

Colorado Office of Public Guardianship

FY 2022 Budget Request



Sophia M. Alvarez,
Director of the Office of Public Guardianship

FY 2021-22 Budget Request - Office of Public Guardianship

Schedule 02

	Total Funds	FTE	General Fund	Cash Funds	Reappropriated	Federal
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FY 2018-19 Actual Expenditures

11. Office of Public Guardianship	\$210	-	-	\$210	-	-
Total For: FY 2018-19 Actual Expenditures	\$210	-	-	\$210	-	-

FY 2019-20 Actual Expenditures

11. Office of Public Guardianship	\$647,886	4.5	\$427,000	\$220,886	-	-
Total For: FY 2019-20 Actual Expenditures	\$647,886	4.5	\$427,000	\$220,886	-	-

FY 2020-21 Initial Appropriation

11. Office of Public Guardianship	\$733,844	6.0	-	\$733,844	-	-
Total For: FY 2020-21 Initial Appropriation	\$733,844	6.0	-	\$733,844	-	-

FY 2021-22 Elected Official Request

11. Office of Public Guardianship	\$738,268	6.0	-	\$738,268	-	-
Total For: FY 2021-22 Elected Official Request	\$738,268	6.0	-	\$738,268	-	-

11. Office of Public Guardianship

Schedule 3A

FY 2018-19 Actual Expenditures	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Program Costs						
HB18-1322 FY 2018-19 Long Appropriation Act	\$1,718,786	14.0	-	\$1,718,786	-	-
FY 2018-19 Final Appropriation	\$1,718,786	14.0	-	\$1,718,786	-	-
FY 2018-19 Final Expenditure Authority	\$1,718,786	14.0	-	\$1,718,786	-	-
FY 2018-19 Actual Expenditures	\$210	-	-	\$210	-	-
FY 2018-19 Reversion (Overexpenditure)	\$1,718,576	14.0	-	\$1,718,576	-	-
<i>FY 2018-19 Total All Other Operating Allocation</i>	\$210	-	-	\$210	-	-

Total 11. Office of Public Guardianship

FY 2018-19 Final Appropriation	\$1,718,786	14.0	-	\$1,718,786	-	-
FY 2018-19 Final Expenditure Authority	\$1,718,786	14.0	-	\$1,718,786	-	-
FY 2018-19 Actual Expenditures	\$210	-	-	\$210	-	-
FY 2018-19 Reversion (Overexpenditure)	\$1,718,576	14.0	-	\$1,718,576	-	-

11. Office of Public Guardianship

Schedule 3B

FY 2019-20 Actual Expenditures	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
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Program Costs

HB 19-1045 Office Of Public Guardianship Operation Cond	\$835,386	4.5	\$427,000	\$408,386	-	-
FY 2019-20 Final Appropriation	\$835,386	4.5	\$427,000	\$408,386	-	-
FY 2019-20 Final Expenditure Authority	\$835,386	4.5	\$427,000	\$408,386	-	-
FY 2019-20 Actual Expenditures	\$647,886	4.5	\$427,000	\$220,886	-	-
FY 2019-20 Reversion (Overexpenditure)	\$187,500	-	-	\$187,500	-	-
<i>FY 2019-20 Personal Services Allocation</i>	<i>\$569,835</i>	<i>4.5</i>	<i>\$350,449</i>	<i>\$219,386</i>	-	-
<i>FY 2019-20 Total All Other Operating Allocation</i>	<i>\$78,051</i>	<i>-</i>	<i>\$76,551</i>	<i>\$1,500</i>	-	-

Total 11. Office of Public Guardianship

FY 2019-20 Final Appropriation	\$835,386	4.5	\$427,000	\$408,386	-	-
FY 2019-20 Final Expenditure Authority	\$835,386	4.5	\$427,000	\$408,386	-	-
FY 2019-20 Actual Expenditures	\$647,886	4.5	\$427,000	\$220,886	-	-
FY 2019-20 Reversion (Overexpenditure)	\$187,500	-	-	\$187,500	-	-

