

MISSION

The Office of the Public Guardian ensures the physical and financial safety of persons unable to care for themselves, and when there are no viable alternatives to a public conservatorship. Services are defined and directed by the Superior Court. The Superior Court can appoint the Public Guardian as a conservator of the person only, estate only (for probate), or both person and estate.

DEPARTMENT BUDGET SUMMARY

Description	FY 2020-21 Actual	Current Year Adopted	CAO Recommended	Difference from Adopted
IG Rev - Federal	45,327	109,000	30,000	(79,000)
Service Charges	137,092	85,000	80,000	(5,000)
Miscellaneous Rev	579	50,000	50,000	0
Total Revenue	182,998	244,000	160,000	(84,000)
Salaries & Benefits	1,166,644	1,265,353	1,386,380	121,027
Services & Supplies	130,233	419,724	305,676	(114,048)
Other Charges	579	50,000	50,000	0
Intrafund Transfers	388,667	393,795	472,132	78,337
Total Appropriations	1,686,124	2,128,872	2,214,188	85,316
FUND 1000 GENERAL FUND TOTAL	1,503,126	1,884,872	2,054,188	169,316

MAJOR BUDGET CHANGES

Revenue

Service Charges

(\$79,000) Decrease in Medi-Cal revenue due to the discontinuation of the Targeted Case Management program.

(\$5,000) Decrease in Charges for Service due to change in the type of conserved clients from Personal/Estate to Personal only, which reduced the projected fee collection.

Appropriations

Salaries and Benefits

\$7,881 Increase in Workers' Compensation charge due to a resumption of premium charges after a rate holiday in Fiscal Year 2021-22.

\$43,174 Increase in the CalPERS unfunded accrued liability charge.

\$20,000 Increase in Temporary Employees to assist in the record retention policy implementation. This General Fund addition is offset by a one-time \$20,000 General Fund reduction in Social Services.

Health and Human Services Agency

RECOMMENDED BUDGET • FY 2022-23

\$49,972 Increase in Salaries and Benefits costs due to Board-approved compensation increases.

Services and Supplies

(\$89,000) Decrease in Other Governmental Agencies expenses due to the final Targeted Case Management cost report resettlement that was budgeted for in FY 2021-22.

(\$29,469) Decrease in General Liability insurance premium expense as Public Guardian’s share of overall County claims incurred has decreased from prior years decreasing their Liability insurance premium expense.

\$4,421 Increase due to adjustments in multiple objects to align with projected costs.

Intrafund Transfers

\$49,015 Increase due to Countywide Cost Allocation Plan charges.

\$28,738 Increase in Indirect Cost Rate charges by the HHS Administration and Finance Department.

\$584 Increase in Mail Services charges.

PROGRAM SUMMARY

The mandated Public Guardian Program (PG) establishes and administers conservatorships of persons and/or the estates of individuals who are functionally disabled, to ensure the proper care and treatment of those who are unable to adequately care for themselves or those who are victims of fraud and/or abuse. Public Guardian deputies work in collaboration with County Counsel, the District Attorney’s Office, the courts, and Behavioral Health to provide the least restrictive setting for conserved persons to receive treatment with the goal of regaining the ability for self-care and independence.

Public Guardian participates in the Medi-Cal Administrative Activities (MAA) program, which is administered by the California Department of Health Care Services (DHCS). Medi-Cal Administrative Activities leverages allowable State and local revenue to receive Federal reimbursement for approved Medi-Cal activities. Other funding includes Fees for Services and County General Fund.

