

# COLORADO OFFICE OF PUBLIC GUARDIANSHIP

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Executive Director

## *FY 2023 Budget Amendment*

*February 14, 2022*

**Department Priority:** BA #1  
**Request Title:** Request for 3.0 FTE for the Office of Public Guardians  
**Program:** Office of Public Guardianship  
**Statutory Authority:** 13-94-101 C.R.S.

### *Schedule 13*

	Fund	FY23 Nov 1st Request	FY23 Budget Amendment	FY23 Revised Request
<b>Total All Line Items</b>	Total	1,336,695	\$253,479	1,590,174
	FTE	11.0	3.0	14.0
	GF	-	-	-
	CF	1,243,918	163,795	1,407,713
	RF	92,777	89,684	182,461
	FF	-	-	-
<b>Office of Public Guardianship</b>	Total	1,336,695	253,479	1,590,174
	FTE	11.0	3.0	14.0
	GF	-	-	-
	CF	1,243,918	163,795	1,407,713
	RF	92,777	89,684	182,461
	FF	-	-	-

Emergency  Technical Error  New Data  Unforeseen Contingency

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### **Request Summary:**

The Office of Public Guardianship requests \$234,855 and 3.0 FTE of which \$149,209 is Cash Fund spending authority and \$85,646 is Reappropriated spending authority to provide guardianships to qualified Office of Behavioral Health (OBH) clients; in anticipation of an agreement with a major Health Center and a case management aid position. The source of funding for this request is a transfer from the OBH/Momentum Program in the Department of Human Services and the Office of Public Guardianship Cash Fund. A major health provider wishes to grant the Office funds (to be deposited in the OPG Cash Fund) to provide guardianship services to clients within their hospital system. Current statute allows the Office of Public Guardianship to receive gifts, grants, and donations.

## **Background:**

Last year the Joint Budget Committee approved 1.0 FTE and \$89,684 R/A spending authority for providing a public guardian to clients of the Office of Behavioral Health at CMHS Ft Logan. This initial guardian FTE has worked well, and it was recently determined that another dedicated public guardian is needed to keep up with the demands of CMHI/Momentum clientele transitioning to the community.

Historically, individuals placed at CMHI Ft. Logan and CMHI Pueblo have complex mental health diagnoses. Once an individual is ready for discharge to a less restrictive environment, the CMHI often cannot discharge without a guardian in place. It is the policies of less restrictive environments, such as assisted living facilities or nursing homes, to accept an individual from a CMHI facility only with a guardian in place.

This limits the CMHI ability to discharge individuals, adding to their waiting list for accepting new individuals. This also limits the ability to discharge to an appropriate level of care, which is not conducive to the success of the individual.

A CMHI/Momentum client typically has complex medical and mental health needs. The Colorado OPG uses an internal policy to measure the level of complexity and time necessary to adequately serve a client. This allows the OPG to set appropriate caseloads based on the national best standards and practices. A current caseload is twenty based on the national best standards and practices. Due to the high intensity of the CHMI clients and to provide appropriate and ethical public guardianship services, the new 1.0 FTE will have a similar caseload to the FTE appropriated in FY22 to provide services to CMHI/Momentum clients.

This reappropriation from OBH will benefit the Colorado OPG Pilot Program to serve more clients, and in turn, gather more data for the Director Report due to the General Assembly by January 1, 2023 to determine whether to continue, expand or discontinue the Pilot Program.

Additionally, because of the on-going successful working relationship between Colorado OPG and a major Health Center, they recently approached the OPG about an innovative partnership. The Health Center would like to develop a model guardianship program that could be adapted by other medical providers across the state in collaboration with the Colorado OPG. Under this model OPG would provide a dedicated public guardian for eligible Health Center patients. This will require a new 1.0 FTE to handle an anticipated caseload of up to twenty clients.

### Staff Help

The recent Omicron variant surge was especially challenging to the Colorado OPG. The COVID-19 Pandemic issues have escalated and intensified case complexity. Public Guardians work 24/7 and are hesitant to take time away from their clients and worry about burdening their colleagues with additional caseloads. However, staff need to utilize their paid-time-off to prevent compassion fatigue and burnout. Hiring a 1.0 FTE Case Management Aide will be beneficial for the Public Guardians and Colorado OPG clients. The Case Management Aide will support Public Guardians in the performance of their professional work and ensure administrative support to ensure quality, effective, and efficient public guardianship services are provided to Colorado OPG clients. This request for 1.0 FTE will be paid from the Office of Public Guardianship Cash Fund.

## **Anticipated Outcomes:**

The OPG will be able to assist individuals with high complex needs to discharge to less restrictive and more appropriate placements, in line with national best standards and practices. The OPG will be able to assist the Institutions in opening more beds for those in need of the Institutions.

