

HCS GUARDIANSHIP PILOT PROJECT REFERRAL PROCESS, PETITIONER STATUS, & WAITLIST

❖ Referral Process for the HCS Guardianship Pilot Project

1. The hospital identifies the need for a guardianship and/or conservatorship of a client.
2. The hospital initiates guardian/conservator search per their facility identified process to include but not limited to:
 - a. Calling guardianship/conservatorship agencies and individual guardians/conservators;
 - b. Making referral to the statewide guardianship Listserv that is managed by the OPG through Administrative Office of the Courts (AOC). This process takes 14 days due to judicial process and is a required step in meeting the hospital's due diligence requirement for pilot project consideration:
 - i. An email is sent out to all certified professional guardians and conservators statewide using the Listserv.
 1. **Proposed Guardian/Conservator Identified:** If a guardian/conservator is interested in accepting the case for appointment, they contact the referent directly (meaning the hospital staff who submitted the referral) and discuss the merits of the case. If they agree to accept it stops there and petition for guardianship is filed naming the guardian as the proposed guarding on the matter.
 2. **No Proposed Guardian/Conservator Identified:** If 14 days elapse and no expressed interest by any guardian or conservator is received through the Listserv process, the hospital may make an official referral to either or both guardianship programs (which are separate programs):
 - 1) HCS Guardianship Pilot Project and/or
 - 2) Office of Public.
3. If hospital determines need to submit referral for consideration for inclusion into the HCS Guardianship Pilot Project, the hospital:
 - a. Completes the *Referral to Home & Community Service Division for Identification of Certified Professional Guardian/Conservator form* for eligibility determination into the HCS Guardianship Pilot Project.
 - b. Hospital submits completed *Referral to Home & Community Service Division for Identification of Certified Professional Guardian/Conservator form* directly to the client's assigned HCS worker or if no HCS worker is assigned at the time of the referral the hospital submits it to the regional contact person as listed below:
 - i. **Region 1:** Melanie Thomason at email: melanie.thomason@dshs.wa.gov
 - ii. **Region 2:** Cindy Nomura at email: cindy.nomura@dshs.wa.gov
 - iii. **Region 3:** Christine Romo at email: christine.romo@dshs.wa.gov
 - c. HCS worker forwards referral form to HQ Guardianship Program Manager for screening and eligibility determination.
 - d. HQ Guardianship Program Manager screens referral and provides eligibility determination notice to hospital and HCS staff.
 - i. **If denied for Pilot Inclusion:** In the eligibility determination email, hospitals are notified of denial reasons and given the recommendation for consideration of

referring case to the Office of Public Guardians (OPG) program, if not done previously.

- ii. ***If accepted for Pilot Inclusion:*** Hospitals are notified of next steps in the eligibility determination notice email.
 1. HCS conducts routine case reviews at the 2 and 4 month benchmarks for each accepted case to determine barriers for contractor acceptance. If at the end of the 4 month period or at a time when all contracted guardians/conservators have declined the case for appointment, whichever occurs first, HCS will send email notification to the hospital of case closure and removal from HCS Guardianship Pilot Project with listed closure reason and a recommendation will be made for hospital to consider referring case to the Office of Public Guardians (OPG) program.

❖ **HCS Filing Exemption for the HCS Guardianship Pilot Project:**

- ✓ It is the expectation that hospitals will be the Petitioning party to guardianship/conservatorship motions generated through the HCS Guardianship Pilot Project. While this is the expectation, HCS is aware there are situations where this may not be feasible so an exemption process has been created to allow for hospitals to request a filing exemption.
- ✓ When submitting initial referral form, the hospital should note on form their request for filing exemption and reason for their request.
- ✓ The exemption request is reviewed by AL TSA HQ Guardianship Program Manager simultaneously as the initial referral for Pilot Project inclusion. In considering the exemption request, a staff with the Office of Attorney General (OAG) may be conducted to determine appropriateness of exemption status.
- ✓ HQ Guardianship Program Manager will provide notification of both filing exemption request and client referral via email to hospital referent.
 - ✓ If accepted and exemption approved, HQ Guardianship Program Manager will schedule appointment with hospital referent to complete the required *DSHS 10-162 Referral to Assistant Attorney General (AAG) for Petition for Guardianship, Conservatorship, or Protective Arrangement* form, which is used to generate referral to the Office of the Attorney General (OAG) for petition filing.
 - ✓ In such cases that HCS is the petitioning party, the hospital referent must agree to provide supportive testimony and/or declaration statements as requested for court pleading submission and hearing purposes on the matter.

- ❖ **Waitlist for the HCS Guardianship Pilot Project:**
- ✓ When a client case is determined to meet eligibility criteria for inclusion into the HCS Guardianship Pilot Project but an appropriate classification slot under the Project is not available at the time of the client's eligibility determination, the client is placed on the Project waitlist.
- ✓ The waitlist is monitored and maintained by the AL TSA HQ Guardianship Program Manager.
- ✓ Contractors under the HCS Guardianship Pilot Project are required to notify the AL TSA HQ Program Manager within 10 days of a client's death, move from Washington state, or Modification of Guardianship/Conservatorship Orders. When notification is received, AL TSA HQ Program Manager will confirm availability of program slot and will review waitlisted clients for potential conversion. Preference for waitlist conversion into available slot would be as follows:
 - a) Waitlisted clients requiring same slot classification as the available slot;
 - b) Waitlisted clients currently hospitalized and unable to transition without identification of a guardian/conservator;
 - c) Chronological order of waitlisted clients; preference to those on waitlist the longest.
- ✓ HQ Guardianship Program Manager will provide reconsideration determination via email notification to the hospital referent.
- ✓ HQ Guardianship Program Manager will provide waitlist conversion notification via email to hospital referent with instructions on next steps.