11. Office of Public Guardianship

Schedule 3C

FY 2020-21 Initial Appropriation	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Program Costs						
HB 20-1360 FY 2020-21 Long Bill	\$733,844	6.0	-	\$733,844	-	-
2020-21 Initial Appropriation	\$733,844	6.0	-	\$733,844	-	-
Total 11. Office of Public Guardianship						
HB 20-1360 FY 2020-21 Long Bill	\$733,844	6.0	-	\$733,844	-	-
2020-21 Initial Appropriation	\$733,844	6.0	-	\$733,844	-	-
FY 2020-21 Personal Services Allocation	\$427,928	6.0	-	\$427,928	-	-
FY 2020-21 Total All Other Operating Allocation	\$305,916	-	-	\$305,916	-	-

11. Office of Public Guardianship

Schedule 3D

FY 2021-22 Budget Request	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
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Program Costs

FY 2020-21 Starting Base	\$733,844	6.0	-	\$733,844	-	-
OPG TA-01 Common Policy Adjustments	\$4,276	-	-	\$4,276	-	-
OPG TA-02 Pera Incremental Adjustments	\$148	-	-	\$148	-	-
FY 2021-22 Base Request	\$738,268	6.0	-	\$738,268	-	-
FY 2021-22 Elected Official Request	\$738,268	6.0	-	\$738,268	-	-
Personal Services Allocation	\$432,352	6.0	-	\$432,352	-	-
Total All Other Operating Allocation	\$305,916	-	-	\$305,916	-	-

Total 11. Office of Public Guardianship

FY 2020-21 Starting Base	\$733,844	6.0	-	\$733,844	-	-
OPG TA-01 Common Policy Adjustments	\$4,276	-	-	\$4,276	-	-
OPG TA-02 Pera Incremental Adjustments	\$148	-	-	\$148	-	-
FY 2021-22 Base Request	\$738,268	6.0	-	\$738,268	-	-
FY 2021-22 Elected Official Request	\$738,268	6.0	-	\$738,268	-	-
Personal Services Allocation	\$432,352	6.0	-	\$432,352	-	-
Total All Other Operating Allocation	\$305,916	-	-	\$305,916	-	-

Schedule 14B

Line Item Object Code Detail		FY 2018-19 Actual Expenditure	FY 2019-20 Actual Expenditure	FY 2020-21 Appropriation Expenditure	FY 2021-22 Gov Req Expenditure				
		FTE	FTE	FTE	FTE				
11. Office of Public Guardianship									
<u>Personal Services - Employees</u>									
Object Group	Object Group Name								
FTE	Total FTE	-	4.5	6.0	6.0				
1000	Total Employee Wages and Benefits	-	\$277,910	\$427,928	\$432,352				
Object Code	Object Name								
1000	Personal Services	-	-	\$427,928	\$432,352				
1210	Contractual Employee Regular Full-Time Wages	-	\$204,392	-	-				
1510	Dental Insurance	-	\$1,233	-	-				
1511	Health Insurance	-	\$27,212	-	-				
1512	Life Insurance	-	\$253	-	-				
1513	Short-Term Disability	-	\$301	-	-				
1520	FICA-Medicare Contribution	-	\$2,905	-	-				
1521	Other Retirement Plans	-	\$2,574	-	-				
1522	PERA	-	\$18,606	-	-				
1524	PERA - AED	-	\$10,217	-	-				
1525	PERA - SAED	-	\$10,217	-	-				
<u>Personal Services - Contract Services</u>									
Object Group	Object Group Name								
1100	Total Contract Services (Purchased Personal Services)	-	\$291,926	-	-				
Object Code	Object Name								
1920	Personal Services - Professional	-	\$291,926	-	-				
Subtotal All Personal Services		-	-	\$569,835	4.5	\$427,928	6.0	\$432,352	6.0