The partnership with a major Health Care center could serve as a model for program expansion statewide.

## **Assumptions for Calculations:**

- That to implement this request will cost \$234,855 in total of which \$149,209 is Cash Funds (from the Office of Public Guardianship Cash Fund and \$85,529 in reappropriated funds for 3.0 FTE
- That the Public Guardian FTE are requested at the minimum of the salary range \$5,714
- That the Case Management Aid salary is equivalent to a Program Analyst I salary and is requested at the minimum which is \$4,092/month
- That this request DOES NOT include HLD (which is included in this single line appropriation). The Office may do a supplemental request for HLD once the FTE and hired and their HLD selections are known.
- That in FY24 this request annualizes to \$214,455 a reduction of \$20,400 of which \$13,600 is CF and \$6,800 is RA spending authority.
- The source of reappropriated funding is the Department of Human Services, Office of Behavioral Health, Momentum Program.
- The Cash Fund source the Office of Public Guardian Cash Fund. A major Health system will make a grant for the provision of guardianship services which will be sufficient to pay for the requested guardianship FTE and overhead charges of 20% (\$104,488)
- Details of the costs are provided below

<i>PERSONAL SERVICES</i>		<b>Public Guardian</b>	<b>Case Management Aid</b>	<b>FY23</b>	<b>Year 2 Total (FY24)</b>
Number of FTE per class title		<b>2.0</b>	<b>1.0</b>	<b>3.00</b>	<b>3.00</b>
Monthly base salary		\$ 5,714	\$ 4,092	\$ -	\$ -
Number of months charged in FY23		<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>
Salary		\$ 137,136	\$ 49,104	\$ 186,240	\$ 186,240
PERA (Staff, GF)	<b>11.40%</b>	\$ 15,634	\$ 5,598	\$ 21,231	\$ 21,231
Medicare (Staff, GF)	<b>1.45%</b>	\$ 1,988	\$ 712	\$ 2,700	\$ 2,700
<b>Sub-total Base Salary</b>		\$ 154,758	\$ 55,414	\$ 210,172	\$ 210,172
Health/Life/Dental	<b>\$10,042</b>				
Short-Term Disability	<b>0.17%</b>	\$233	\$83	\$233	\$233
<b>Subtotal Personal Services</b>		\$ 154,991	\$ 55,497	\$ 210,405	\$ 210,405
<b>TOTAL PERSONAL SERVICES</b>		\$ 154,991	\$ 55,497	\$ 210,405	\$ 210,405
<b>FTE</b>		<b>2.0</b>	<b>1.0</b>	<b>3.0</b>	<b>3.0</b>
<b>OPERATING</b>					
Phone (staff)	\$ 450	\$ 900	\$ 450	\$ 1,350	\$ 1,350
Supplies (staff)	\$ 500	\$ 1,000	\$ 500	\$ 1,500	\$ 1,500
<b>Subtotal Operating</b>	\$ 950	\$ 1,900	\$ 950	\$ 2,850	\$ 2,850
<b>CAPITAL OUTLAY</b>					
Office Furniture (staff)	\$ 5,000	\$ 10,000	\$ 5,000	\$ 15,000	
Computer/Software (staff)	\$ 2,200	\$ 4,400	\$ 2,200	\$ 6,600	\$ -
Ongoing Subscription	\$ 400	\$ 800	\$ 400		\$ 1,200
<b>Capital Subtotal</b>	\$ 7,600	\$ 14,400	\$ 7,200	\$ 21,600	\$ 1,200
<b>CENTRAL APPROPRIATIONS</b>					
AED	<b>5.00%</b>	\$ 6,857	\$ 2,455	\$ 9,312	\$ 10,159
SAED	<b>5.00%</b>	\$ 6,857	\$ 2,455	\$ 9,312	\$ 10,159
<b>Central Appropriations Subtotal</b>		\$ 13,714	\$ 4,910	\$ 18,624	\$ 20,317
<b>TOTAL COSTS</b>		\$ 171,291	\$ 63,647	\$ 234,855	\$ 214,455

### Impact to Other State Government Agencies:

Office of Behavioral Health Department of Human Services.

# Cash Fund Projections:

## Office of Public Guardianship Cash Fund #OPGF\*

	Actual FY 2020	Actual FY 2021	Projected FY 2022	Projected FY 2023	Projected FY 2024
<b><u>Beginning Fund Balance</u></b>	<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
<b>Fund Balance</b>	<b>845,723</b>	<b>1,269,229</b>	<b>1,261,334</b>	<b>1,253,439</b>	<b>1,245,544</b>
% Reserve	n/a	n/a	181.6%	103.8%	103.1%
Reserve increase/(decrease)	844,011	423,506	(7,895)	(7,895)	(7,895)

