

Ventura County Grand Jury 2011 - 2012



Final Report

Public Administrator/Public Guardian Review

May 22, 2012

This page intentionally blank

Public Administrator/Public Guardian Review

Summary

The 2011-2012 Ventura County Grand Jury (Grand Jury) reviewed the current operations of the Public Administrator/Public Guardian (PAPG). This investigation was a follow-up to the transition of the PAPG from the Treasurer-Tax Collector's over-sight to the Human Services Agency (HSA). This transition occurred after PAPG employees were convicted of fraud against their clients.

The Grand Jury's efforts included review of past reports and audits, interviews of County employees, and investigation of a sample of PAPG client records.

Significant findings of the Grand Jury found that policies and procedures had been put in place by the HSA and the PAPG to increase internal controls and fiscal accountability. Investigation found that the PAPG has been affected by an increasingly large case load and by staff turnover. Grand Jury findings include the need for the PAPG to develop procedures and documentation to increase consistency and effectiveness of the office.

Field investigation found the existing transportation vehicles were not appropriate to transport the severely disabled and mentally ill clients of the PAPG.

The Grand Jury recommends that the Board of Supervisors provide one-time funding for the preparation of documentation associated with policies and procedures of the PAPG, and for the procurement of appropriate transportation vehicles for its clients.

Background

The court appoints the PAPG to manage and oversee the assets of mentally incapacitated, severely disabled, and deceased county residents. These assets include finances, real and personal property, e.g., vehicles, clothing, jewelry, coins, and household items.

The PAPG manages four different types of cases:

Public Administrator-Decedent Cases

The Public Administrator (PA) protects the assets and manages the affairs of deceased residents who at the time of death left no known heirs, no will, no named executor, or an executor who is ineligible. The PA searches for assets belonging to the decedent, arranges for the interment—when there are no known relatives—searches for heirs and acts as administrator for estates when persons named in a will or their heirs request this service.

Probate Cases

The PAPG responds to referrals from Adult Protective Services Agency, psychiatric hospitals, and the Superior Court to investigate persons who are unable to properly provide for their personal needs of physical health, food,

clothing, or shelter; who are at risk of undue influence by others; or whose property is subject to loss, damage, waste or mismanagement. When appointed by the court, the PAPG assumes responsibility for care of the person and their assets. These appointments are initially for one year, then bi-annually thereafter. A Deputy Public Guardian (DPG) is assigned to administer the estate and provide legal supervision over disabled, legally incompetent, and disoriented persons. Duties of the DPG include recovering and securing personal property, sale of real and personal property, and arranging for fiscal care and physical custody of clients.

Lanterman-Petris-Short (LPS) Cases

The PAPG investigates the need for a temporary conservatorship to obtain mental health treatment for persons who are gravely disabled due to mental illness. During the investigation, alternatives to conservatorship are explored. If the court appoints the Public Guardian as conservator, that office assumes the responsibility for the overall welfare of the conservatees. Responsibility includes oversight of placement and treatment of conservatees, and management of the conservatees' assets. These responsibilities are assigned to a DPG and are reviewed annually by the court.

Sub-Payee Cases

The PAPG serves as a third party administrator for the assets of a client who is no longer under LPS or probate conservatorship. Deputy Public Guardians are assigned to these cases and finances are not reviewed by the probate court. The primary income of sub-payees is Social Security. Almost all of the individuals who are LPS or sub-payees are clients of the Behavioral Health Department (BH).

In both LPS and Probate conservatorships, an individual's assets, including any regular income from pensions or Social Security, are transferred to the control of the PAPG by court order. A DPG is assigned, and it is their duty to manage the assets and to ensure that the conservatee has adequate housing, clothing and other necessities. The PAPG is required to file regular accountings with the court, demonstrating that the conservatee's assets are being properly managed.

All PAPG conservatees receive, from their managed assets, a monthly stipend for personal needs and incidental expenses (PNI). This amount can vary, but typically is less than \$50 per month. The PNI money is held in trust by the conservatees' care facility and is used for incidental expenses, such as haircuts, perfume, and tobacco. If not used, the money accumulates in trust at the care facility. Funds in excess of a set amount are returned to the PAPG.

