Services Department, not the County General Fund, currently pays these costs.*

On average, this office receives 3-4 new referrals each month. Currently LCDSS is serving 38 PG cases, 50 PC cases and 4 PA cases in addition to responding to referrals from the Sheriff's Coroner's office. However, these numbers alone do not describe the depth and detail of the work that our staff complete in their efforts to protect the most vulnerable in our community.

### **Public Administrator Program**

The Public Administrator program has seen an increase in number of referrals in recent years. This program provides estate management to those individuals who have passed away without someone willing or able to manage their affairs. Services include accountings and disbursement of assets, including real property such as a house. Staff work closely with the Court System, Realtors, Estate Sale companies and Heirs. PA work also includes the multiple referrals received per month from the Lake County Coroner's Office for individuals who have passed away without assets and require the PA office to marshal funds to assist with paying for their disposition. As it stands right now, staff are unable to keep up with the number of referrals received for this service in addition to the time sensitive needs in Public Guardian and Public Conservatorship case management workload.

### **Public Guardian Program**

As Public Guardian (PG), one Social Worker is dedicated to oversee probate conservatorships. This program serves those individuals who suffer from the debilitating effects of dementia or other similarly organic related processes. Typically, this program receives referrals from a multitude of sources including hospitals, medical practitioners, and Adult Protective Services among others. The Lake County Superior Courts and County Counsel are involved in the process to obtain the protective designation. Once the guardianship is ordered, the social worker is also responsible for arranging placement within a skilled nursing facility or similarly licensed placement resource. The same social worker is responsible for managing the client's financial affairs once guardianship is awarded. This process requires a significant amount of work due to the increased acuity in clients requiring placement and challenges in finding placement that can meet their needs. Due to the growing population of consumers and limited bed availability, particularly in the Northern California region, placement has become increasingly difficult. At times, the closest placement could be up to ten hours away which presents difficulties for families who wish to visit and social workers who are required to. Following investigation, and once the

guardianship appointment is finalized by the courts, the Social Worker will ensure that all legal statutes are being met, along with the facility and other community partners to safeguard the individual's well-being.

### **Public Conservator Program**

Similar to the PG Program, the Public Conservator Program dedicates one full time Social Worker who serves as a Public Conservator for those clients referred to us under the Lanterman Petris Short Act, or LPS for short. This particular service is done in partnership with Lake County Behavioral Health and serves those whom are gravely disabled due to incapacitating mental illness as well as those referred to us directly by the courts under a Murphy's conservatorship, where they have been found incompetent to stand trial following a felony offense. It is anticipated that this program will likely grow significantly due to the implementation of Care Court in December 2024, which creates additional referral opportunities for those individuals who are non-compliant with court ordered mental health treatment plans.

Both PG and PC Social Workers attend to a variety of tasks related to their caseload, including participating in case conferencing, overseeing important medical decisions and treatment, preparation and involvement in court proceedings and documentation and exercising financial decisions over the conservatee's income, expenses and assets. Both Social Workers are tasked with difficult decisions that come with overseeing the client's medical care, including end of life decisions and palliative care. Likewise, the assigned Social Services aide routinely assists and supports the programs and workers through an array of duties, including processing bills, overseeing applications and renewals for MediCal and Social Security, as well as assisting with the listing and sale of assets.

Both of these programs act as important safety nets in our county for those individuals who either do not have family to protect their interests, or who have reached the point in their cognitive capacity where they can no longer advocate for themselves. Likewise, almost all the individuals served can be reasonably considered some of the most vulnerable members of the local community, whom without intervention, would be at greater risk of experiencing harm and ultimately, death.

As mentioned, these three programs are state mandated programs that in Lake County sit within the Department of Social Services (LCDSS). At present, LCDSS does not receive any funding from the State or

the County to staff and operate these programs. As the programs are the county's mandate to provide, many counties in California pay for these services through their county's General Fund, while a small percentage struggle to maintain services as we do in Lake County through the use of DSS funding for services and overhead. Behavioral Health also contracts to cover a portion of the case management cost for the LPS program.

Several changes are in the works at the state level that will significantly increase our workload. Senate Bill 43 is currently in the Senate Appropriations committee after passing in lower committees, is expected to pass in June with bipartisan support. This bill expands the definition of "gravely disabled" to include individuals who are at significant risk of or currently suffering from serious harm to their physical or mental health due to substance use disorder, in addition to those suffering with a mental health disorder, or both. By expanding the definition of gravely disabled to include substance use disorder, we anticipate a significant increase in referrals for services provided through the Public Conservator Program.

California also recently enacted the Community Assistance, Recovery, and Empowerment (CARE) Act, which requires counties to implement a CARE process. Lake County will be required to implement a process by December 2024. SB 1338 which created the CARE act, creates a new pathway to deliver mental health and substance use disorder services to the thousands of Californians who suffer from untreated schizophrenia spectrum, and psychotic disorders, which often lead to risk of increased homelessness, incarceration, hospitalization, or death. The CARE act will be implemented and run by the Behavioral Health department. However, those who do not meet the criteria or who are unsuccessful in their court-ordered plan, will be referred to the Public Guardian or Conservator's office if the court utilizes that authority.

- With the anticipated growth of all three programs, it is imperative that we add additional staff now to allow for time to train and orient new staff into these positions before the demand for our time and services become unsustainable. We are requesting county funding to support this growth in order to allow us to serve this most vulnerable population adequately. Therefore, we ask that your board approve our budget request for two additional positions as part of this year's DSS budget submission. The estimated cost requested from the County General Fund to add these two positions is \$125,189.94 for FY 23/24.

SOURCES:

- \*Numbers obtained from Aging CA.Gov; projections are based on CA Department of Finance and 2010 Census :
  - [Facts About California's Elderly - Data & Reports | California Department of Aging - State of California](#)