

MAINE
ME/ST: Goal 2 Guardianship
Work Plan

2005 DHHS Systems Transformation: Transforming Maine’s Systems for Persons with Disabilities

Goal 2: Increasing Choice & Individual Control by Developing and Promoting Alternatives to Guardianship & Conservatorship

Target Population: Adults with impaired decision making capacity

Role of Consumers/Families: Participation in stakeholder group, mapping, testing and revising tools, standards, and protocols.

OBJECTIVE 2: Increase Choice & Individual Control by Developing and Promoting Alternatives to Guardianship & Conservatorship

Strategies	Y1	Y2	Y3	Y4	Y5	Outputs (Y1-Y5)	DHHS Leads	Muskie Staff
<p><u>Appropriateness</u></p> <p>1. Education about the <i>appropriateness</i> of guardianship and conservatorship</p> <ul style="list-style-type: none"> ▪ Improve tools and resources for determining appropriateness of guardianship & conservatorship ▪ Identify information for probate courts to require as part of guardianship & conservatorship petitioning process, including information about capacity, preferences, availability of natural and other supports <p>2. Annual Reporting and Notice</p> <ul style="list-style-type: none"> ▪ Study possible system of annual reporting by private guardians & conservators (LD 354) ▪ Implement annual notice to wards that they have the right to petition for termination or challenge guardianship 			•	•	•	<ul style="list-style-type: none"> ▪ Amended court forms including petition, petition requirements (PP 201, 204 505) and visitors report ▪ Adopted new practices for assessing decisional capacity such as functional assessment checklist based on “Six Pillars” ▪ Updated Department and court policies and procedures for awarding and monitoring guardianships and conservatorships ▪ Proposed rule or legislation that requires private guardians to make annual reports to the court. 	KE, JG	Bell
<p><u>Alternatives</u></p> <p>1. Education about guardianship and</p>	•	•	•			<ul style="list-style-type: none"> ▪ Educational materials (e.g., brochures, 	KE, JG	Bell

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<p>conservatorship</p> <ul style="list-style-type: none"> ▪ Identify tools and resources for educating people about guardianship and conservatorship ▪ Improve tools and resources for educating people about guardianship & conservatorship <p>2. Education about <i>alternatives</i> to guardianship and conservatorship</p> <ul style="list-style-type: none"> ▪ Identify tools needed to support alternatives to guardianship (e.g., literature review, environmental scan of other states, review of probate code) ▪ Improve tools and resources for educating people about appropriate alternatives to guardianship & conservatorship ▪ Develop outreach campaign to educate visitors, judges, health and social services professionals, consumers, and families, on <i>when least restrictive alternatives</i> to guardianship & conservatorship are appropriate ▪ Develop training curriculum 						<p>flyers, CD, modified Judges Handbook, websites, list of community resources)</p> <ul style="list-style-type: none"> ▪ Outreach campaigns (e.g., conference for visitors and judges) ▪ Expanded plans of care and person-centered plans to include consumer option to give consent for another to assist in certain decisions. ▪ Training curriculum adapted for different audiences 		
<p>Evaluation</p> <p>1. Conduct pilot of tools and educational campaign</p>				•	•	<ul style="list-style-type: none"> ▪ Family members and consumers in two counties educated about guardianship and conservatorship and less restricted 	KE, JG	Bell

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<ul style="list-style-type: none"> ▪ Identify up to two county probate court systems as pilot sites ▪ Begin developing formative learning approach ▪ Conduct pilot 						<p>alternatives</p> <ul style="list-style-type: none"> ▪ Visitors, Guardians ad litem, Probate judges, attorneys, health and social service professionals in two counties educated on less restrictive alternatives to guardianship & conservatorship ▪ Providers in two counties educated on guardianship & conservatorship 		
<p>Guardianship Statute</p> <p>Review and amend, if necessary, guardianship statute to enhance choice and individual control for persons with impaired decision making capacity.</p>				•	•	<ul style="list-style-type: none"> ▪ Amended guardianship statute 	KE, JG	Bell