The PAPG and County Counsel's office both charge fees for managing the assets of these clients. The PAPG is expected to protect the assets of the clients under its control as mandated by statute. Any real or personal property collected from the client is sold and the revenue is used for the care of that client. In all cases, bank accounts are closed and funds are pooled into a general account.

The PAPG has control over what personal property is collected and saved from a client's home.

The 2001-2002 Ventura County Grand Jury performed an audit of LPS and Probate Cases and found serious discrepancies in administration of client assets. Several years later, fraud was discovered in the PAPG office in at least twenty-four client accounts. Fraud charges included:

- purchase decisions benefitting a DPG and false record keeping from client accounts
- taking clients' property at inventory
- taking a cut from contractors
- taking a kickback from contractors
- phantom workers for contractors
- personal property stolen during transportation to care facility or warehouse
- cash directly transferred from care facility to the DPG

This fraud covered all four client categories of the PAPG. The Board of Supervisors (BOS) subsequently caused the responsibility of the PAPG to be moved from the Treasurer-Tax Collector Office to that of the Human Services Agency. Two major audits of the PAPG were conducted regarding the transition of the PAPG responsibility to the HSA. [Ref-01-Ref-05]

Methodology

The methodology for this study included:

- a subpoena issued for access to client records
- review of past Grand Jury reports and court cases
- review of prior audits and open audit actions
- review of the PAPG policies, procedures and internal control processes, as well as PAPG support software
- interviews with PAPG management and staff, representatives of BH, HSA, Treasurer-Tax Collector, and the courts
- review samples of randomly-selected case files and financial transaction records to ensure conformance to policies and procedures
- observation of storage facilities to ascertain adequate control of client property
- inspection of transportation vehicles
- attendance at an auction of PAPG client property
- review of records pertaining to the visitation of clients and monitoring of board and care facilities

- visitation to board and care facilities

Facts

FA-01. The workload of the PAPG is included under five major categories:

- Responsiveness to the Court
- Protection of Client Welfare
- Protection of Client Assets
- Effective Case Management and Administration
- Effective Office Administration

(Att-01)

FA-02. As of March 2012, the PAPG office had 169 LPS accounts, 70 Probate accounts, 81 Decedent (Public Administrator) accounts, and 303 sub-payee accounts. The conservatorship accounts represent responsibilities that are open with the courts, those yet to be opened by the courts, and the sub-payee process, which is not under the purview of the courts.

FA-03. The conservatorship workload of the PAPG varies from quarter to quarter. This is illustrated by the change in court-approved conservatorship actions presented in Table 1.

Table 1 PAPG Court Approved Workload Variation

Case Type\Quarter	2Q 2010	3Q 2010	4Q 2010	1Q 2011	2Q 2011	3Q 2011	4Q 2011
LPS open conservatorship with the court	150	150	162	171	159	163	158
Probate open conservatorship with the court	35	35	41	40	44	53	47
Decedent estate over \$100k	5	5	6	6	6	8	10

FA-04. As of January 2012, the PAPG function had one Assistant PAPG, five DPGs and two DPG vacancies, two Community Service Workers (CSW) and one legal processing assistant. Financial matters are addressed by an Accounting Officer, a Fiscal Assistant and a Fiscal Specialist.

FA-05. It is anticipated that the California population age 60 and older will increase approximately 40% between 2010 and 2020. [Ref-6]

FA-06. The workload for some DPGs is up to 60 clients. Normal absences and current lack of staff and the day-to-day workload causes an increase at times of up to 90 cases. The newly promoted Assistant Deputy PAPG has also maintained, beyond his managerial duties, a working case load because of the low staffing.

FA-07. The Assistant PAPG and two Senior Deputy PAPG positions have been filled for less than a year. Two other DPG positions are anticipated to be filled prior to May 2012. Since the beginning of the fiscal year there has

been a complete change in the internal leadership of the PAPG department.