Schedule 14B

Line Item	Object Code Detail	FY 2018-19 Actual Expenditure	FTE	FY 2019-20 Actual Expenditure	FTE	FY 2020-21 Appropriation Expenditure	FTE	FY 2021-22 Gov Req Expenditure	FTE
<u>All Other Operating Expenditures</u>									
Object Group Object Group Name									
2000	Total Operating Expenses	\$210		\$77,992		\$305,916		\$305,916	
3000	Total Travel Expenses	-		\$59		-		-	
Object Code Object Name									
2000	Operating Expense	-		-		\$305,916		\$305,916	
2513	In-State Personal Vehicle Reimbursement	-		\$59		-		-	
2631	Communication Charges - Office Of Information Technology	-		\$1,116		-		-	
2690	Legal Services	-		\$50,000		-		-	
2820	Purchased Services	-		\$6,723		-		-	
3110	Supplies & Materials	-		\$189		-		-	
3118	Food and Food Service Supplies	-		\$114		-		-	
3119	Medical Laboratory Supplies	-		\$12		-		-	
3120	Books/Periodicals/Subscriptions	-		\$2,679		-		-	
3121	Office Supplies	-		\$2,099		-		-	
3123	Postage	\$77		\$33		-		-	
3126	Repair and Maintenance	-		\$19		-		-	
3140	Noncapitalizable Information Technology	-		\$12,588		-		-	
4170	Miscellaneous Fees And Fines	\$133		-		-		-	
4220	Registration Fees	-		\$1,610		-		-	
4256	Other Benefit Plan Expense	-		\$813		-		-	
Subtotal All Other Operating		\$210		\$78,051		\$305,916		\$305,916	
Total Line Item Expenditures		\$210	-	\$647,886	4.5	\$733,844	6.0	\$738,268	6.0

**Schedule 9
Cash Fund Report**

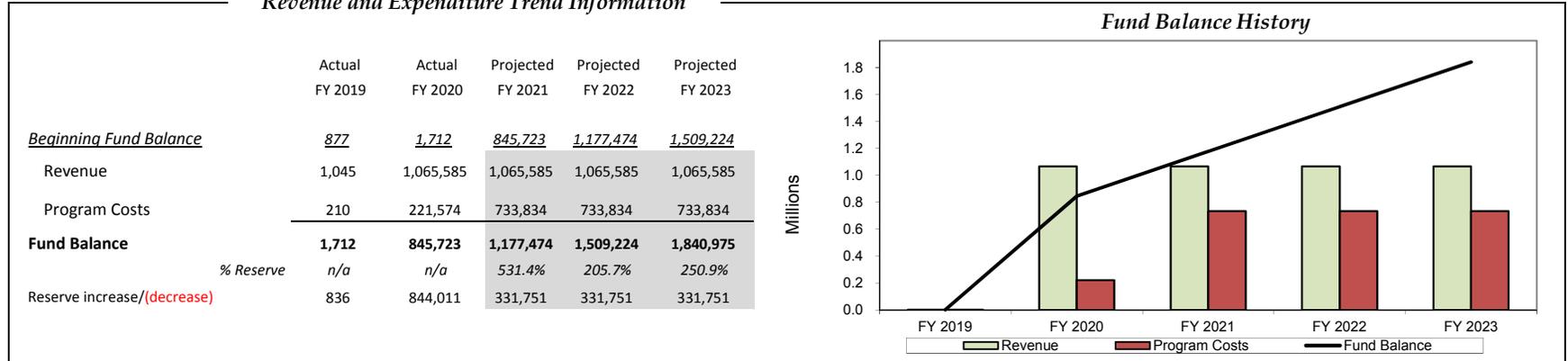
**Office of Public Guardianship Fund #OPGF
Section 13-98-108, C.R.S. (2020)**

HB17-1087 established the Office of Public Guardianship to provide guardianship services to indigent and incapacitated adults who have no family members or friends available to serve as guardian.

