

COLORADO OFFICE OF PUBLIC GUARDIANSHIP

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Executive Director

FY 2023 Decision Item Request

November 1st, 2021

| | |
|-----------------------------|--------------------------------------|
| Department Priority: | R-01 |
| Request Title: | OPG FTE Request |
| Program: | Office of Public Guardianship |
| Statutory Authority: | Section 13-94-108, C.R.S. |

| Summary of Incremental Funding Change for FY23 | Total Funds | General Fund | Cash Funds | General Fund FTE |
|---|-------------|--------------|------------|------------------------|
| TOTAL REQUEST (All Lines) | \$ 456,326 | \$ 456,326 | \$ - | 4.0 |
| | | | | |
| Total Program: | \$ 456,326 | \$ 456,326 | \$ - | 4.0 |
| (11) OFFICE OF PUBLIC GUARDIANSHIP | | | | |
| Program Costs | \$ 456,326 | \$ 456,326 | \$ - | 4.0 |

Request Summary:

The Office of Public Guardianship requests \$456,326 in cash fund spending authority and 4.0 FTE for a deputy director and three public guardian positions. These staff will be used to expand guardianship services to qualified clients in the 2nd, 7th, and 16th Judicial Districts. The source of funding is the Office of Public Guardianship Cash Fund.

Background:

The Office of Public Guardianship (OPG), which was authorized by HB17-1087 as a pilot program, was created to serve clients in the 2nd, 7th, and 16th Judicial Districts and gather data about the State’s unmet need for public guardianship services for incapacitated and indigent adults. HB19-1045 narrowed the pilot program’s focus to the 2nd Judicial District (Denver). Currently, the Denver program is near capacity, serving nearly 80 clients with four guardian staff.

Given the success of the Denver pilot program and having adequate cash funds, OPG would now like to expand the program to the 7th and 16th Judicial Districts as envisioned by the original legislation. Expanding services to these two districts will also enable the Office to gather data from a more diverse client population and thereby augment and enrich the information collected for the program evaluation required by Section 13-94-105(4), C.R.S., which is due to the General Assembly in January 2023.

To make this expansion possible, the Office is requesting 4.0 FTE including a deputy director who will assist the executive director in fulfilling all statutory requirements and supervise program expansion into the two additional districts. The remaining three positions are for additional guardian FTE.

The additional FTE will also allow the OPG to create a Guardianship Academy. This collaborative program will educate volunteers in several key areas including guardianship standards, best practices, least restrictive options, advance planning, successor guardianship planning, and supported decision-making options. A central goal of the Guardianship Academy is to establish a cadre of volunteer guardians/powers of attorney/representative payees/supports to serve as additional community-based resources for indigent and incapacitated adults.

The Office of Public Guardianship Cash Fund, which is created by Section 13-94-108, C.R.S., had a balance of \$1,269,229 at the end of Fiscal Year 2021. Fiscal Year 2021 revenues were \$1.17 million while expenses were about \$700K. As such, the Department is confident the cash fund can support the additional expenses associated with this request in Fiscal Year 2023 and thereafter.

Anticipated Outcomes:

This request will benefit vulnerable Coloradans who need to be placed in less restrictive environments but who do not have available family, friends, or existing services to help care for them and lack the funds to pay for guardianship services. Clients will also benefit from service standardization and supervision that is provided according to best industry practices. In addition, service providers in the three districts will benefit by allowing clients newly served by OPG to be transitioned to less restrictive situations and thereby making space to provide services to new clients. Service providers outside of the three judicial districts will benefit as well. Discussions with the Colorado Office of Behavioral Health, Colorado Department of Corrections and U.S. Department Veterans Affairs indicate that expansion of OPG services allows these agencies more options when transitioning their clients to less restrictive situations.

As noted previously, serving a more diverse clientele will also enhance OPG's data collection efforts in concert with the statutory program evaluation that is due in 2023. A more robust program evaluation will, in turn, provide the General Assembly with better information as it decides whether to continue, expand or discontinue the pilot program.

Consequences if not Funded:

The consequences of this request not being funded means that the limited guardianship services in Denver will continue and the planned expansion into the 7th and 16th Judicial Districts will not occur. Limiting data collection to only the Denver area will also result in less comprehensive data collection for statutory program evaluation purposes.

Assumptions for Calculations:

- Annual cost (salary, PERA, Medicare, AED and SAED) of 4.0 FTE requested is \$389,159
- Annual operating costs are \$3,800

- Annual cost for HLD/STD is \$40,675 and is included in the request because OPG is a single program line
- Cost of capital outlay is \$22,692, annualizing to \$1,040 for software subscriptions in ensuing years
- Entire request cost of \$456,326 in Fiscal Year 2023 (annualized to \$434,674 in Fiscal Year 2024) will be paid from the Office of Public Guardianship Cash Fund