FA-08. The PAPG has developed numerous policies and procedures to respond to audit findings. There are numerous checks and internal controls (with the associated policies) that have been instituted to ensure the financial accountability of the office. The most significant are:

- the Accounting Officer, Fiscal Assistant and Fiscal Specialist report to the Public Guardian via a separate financial chain of command rather than through the Assistant Public Guardian
- employees are forbidden to purchase real or personal property of any client
- guidelines for purchasing of goods and services for the benefit of clients
- a dual control system has been instituted for the inventory and transportation of client assets
- requirement for advanced notification to the Assistant Deputy PAPG prior to any inventory
- usual and customary cleaning services are provided via a contracted real estate agent rather than directly by the PAPG Office
- procedures for the control of cash
- case files and fiscal files are separately maintained
- guidelines for inventory management were established
- contractors are hired through the County open competition process
- mail and enclosed checks are opened and logged before being processed by the PAPG Office
- the Auditor-Controller issues payments and prints checks for PAPG clients

FA-09. The sub-payee process directly supports BH case workers who are located in five centers across the County. There is much telephonic contact between BH case workers and members of the PAPG office requesting transaction information about sub-payee clients. PAPG and HSA have translated the transactional and process aspects of the sub-payee process into process maps via a software tool-VISIO.

FA-10. The caseload assignments of BH case workers change frequently, sometimes daily. These changes in assignment require the necessity of frequent requests from the PAPG to BH in order to find out the name of the case worker for a particular sub-payee.

FA-11. The transportation distance between the board and care facilities utilized by 208 conservatees and the court ranges from 1 to 180 miles. The average driving distance between board and care facilities and the court

is 42 miles one way. Some clusters of conservatees are located at longer distances. Twenty-five conservatees are located in Sylmar (57 miles one way), and eight conservatees are in Bakersfield (128 miles one way). Approximately half of conservatees are boarded outside of the county (98 of 208).

- FA-12.** Key elements of the PAPG workload are visits by DPGs and CSWs to conservatees and transportation of conservatees to and from court and between care facilities. In certain cases, out-of-county conservatees must be transported back to Ventura for interviews with Ventura County physicians prior to court appearances. These local physicians then testify before the court in conservatorship hearings. On any day between Tuesday and Friday, conservatees may be in court. In some cases an overnight stay is necessary for a DPG or CSW in order to ensure timely arrival of the conservatee in court.

The in-house policy on visitation is monthly for in-county conservatees and once every three months for out-of-county conservatees. A randomized sample of 19 conservatee case files indicates that the average time between visits to in-county conservatees is 185 days and for out-of-county conservatees is 230 days.

- FA-13.** The PAPG uses three vans to visit clients, move property and transport conservatees to the courts and between board and care facilities. One is a standard Dodge Caravan. The second van is for transporting wheelchair bound clients, which has a wheelchair lift in the back. The third van is for transporting non-wheelchair bound clients. The last two vans were modified to prevent the mentally ill and severely disturbed clients from interfering with the driver during transport.

In the wheelchair van the conservatee is rolled in and sits in the back of the van near the equipment used to raise the chair into the van. There are two plastic bulkheads separating the conservatee from the driver. If the client experiences motion sickness or claustrophobia it is difficult to communicate distress in a timely manner to the driver.

In the third van, a steel box was welded into the frame of the vehicle in which the client sits. A small thick plastic window allows the client to see ahead somewhat. The restrictions of the space have made a number of clients reluctant to sit in the van. There is no way for the client to be heard except through an intercom controlled by the driver.

There are no back-up cameras installed in any van and no visibility by the driver of objects directly behind any of these vehicles. The PAPG recognizes the issues with these vehicles and has attempted, so far unsuccessfully, to replace them. (Att-02)

- FA-14.** The BH chairs the Continuity of Care Committee. The Continuity of Care Committee is an informal group composed of representatives of the BH Department, representatives of care facilities contracted by BH and

representatives of the PAPG. The purpose of the Continuity of Care Committee is the placement of clients under the responsibility of BH into the most appropriate housing and care facilities. Many of these clients are also under the conservatorship of the PAPG.