Fund Information

Revenue Sources:	Fees charged in relation to probate case filings and other civil filings.	Expenditures:	The money in this fund is for OPG personnel and program related expenses.
Non-Fee Sources:	Interest, gifts grants and donations	Expenditure Drivers:	Personnel costs, case numbers.
Revenue Drivers:	Number of probate and other civil filings	Long Bill Groups:	Office of Public Guardianship, Program Costs

Revenue and Expenditure Trend Information



The Office of Public Guardianship cash fund is not subject to the 16.5% target reserve. Pursuant to Section 24-75-402 (2) (e) (V), C.R.S. (2020), fees do not include “any monies received from charges or assessments amount of which are established in law and over which the entity has no authority to change or are otherwise not determined by the entity.”

Salary Pots Request Template

	TOTAL FUNDS/FTE FY 2021-22	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
I. Continuation Salary Base					
Sum of Filled FTE as of July 27, 2020	6.0	0.000%	100.000%	0.000%	0.0000%
Salary X 12	\$402,364	-	402,364	-	-
FUND SPLITS - From Position-by-Position Tab					
PERA (Standard, Trooper, and Judicial Rates) at FY 2021-22 PERA Rates	\$57,981	-	57,981	-	-
Medicare @ 1.45%	\$5,834	-	5,834	-	-
Subtotal Continuation Salary Base =	\$466,179	-	466,179	-	-
II. Salary Survey Adjustments					
System Maintenance Studies	-	-	-	-	-
Across the Board - Base Adjustment	\$0	-	-	-	-
Across the Board - Non-Base Adjustment	\$0	-	-	-	-
Movement to Minimum - Base Adjustment	\$0	-	-	-	-
Subtotal - Salary Survey Adjustments	\$0	\$0.00	-	-	-
PERA (Standard, Trooper, and Judicial Rates) at FY 2021-22 PERA Rates	\$0	-	-	-	-
Medicare @ 1.45%	\$0	-	-	-	-
Request Subtotal =	\$0	\$0.00	-	-	-
III. Increase for Minimum Wage (if applicable)					
Increase for Minimum Wage	-	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - Minimum Wage Adjustments	-	\$0.00	\$0.00	\$0.00	\$0.00
PERA (Standard, Trooper, and Judicial Rates) at FY 2021-22 PERA Rates	\$0	\$0.00	\$0.00	\$0.00	\$0.00
Medicare @ 1.45%	\$0	-	-	-	-
Request Subtotal =	\$0	\$0.00	\$0.00	\$0.00	\$0.00
IV. Merit Pay Adjustments					
Merit Pay - Base Adjustments	\$0	-	-	-	-
Merit Pay - Non-Base Adjustments	\$0	-	-	-	-
Subtotal - Merit Pay Adjustments	\$0	-	-	-	-
PERA (Standard, Trooper, and Judicial Rates) at FY 2021-22 PERA Rates	\$0	-	-	-	-
Medicare @ 1.45%	\$0	-	-	-	-
Request Subtotal =	\$0	-	-	-	-
V. Shift Differential					
FY 2019-20 ACTUAL EXPENDITURES for All Occupational Groups	\$0	-	-	-	-
Total Actual and Adjustments @ 100%	\$0	-	-	-	-
PERA (Standard, Trooper, and Judicial Rates) at Current PERA Rates	\$0	-	-	-	-
Medicare @ 1.45%	\$0	-	-	-	-
Request Subtotal =	\$0	-	-	-	-
VI. Revised Salary Basis for Remaining Request Subtotals					
Total Continuation Salary Base, Adjustments, Performance Pay & Shift	\$402,364	-	402,364	-	-
VII. Amortization Equalization Disbursement (AED)					
Revised Salary Basis * 5.00%	\$20,118	-	20,118	-	-
VIII. Supplemental AED (SAED)					
Revised Salary Basis * 5.00%	\$20,118	-	20,118	-	-
IX. Short-term Disability					
Revised Salary Basis * 0.16%	\$644	-	644	-	-
X. Health, Life, and Dental					
Funding Request	\$61,917	-	61,917	-	-