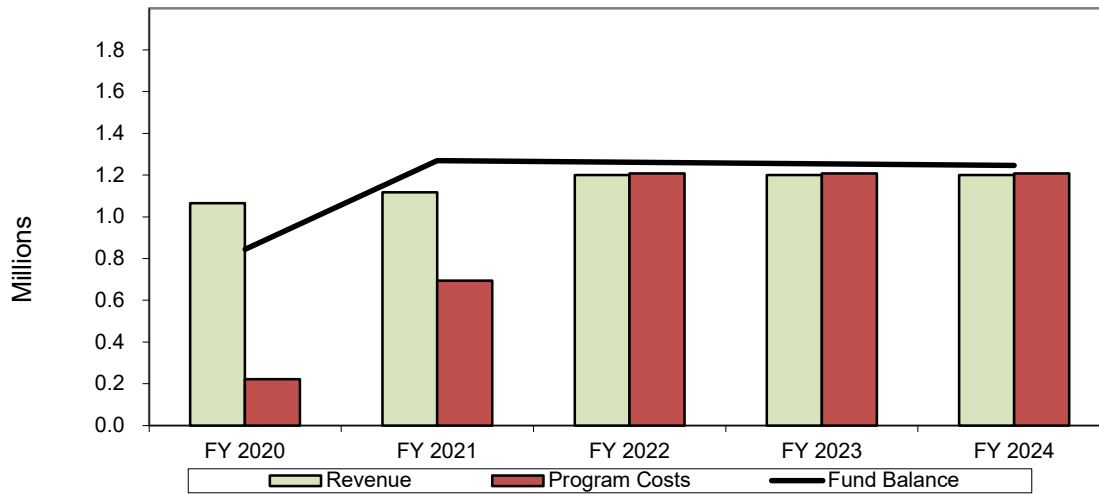
| | | | Guardian | Supervising Case Managers | Deputy Director | Total Year 1 | Total Year 2 |
|-------------------------------------|--|-----------|-----------|---------------------------|-----------------|--------------|--------------|
| PERSONAL SERVICES | | | | | | | |
| Number of FTE per class title | | | 1.00 | 2.00 | 1.00 | 4.00 | 4.00 |
| Monthly base salary | | | \$ 5,000 | \$ 6,250 | \$ 8,898 | | |
| Number of months charged in FY22-23 | | | 12 | 12 | 12 | 12 | 12 |
| Salary | | | \$ 60,000 | \$ 150,000 | \$ 106,776 | \$ 316,776 | \$ 316,776 |
| PERA (Staff, GF) | | 11.40% | \$ 6,840 | \$ 17,100 | \$ 12,172 | \$ 36,112 | \$ 36,112 |
| Medicare (Staff, GF) | | 1.45% | \$ 870 | \$ 2,175 | \$ 1,548 | \$ 4,593 | \$ 4,593 |
| AED | | 5.00% | \$ 3,000 | \$ 7,500 | \$ 5,339 | \$ 15,839 | \$ 15,839 |
| SAED | | 5.00% | \$ 3,000 | \$ 7,500 | \$ 5,339 | \$ 15,839 | \$ 15,839 |
| Sub-total Base Salary | | | \$ 73,710 | \$ 184,275 | \$ 131,174 | \$ 389,159 | \$ 389,159 |
| Health/Life/Dental | | \$ 10,042 | \$ 10,042 | \$ 20,084 | \$ 10,042 | \$ 40,168 | \$ 40,168 |
| Short-Term Disability | | 0.16% | \$ 96 | \$ 240 | \$ 171 | \$ 507 | \$ 507 |
| Total Personal Services | | | \$ 83,848 | \$ 204,599 | \$ 141,387 | \$ 429,834 | \$ 429,834 |
| | | | | | | | |
| OPERATING | | | | | | | |
| Phone (common policy) | | \$ 450 | \$ 450 | \$ 900 | \$ 450 | \$ 1,800 | \$ 1,800 |
| Supplies (common policy) | | \$ 500 | \$ 500 | \$ 1,000 | \$ 500 | \$ 2,000 | \$ 2,000 |
| Total Operating | | \$ 950 | \$ 950 | \$ 1,900 | \$ 950 | \$ 3,800 | \$ 3,800 |
| | | | | | | | |
| CAPITAL OUTLAY | | | | | | | |
| Office Furniture | | \$ 3,473 | \$ 3,473 | \$ 6,946 | \$ 3,473 | \$ 13,892 | \$ - |
| Computer Software/licensing | | \$ 2,200 | \$ 2,200 | \$ 4,400 | \$ 2,200 | \$ 8,800 | \$ 1,040 |
| Total Capital Outlay | | \$ 5,673 | \$ 5,673 | \$ 11,346 | \$ 5,673 | \$ 22,692 | \$ 1,040 |
| | | | | | | | |
| Grand Total | | | \$ 90,471 | \$ 217,845 | \$ 148,010 | \$ 456,326 | \$ 434,674 |

- Guardian Salary based on current OPG Guardian Salaries
- Deputy Director Salary based on 10% above min for Deputy Court Executive (R41070)
- OPG's Long Bill line is a program line. There are no centrally appropriated costs; therefore, HLD, AED/SAED, STD are appropriated to the program line.
- Capital outlay in outyear is for on-going IT software subscriptions.

Cash Fund:

Office of Public Guardianship Cash Fund #OPGF*

| | Actual FY 2020 | Actual FY 2021 | Projected FY 2022 | Projected FY 2023 | Projected FY 2024 |
|--------------------------------------|-------------------|-------------------|----------------------|----------------------|----------------------|
| <u>Beginning Fund Balance</u> | <u>1,712</u> | <u>845,723</u> | <u>1,269,229</u> | <u>1,261,334</u> | <u>1,253,439</u> |
| Revenue | 1,065,585 | 1,117,987 | 1,200,000 | 1,200,000 | 1,200,000 |
| Program Costs | 221,574 | 694,481 | 1,207,895 | 1,207,895 | 1,207,895 |
| Fund Balance | 845,723 | 1,269,229 | 1,261,334 | 1,253,439 | 1,245,544 |
| % Reserve | n/a | n/a | 181.6% | 103.8% | 103.1% |
| Reserve increase/(decrease) | 844,011 | 423,506 | (7,895) | (7,895) | (7,895) |



*Projections assume approval of this decision item request.