FA-15. The Panoramic web-based software is the central data base of the PAPG. PAPG employees manually enter key information gathered from the field into that data base. The County Attorney supporting the PAPG extracts data from the inventory portion of the data base and uses it to prepare court-required documents. A court-appointed Probate Referee uses PAPG-provided inventory data as the basis for an appraisal of the conservatee's property. This appraisal is passed back to the PAPG, which uses this information to update the Inventory and Appraisal portion of the data base.

The software develops reports that are passed to the Auditor-Controller Office for automated bill paying and the printing of checks. Transaction status is passed back to the PAPG from the Auditor-Controller Office and is entered into the software in order to present a complete status of a client's account. The PAPG office is working with the vendor to tailor the software for the needs of the office and the court.

FA-16. The Follow-up Audit of Public Administrator/Public Guardian of May 2010 identified 21 Audit recommendations requiring additional corrective action.[Ref-05]

FA-17. One of the techniques for discovering the assets, liabilities and heirs of decedent clients is to have the Post Office redirect the decedent's mail to the PAPG office. There is now a trend to replace the Post Office services with electronic delivery of mail and financial services.

FA-18. The PAPG has a number of support contractors who provide:

- cleaning services
- sale of real property
- auction services for sale of personal property
- search for heirs
- tax preparation services
- locksmith services
- mortuary services

FA-19. Some County Departments have developed internship programs to provide students with on the job training/experience, however, the PAPG does not.

FA-20. The Judicial Council of California has set training requirements for Public Guardians, initiated new forms for reporting to the courts, and has identified best practices for the Probate Court and has developed a

handbook for Conservators. Due to the lack of funding by the legislature, some best practices may be only gradually implemented [Ref-07-Ref-10]

- FA-21.** All DPGs have completed the necessary training from The California Association of Public Administrators, Public Guardians, and Public Conservators as required by legislation. [Ref-07]
- FA-22.** The PAPG has developed a set of best practices which addresses numerous elements of the PAPG operation.
- FA-23.** Client assets are stored in the treasury vault, warehouse, cash cart, and vault in the PAPG Office.
- FA-24.** Some valuables are stored in the warehouse and cash cart that is, by policy, to be stored in the vault. The reasons given were: (1) appraisal was not done by the County, though appraisal of the material was included in estate files; (2) the bulk of the material could not fit into the drawers allocated to the PAPG by the Treasurer-Tax Collector; (3) inconvenience of using the treasury vault.
- FA-25.** Valuables from two closed cases have remained in the Treasury vault for over five years. There is no policy for disposal of closed case inventory.
- FA-26.** The PAPG policy is to visit clients who reside in the County on a monthly basis and clients residing out of the County every three months. Although the DPGs visit clients from time to time, a majority of client contact is by CSWs. The PAPG has developed a client contact form to document observations of board and care facilities and to document contacts between CSWs and the conservatees.
- FA-27.** The PAPG office utilizes the County-wide Novell GroupWise e-mail software and associated utilities.
- FA-28.** As members of one of the caring professions, DPGs are susceptible to a sense of anxiety, stress, and sense of loss, grief, and over-identification with clients. This can lead to a negative shift in the way these professionals view the people they serve. Sometimes this results in emotional, mental and physical exhaustion. [Ref-11]

Findings

- FI-01.** The internal controls and integration of administrative processes instituted within HSA and PAPG have significantly increased the accountability and fiscal integrity of the PAPG. The PAPG has instituted policy and process changes which mitigate the possibility of future fraud within the department. (FA-08)
- FI-02.** Documentation associated with fiscal control and internal controls has been developed and is being refined. Process mapping has been developed for portions of sub-payee processes but has not yet been refined into desk procedures. Contact forms for client visits have been developed. (FA-08, FA-09)

FI-03. All support contract services are acquired through existing contracts by other agencies or are acquired following County procedures. The PAPG is working with the Panoramic software vendor to tailor the software to their needs. (FA-15, FA-18)

FI-04. The PAPG has addressed the majority of the May 2010 opened audit action items. The following are notable exceptions:

- Development of metrics within the new case management system- Until the processes within the PAPG are stable and documented, the complete application of metrics seems premature. Metrics must necessarily be considered surrogates for the major workload categories of the organization. Only some of these categories relate to data flowing through the case management system. Until proper metrics are articulated outside of the case management system and processes are documented, the developing of metrics within the software would seem premature.