OPG_Pots Summary

FY 2020-21		GF	CF	RF	FF
Common Policy Line Item	Appropriation				
Salary Survey	\$0	\$0	\$0		
Merit Pay	\$0	\$0	\$0		
PERA Common Policy	\$0	\$0	\$0		
Shift	\$0	\$0	\$0		
AED	\$20,110	\$0	\$20,110		
SAED	\$20,110	\$0	\$20,110		
Short-term Disability	\$604	\$0	\$604		
Health, Life and Dental	\$57,696	\$0	\$57,696		
TOTAL	\$98,521	\$0	\$98,521	\$0	\$0
FY 2021-22		GF	CF	RF	FF
Common Policy Line Item	Total Request				
Salary Survey	\$0	\$0	\$0	\$0	\$0
Merit Pay	\$0	\$0	\$0	\$0	\$0
PERA Common Policy	\$0	\$0	\$0	\$0	\$0
Shift	\$0	\$0	\$0	\$0	\$0
AED	\$20,118	\$0	\$20,118	\$0	\$0
SAED	\$20,118	\$0	\$20,118	\$0	\$0
Short-term Disability	\$644	\$0	\$644	\$0	\$0
Health, Life and Dental	\$61,917	\$0	\$61,917	\$0	\$0
TOTAL	\$102,797	\$0	\$102,797	\$0	\$0
FY 2021-22		GF	CF	RF	FF
Common Policy Line Item	Incremental				
Salary Survey	\$0	\$0	\$0	\$0	\$0
Merit Pay	\$0	\$0	\$0	\$0	\$0
PERA Common Policy	\$0	\$0	\$0	\$0	\$0
Shift	\$0	\$0	\$0	\$0	\$0
AED	\$8	\$0	\$8	\$0	\$0
SAED	\$8	\$0	\$8	\$0	\$0
Short-term Disability	\$40	\$0	\$40	\$0	\$0
Health, Life and Dental	\$4,220	\$0	\$4,220	\$0	\$0
TOTAL	\$4,276	\$0	\$4,276	\$0	\$0

Total Funds

	FY 2021-22	GF	CF	RF	FF
Annualization of SB18-200*	\$ 148	\$ -	\$ 148	\$-	\$-

**Similar to last year, please allocate these adjustments to the personal services line items for the annualization of the special bill.*

Office of Public Guardianship FTE Detail

Object Code 1210	FY2018-19		FY2019-20	
	Total Funds	FTE	Total Funds	FTE
Position Detail:				
Director	-	-	80,417	1.0
Public Guardian	-	-	25,212	1.0
Public Guardian	-	-	25,127	1.0
Public Guardian	-	-	25,217	1.0
Public Guardian	-	-	25,217	1.0
Staff Assistant	-	-	23,202	1.0
Total Full-Time/Part-Time Wages	-	-	204,392	6.0

Office of Public Guardianship

5 - Year Plan

FY2022		FY2023		FY2024		FY2025		FY2026	
Appropriation									
FTE	Total								
6.0	\$554,854	6.0	\$557,331	6.0	\$569,765	6.0	\$582,500	6.0	\$595,542
6.0	\$554,854	6.0	\$557,331	6.0	\$569,765	6.0	\$582,500	6.0	\$595,542

Assumptions for Calculations:

Assumes continuation budget through FY23 with common policy adjustments.

Assumes 4% increase to HLD each year.

Assumes 2% base salary increase in FY24

Narrative for Colorado Office of Public Guardianship FY22 Budget Request

Sophia M. Alvarez, J.D., Director

I. Mission Statement

The Mission of the Colorado Office of Public Guardianship (OPG) is to provide guardianship services for indigent and incapacitated adults, within the targeted judicial district, when other guardianship possibilities are exhausted. If Colorado adults lack willing and appropriate family or friends, resources to compensate a private guardian, and access to public service organizations that offer guardianship, the Colorado OPG Pilot Program provides guardianship services to secure the health and safety of these individuals while safeguarding their individual rights and preserving their independence wherever possible.