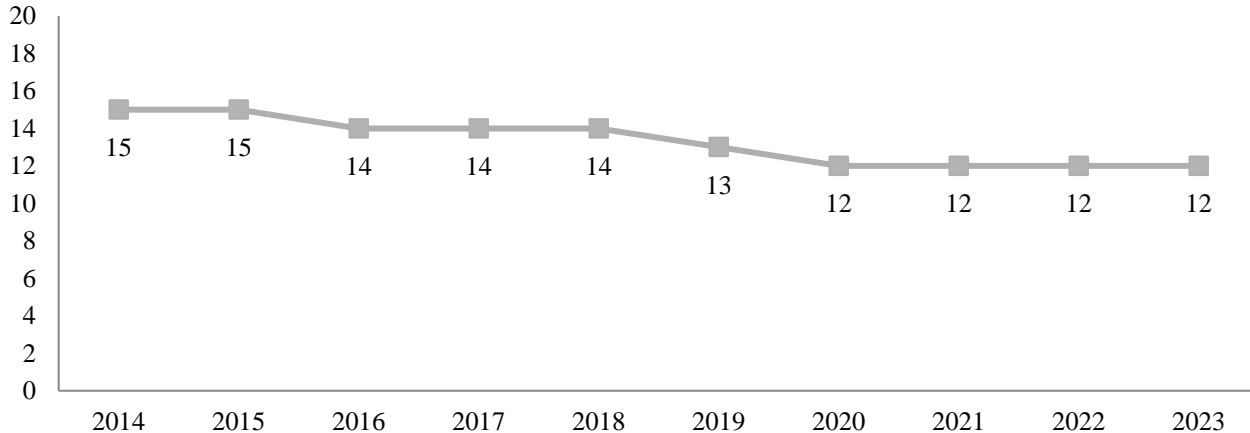
PENDING ISSUES

On March 3, 2022, Governor Newsom proposed the addition of Community Assistance, Recovery, and Empowerment (CARE) Courts in California. The CARE Court program would allow a person with a psychiatric condition to be referred to civil court, where they would be assigned a public defender and a “supporter” to use the “supported decision making” model to work with the client and Behavioral Health to develop a treatment, stabilizing medication, and housing plan. This plan may impact the Public Guardian Department due to a legal presumption that might automatically refer and declare a noncompliant participant into a Lanterman-Petris-Short Act conservatorship, increasing the caseload of the Public Guardian and the General Fund cost of the program. Staff continue to monitor the Governor’s plan and the advocacy the California Association of Counties is conducting with the State.

As stated in prior budgets, changes in the California Probate Code have prevented Public Guardian from collecting fees from Public Guardian clients. These fees are established based on Probate Code and approved by the Board of Supervisors. While fees collected are minimal, these revenues offset Net County Cost and reductions will require additional County General Fund to maintain current operations.

STAFFING TREND

The Public Guardian staff allocation is recommended to remain unchanged at 12.0 for FY 2022-23.



RECOMMENDED BUDGET

This Budget is recommended at \$2,214,188, which is an increase of \$85,316 (4%) when compared to the FY 2021-22 Adopted Budget. The General Fund provides 92.7% of the funding for the Public Guardian Department. The General Fund cost is \$2,054,188, which is an increase of \$169,316 (9.3%). The increase in General Fund is primarily due to increases in the Countywide Cost Allocation Plan and costs related to the Board-approved compensation increases including salaries, benefits and Indirect Cost Rate charges.

CAO ADJUSTMENTS

The department requested \$20,000 in additional Temporary Employee appropriations to aid in the implementation of the Public Guardian’s Records Retention Schedule that was approved by the Board on June 22, 2021. The Chief Administrative Office requested that the department decrease Net County Cost by \$20,000 in another HHSA department to offset this request. The Health and Human Services Agency (HHSA) reduced Services and Supplies in Social Services by \$20,000. The implementation of the Records Retention Schedule will ensure the department is in compliance with Board Policy A-9 Records Management Program and decrease County costs for the storage of records that are eligible for disposal.

Sources & Used of Funds

The General Fund provides the majority of funding for this Department (92.7%). Other funding comes from service charges (3.6%), Federal Revenue (1.4%), and Misc. Revenue (2.3%).