The current “Best Practices” policy contains numerous metrics associated with time that address effort rather than outcomes. Considering the size of the organization, regular measurement of these timelines as a basis for evaluating the PAPG does not seem practical.

- Criteria for placement of LPS Conservatees should be documented in a Memorandum of Agreement between PAPG and Behavioral Health- Rather than a static criterion for LPS conservatee placement, a joint process has been developed by BH and the PAPG in establishing the Continuity of Care Committee. The Grand Jury considers this a more effective approach.
- The PAPG should develop desk procedures for all operational areas- Policies have been developed in a number of areas but not to the level of desk procedures. This issue must remain open. The lack of operational procedures risks instability in the major processes and increases risk to the execution of the five major work categories.

(FA-14, FA-16, FA-22) [Ref-05]

FI-05. The Panoramic database is central to the operations of the PAPG. The security, administration, and change control of that system is a core element in the protection of client assets. (FA-01–FA-04, FA-06, FA-07) (Att-02)

FI-06. The PAPG has been unable to meet its policy goals of visit frequency to conservatees. There has been instability in the PAPG staff. There has been a complete turnover in leadership within the PAPG since July of 2011. There has been a total staff turnover since the Grand Jury Review in 2001. There is no current use of interns to provide on-going staffing needs. Vacancies existed in July 2011 and continue in April 2012. Recruitment of new staff, projected growth in the client base, anticipated changes in the court, and mandated certification requirements

necessitate an ongoing process of training and personnel development. (FA-01–FA-13, FA 19–FA-21)

- FI-07.** The large transactional workload and the effects of the work dealing with the mentally ill and the severely disabled seem to have contributed to turnover of PAPG workers. The term for the latter issue is empathy fatigue. (FA-06, FA-07, FA-28) [Ref-13]
- FI-08.** The role of a DPG requires understanding of public administration, property management, trust administration, ability to conduct investigations of assets, and sensitivity to the care and needs of PAPG clients. (FA-01)(Att-01)
- FI-09.** Training of personnel via on-the-job training (OJT) without documented standard practices increases the workload on management and staff which may lead to inconsistent program implementation. This result removes resources from documenting standard practices. Given the anticipated increase in workload for the PAPG there may be further delay in documenting PAPG processes and procedures. (FA-05, FA-06)
- FI-10.** Manual entries are subject to error. The inventory of property at the client's residence requires handwritten lists prior to data entry into the Panoramic software. (FA-01, FA-15)
- FI-11.** The wide geographic distribution of clients and the need for transportation, documentation, and visitation of conservatees consumes a significant portion of the workload of the PAPG. The documentation includes the status of the clients and the clients' care facilities. Due to the distances traveled, the completion of a handwritten contact visitation form is occasionally completed after a visit. (FA-01, FA-11, FA-12, FA-26) (Att-01)
- FI-12.** The informal Continuity of Care Committee is an excellent example of cross departmental cooperation. (FA-14)
- FI-13.** Client valuables are being stored in the cash cart and in the warehouse due to a lack of secure storage in the PAPG office. This is in violation of PAPG policy. There is a need for safe storage of clients' small-sized assets and papers in a container near the offices of the DPGs. Accessibility to the Treasury vault by the PAPG needs to be based on the variable nature of the PAPG requirements in a timely fashion. In addition, the availability of secure storage must meet the size and quantity needs of the PAPG at various times, rather than an allocation of a fixed set of lock boxes. (FA-24)
- FI-14.** The PAPG has no policy in place for liquidating assets after closure of cases. (FA-25)
- FI-15.** The existing vans for the transportation of conservatees are inappropriate for transporting clients of the PAPG. Transportation of the severely

disabled and mentally ill in these vehicles is detrimental to client well-being. (FA-12, FA-13) (Att-02)