II. Agency Overview

The Colorado Office of Public Guardianship (OPG) is an independent state agency established to provide guardianship services to indigent and incapacitated adults residing in the 2nd Judicial District who have no responsible family members or friends who are unavailable and appropriate to serve as guardian; lack adequate resources to compensate a private guardian and pay the costs associated with an appointment or proceeding; and are not subject to petition for appointment of a guardian filed by a county adult protective services unit or otherwise authorized by section 26-3.1—104; and to gather data to help the general assembly determine the need for, feasibility of, a statewide office of public guardianship.

III. Establishment and Development of the Colorado Office of Public Guardianship

The Director started on October 21, 2019. The Director began engaging with stakeholders and establishing a case management system, among her other duties as outlined in C.R.S. 13-94-102. Four Public Guardians and a Staff Assistant began on January 27, 2020.

IV. Impact of COVID-19 Pandemic

The Colorado OPG began accepting referrals on April 30, 2020 early on during the COVID-19 pandemic. The first referral was received on June 4, 2020 and the Colorado OPG's first appointment was on August 24, 2020.

There were/are four main issues that delayed the appointment of the Colorado OPG as guardian: Supreme Court and Denver Probate Court Administrative Orders Regarding Court Operations under COVID-19; hospitals not seeking a guardianship due to COVID-19 pandemic

delays, facilities not accepting new patients due to the COVID-19 pandemic, and barriers for referring parties in obtaining legal representation.

Due to the COVID-19 pandemic Denver Probate Court was unable to address petitions for permanent guardianship for at least three months which delayed the appointment of the Colorado OPG as guardian. Once a petition for guardianship is filed, a hearing on the appointment of guardianship is typically scheduled within 30 – 60 days, depending on the court’s docket.

Due to the COVID-19 pandemic, hospitals were not making as many referrals for guardianship knowing that the Denver Probate Court was unable to address petitions for permanent guardianship and that facilities were not accepting patients due to the COVID-19 pandemic.

A delay in the Colorado OPG appointment as guardian was also due to referring parties facing barriers in obtaining legal representation. There were two referrals withdrawn due to the referring party not having funds to hire legal counsel and/or pay the filing and court fees. There were 8 cases where the referring party declined to file a referral due to not having funds to hire legal counsel and/or pay the filing and court fees. The Director reached out to the Denver Bar Association as well as other attorneys and organizations to help facilitate the referring parties to obtain legal representation. The Director continues to aid in eliminating this barrier.

V. Current Caseload as of December 3, 2020

As of December 3, 2020, the Colorado Office of Public Guardianship (OPG) accepted 37 referrals. The Colorado OPG is currently appointed as guardian for 22 individuals. The 22 individuals’ primary incapacity/diagnoses:

Dementia related diagnoses	Intellectual/Developmental disability	Cognitive/Traumatic Brain Injury or Neurological disorder	Severe Mental Health Illness (schizophrenia and/or bipolar)
5	3	11	3

Two Colorado OPG clients passed away due to natural causes (non-COVID-19 pandemic deaths).

The Colorado OPG has accepted 19 referrals that are in a pending status. These referrals require the filing of the petition for guardianship or are at some other point in the court proceedings in the Denver Probate Court.

The Colorado OPG has 9 incomplete referrals. These referrals require more information provided to the Colorado OPG to determine acceptance or declination.

The Colorado OPG declined 20 referrals due to the alleged incapacitated person living outside of the 2nd Judicial District and therefore, not statutorily eligible. The breakdown of the 20 referrals are 6 – Arapahoe County, 2 – El Paso County, 1 – Gunnison County, 2 – Jefferson County, 3 – Larimer County, 1 – Montrose County, 1 – Washington County, and 4 – Weld County.

The Colorado OPG declined 4 referrals: two referrals were inappropriate for CO OPG services and two referrals were incomplete and did not provide additional information to for the Colorado OPG to make a determination.

Three referrals were withdrawn due to the referring party indicating the CO OPG services were no longer needed.

Three referrals were withdrawn due to the alleged incapacitated person passing away prior to the appointment of a guardian.