- FI-16.** The PAPG can anticipate workload changes in the Probate Court process based on further changes in the implementation of the Omnibus Conservatorship and Guardian Act of 2006. (FA-20)
- FI-17.** The present telephonic interactions between PAPG sub-payee processing and Behavioral Health case workers could be improved with Information Technology applications.(FA-09, FA-10)
- FI-18.** Although very many of the decedent clients are indigent, a number of the decedents are wealthy. The proliferation of e-mail in lieu of the U.S. Postal Service, online banking, and social media, have caused new technical and legal challenges to the PAPG search for assets, liabilities, and heirs. (FA-17)
- FI-19.** The PAPG policy on fiscal operations does not address the frequency of the inventory count associated with all of the following: the vault in the PAPG office, the cash cart, the warehouse, and the Treasury vault. (FA-23)
- FI-20.** GroupWise software system has a potential to exchange data with the Panoramic system to a greater extent than is currently utilized. (FA-27)
- FI-21.** The PAPG is responsible for the review of conservatee placement, diagnosis, treatment, and medication and for the appropriate oversight action as conservator. (FA-01)

Recommendations

- R-01.** The PAPG should investigate the development of an internship program with appropriate educational institutions within the county, particularly in the disciplines of business, nursing, hospital management, psychology, and sociology. This would provide a resource base for future staffing needs and increase the resources available for care of clients. (FI-06, FI-08, FI-09)
- R-02.** The PAPG should purchase lap-top or tablet computers with photographic capability for DPGs and CSWs with standard templates for performing inventories in the field, evaluating care facilities, and documenting contacts with conservatees. The templates should allow direct input to the Panoramic software. (FI-10)
- R-03.** The PAPG and Behavioral Health Department should add to their memorandum of agreement the charter and procedures of the Continuity of Care Committee. (FI-12) [Ref-12]
- R-04.** The PAPG and the Treasurer-Tax Collector should review their current Memorandum of Understanding with respect to the use of the Treasurer-Tax Collector vault to allow more flexible access and storage. (FI-13) [Ref-13]

- R-05.** The PAPG should, as part of their policy for closing cases, address the liquidation of assets of clients prior to closure. The policy should address the final distribution of funds to the Treasurer-Tax Collector. (FI-14)
- R-06.** The Board of Supervisors should allocate a onetime budget increase to the PAPG for completion of documentation of necessary desk procedures, and for procurement of appropriate vehicles for transportation of PAPG clients. (FI-02 – FI-05, FI-15)
- R-07.** The PAPG and BH should make a shared directory accessible to both the PAPG and BH case workers. The PAPG should export to the shared directory the most current transaction data of sub-payee clients from their local database. BH should export to the shared directory the most current assignment list of Behavioral Health case workers associated with sub-payee clients from their local database. This will reduce the necessity of multiple phone calls between the organizations. (FI-17)
- R-08.** The PAPG should develop and document in-house policies and procedures for the operation, data administration, security, and change control of the Panoramic database. The PAPG should also develop a handbook documenting policies, procedures, checklists, forms, and contacts as a guide for deputies. (FI-01–FI-05)
- R-09.** The PAPG should request the Information Technology Department evaluate the following:
- a shared calendar, under GroupWise, to contain the planned activities of PAPG department members including, but not limited to, court appointments, patient transportation, site visits, department and interagency meetings, etc.
 - the automatic importation of GroupWise data above from Panoramic into the GroupWise shared calendar
- (FI-20)
- R-10.** The PAPG should request guidance from County Counsel, the Auditor Controller, and the Information Technology Department on the most appropriate techniques and procedures for acquiring control of and administering the electronic accounts of decedents—guidance to include instituting appropriate internal controls. (FI-18)
- R-11.** The PAPG should acquire a safe for client assets in the PAPG office. This would provide secure storage during the inventory and assessment process. (FI-13)
- R-12.** The PAPG should update the fiscal oversight policy to establish the frequency of periodic inventory of client assets in the PAPG office vault, cash cart, warehouse, and the Treasury vault. The inventory should be reconciled to the Panoramic database and other inventory records. This inventory should include all sites yearly on a random basis chosen by the head of the PAPG Office. (FI-19).

- R-13.** The PAPG and BH should jointly assess the issue of empathy fatigue of DPGs and CSWs and, if appropriate, provide the necessary training to deal with this issue. (FI-07)
- R-14.** The PAPG and the Health Care Agency establish a Memorandum of Understanding delineating joint roles, responsibilities, and reporting requirements for conservatees of the PAPG under treatment in County medical facilities, to assure compliance with existing law. (FI-21)

Responses

Responses Required From:

Board of Supervisors (R-06)
Treasurer-Tax Collector (R-04)

Responses Requested From:

Public Administrator/Public Guardian (FI-01-FI-21) (R-01–R-05, R-07–R-14)
Behavioral Health Department (FI-12, FI-17) (R-03, R-07, R-13)
Health Care Agency (FI-21) (R-14)

Commendations

The commitment of PAPG personnel to the health and welfare of their clients and their cooperation with this Grand Jury has been outstanding.

References

- Ref-01.** 2001-2002 Ventura County Grand Jury Report. *Public Administrator and Public Guardian as Conservator*
http://portal.countyofventura.org/portal/page/portal/Grand_Jury/Reports/Archived_Reports_2000-2005/TAB4579523/report_af_papgc.pdf
(accessed February 24, 2012)
- Ref-02.** Attorney for Plaintiff Superior Court of the State of California. *Plaintiff v Juanita Browne A/K/A Juanita Canley*, Court No. 20060043109, Peoples Trial Brief and Points and Authorities Regarding Admission of Records, Filed September 10, 2008.
- Ref-03.** County of Ventura Executive Office. *Report on Review of Internal Controls and Compliance of the Public Administrator/Public Guardian (PAPG)*, Submitted by Thompson, Cobb, Bazilo & Associates P.C., February 2007.
- Ref-04.** Ventura County Executive Office. *Review of the Public Guardian/Public Administrator Objective 1; Implementation of Corrective Actions*, Thompson, Cobb, Bazilo & Associates P.C., March 2007.
- Ref-05.** County of Ventura. *Auditor-Controller Follow up audit on the Operations of the Public Administrator/Public Guardian, May 2010*, Thompson, Cobb, Bazilo & Associates P.C., May 15, 2010.

- Ref-06.** California State Plan on Aging 2009–2013
http://www.aging.ca.gov/legislation/California_State_Plan_on_Aging_AoA_2009-2013_06-30-2009.pdf (accessed March 9, 2012)
- Ref-07.** Omnibus Conservatorship and Guardianship Act of 2006.
- Ref-08.** Developing Conservatorship Performance Standards in the California Courts: Preliminary Observations.
http://www.courts.ca.gov/documents/senate_paper.pdf
(accessed February 27, 2012)
- Ref-09.** Judicial Council of California Report. *Subject: Probate Conservatorship Task force Recommendations to the Judicial Council*, December 9, 2008.
<http://www.courts.ca.gov/documents/120908item10.pdf>
(accessed February 27, 2012)
- Ref-10.** Judicial Council of California. *Handbook for Conservators*.
<http://www.courts.ca.gov/documents/handbook.pdf>
(accessed March 12, 2012)
- Ref-11.** Stebnicki, Mark A., *Empathy Fatigue*, Springer Publishing Co., 2008.
- Ref-12.** “Memorandum of Agreement Between Ventura County Behavioral Health Department and Ventura County Human Services Agency Public Guardian for LPS Conservatorship Services 7/19/11.”
- Ref-13.** “Memorandum of Understanding Between County of Ventura Human Services Agency & Treasurer Tax Collector Oct 21, 2010.”

Attachments

- Att-01.** Workload of the Public Administrator/Public Guardian
- Att-02.** Vans for the transportation of Conservatees

Glossary

TERM

DEFINITION

BH, Behavioral Health	The Behavioral Health Department of Ventura County
BOS	Board of Supervisors
Change Control	A formal process of review and sequential change of software and associated documentation
County	Ventura County
CSW	Community Service Worker
Desk Procedures	Also known as Desk-top Procedures. A concise document that describes each work procedure needed to perform a specific job effectively, accurately, and consistently
DPG	Deputy Public Guardian
Empathy Fatigue	A state of psychological, emotional, mental, physical, spiritual, and occupational exhaustion brought about by prolonged exposure to emotional situations
Grand Jury	2011-2012 Ventura County Grand Jury
GroupWise	The e-mail and calendaring system of offices of Ventura County
HSA	Human Services Agency of Ventura County
LPS conservatee	A conservatee established under the Lanterman-Petris-Short Legislation
PA	Public Administrator
PAPG	Public Administrator/Public Guardian
PNI	Personal Needs and Incidentals account for conservatees
Probate conservatee	A conservatee established under the Probate code
Process Mapping	The graphical portrayal of steps used to perform a job
Sub-Payee	The PAPG is the third party administrator for the assets of a client who is no longer under LPS or probate conservatorship.
VISIO	Software tool for graphic portrayal of process flows and organization charts

This page intentionally blank

Attachment 01

Workload of the Public Administrator/Public Guardian

This page intentionally blank

Responsiveness to the Court

- a. Transportation of client to the court
- b. Representation to the Court
- c. Meeting Court Schedules
- d. Completion of Inventory and Appraisal
- e. Provide Care Plan to Court —Level of Care Plan and status reports

Protection of Client Welfare

- f. Referrals of clients
 - i. Hillmont Psychiatric Hospital, Aurora Vista del Mar
 - ii. Adult Protective Services
 - iii. Court
- g. Search for alternative conservators
- h. Participation in the Rapid Response Team (Elder Abuse)
- i. Participation in the placement of clients (Continuity of Care Committee)
- j. Reviewing client care plan
- k. Reviewing client medications
- l. Transportation of client between care facilities
- m. Client visitation—in-county monthly, out-of-county quarterly
- n. Obtaining client benefits
- o. Contacting client relatives
- p. Overseeing client burial
- q. Collecting client funds and paying bills, cash and checks sent to Treasurer, checks paid through Auditor-Controller
- r. Ensuring personal needs and incidentals of clients
- s. Paying bills of sub-payees in support of Behavioral Health case workers

Protection of Client assets

- t. Location and identification of assets and liabilities, financial assets, real assets
- u. Identification and collection from insurance on conservatee and property
- v. Maintenance of insurance on conservatee and property
- w. Inventory of client assets
- x. Liquidation of real and personal property
- y. Storage of personal property
- z. Transportation of personal property between care facilities
- aa. Search for heirs

Effective Case Management and administration

- bb. Case file establishment and maintenance
 - i. Fiscal files
 - ii. Client files
- cc. Opening cases
- dd. Closing cases
- ee. Panoramic software change management

- ff. Procedural changes for entering data into Panoramic
- gg. Tracking case status

Effective Office Administration

- hh. Allocation of personnel and responsibilities
- ii. Vendor Contract Management
- jj. Collecting client fees
- kk. Planning, programming and Budgeting
- ll. Establishing and updating standard practice
- mm. Policy and procedure review and modification
- nn. Internal controls establishment and maintenance
- oo. Personnel recruitment, training, scheduling and evaluation
- pp. Maintenance and negotiation of organizational relationships
 - i. Behavioral Health Department- MOU
 - ii. Treasurer-Tax Collector MOA
 - iii. County Counsel
 - iv. Adult Protective Services
 - v. Ventura Social Security office
 - vi. Psychiatric Hospitals MOUs
 - vii. Care facilities
 - viii. Auditor-Controller Office

Attachment 02

Vans for the transportation of Conservatees

This page intentionally blank



Passenger compartment Passenger van



Rear of wheelchair van



Non Wheelchair Passenger Compartment
Wheelchair van