



# Oregon

Kate Brown, Governor

## Office of the Long-Term Care Ombudsman

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February 11, 2020

The Honorable Paul Evans, Chair  
The Honorable Rick Lewis, Vice-Chair  
The Honorable Mark Meek, Vice-Chair  
House Committee on Veterans and Emergency Preparedness  
900 Court Street NE  
Salem, OR 97301

RE: HB 4085

Chair Evans and Members of the House Committee on Veterans and Emergency Preparedness,

Thank you for considering the Oregon Public Guardian & Conservator (OPGC) to serve the most vulnerable, at risk veterans through high quality guardianship services. Helping them achieve the safety, quality of life and dignity they deserve. Through public guardianship, severely cognitively impaired veterans at risk of serious harm or death are able to get the care, housing, services and supports necessary to address all of their needs.

The veterans OPGC can serve already qualify for all of the services necessary to address their needs through VA benefits or Medicaid due to the seriousness of their disabilities; however, it is those same disabilities that often also prevent them from accessing those services. OPGC guardianship provides both the ability to make decisions about what care and services are needed for safety and quality of life and the ability to professionally navigate the bureaucratic systems to actually access those services.

In this letter we will outline the specific plan for serving veterans under HB 4085 as well as our plan for tracking the utilization of resources granted to OPGC to ensure every dollar is only spent on serving veterans.

### **Plan for OPGC veteran services under HB 4085**

With adequate funding under HB 4085, OPGC's plan is to hire three (3) qualified individuals to serve as Veteran Specialist Deputy Public Guardians. These deputies would live and work in the geographic regions they cover to reduce travel time and expense and allow for immediate response as needed for emergencies with clients. The Veteran Specialist Deputies would carry a caseload of 20 individuals giving the program capacity to provide services to 60 veterans.

As with all clients OPGC serves, only those veterans most at risk and without any other options for achieving safety would be considered for the program. Less restrictive alternatives to guardianship will always be thoroughly considered and attempted prior to pursuing guardianship. Additionally, Individuals with appropriate family members willing and able to serve as a guardian, or individuals with adequate funds to pay for the services of a professional guardian, will not be considered for public guardianship.

Guardian authority to make decisions on behalf of an individual only occurs after a court process and judicial determination that they are cognitively incapacitated and unable to make safe decisions on their own. This legal process protects the rights of individuals by ensuring that guardianship, which restricts a person's fundamental right to make their own decisions, is only granted when a person truly lacks the cognitive functioning to make informed decisions on their own. Once appointed as guardian, OPGC strives to assist every client to be as involved and to direct their own plan for their lives as much as safely possible. OPGC also identifies and secures unique and different enrichment opportunities and services to enhance our clients' quality of life.

### **Veterans Deputies Duties**

The caseload for the veteran deputies would be exclusively for veterans (as verified by the Oregon Department of Veterans Affairs or the US Department of Veterans Affairs), with each deputy serving up to 20 veterans. Beyond the direct services to these veteran clients, which would be the majority of a deputy's time, the deputies will also be receiving education on appropriate guardianship practice and veteran services, and networking for outreach and education to various programs that serve veterans in the deputies assigned geographic regions. By specializing solely on veterans and the full array of services and programs available to them in a specific region, OPGC will be able to provide the highest quality guardianship services possible to those veterans.

### **Regional Veterans HRT Meetings**

OPGC has a plan to create regional teams modeled on the High-Risk Teams (HRT) currently operated by the program. These local HRT teams bring together all of the programs in an area that have contact with vulnerable adults at high risk or the resources to address those risks. The envisioned Veteran HRT teams will serve to ensure that there is a venue to discuss all cases involving veterans at high risk to identify potential options to address those risks, including public guardianship as well as all other less restrictive options.

### **Plan for Tracking Measure 96 funds**

In order to meet the requirement of Measure 96 and ORS 406.140 OPGC will work directly with our assigned accountant at Department of Administrative Services to track, report and meet all procedural and statutory requirements for these funds. As confirmed via email communication with our DAS accountant and assigned Analyst at the DAS Chief Financial Officer's office, new codes will be established in the appropriate accounting systems to track the funds separately from other guardianship funds.

From the program side of things, the tracking should be fairly straight forward. The duties of the Veteran Specialist Deputy Guardians will be entirely related to providing high quality services and outreach specifically focused on veterans and will carry a fully dedicated veteran client caseload. Additionally, all travel expenses, IT equipment used by these deputies, and the legal costs associated with establishing

these guardianships will all be directly related to the service to veterans provided and will be tracked appropriately. Smaller purchases like office supplies will be tracked, coded and stored separately as well as IT and other support services utilized by the deputies.

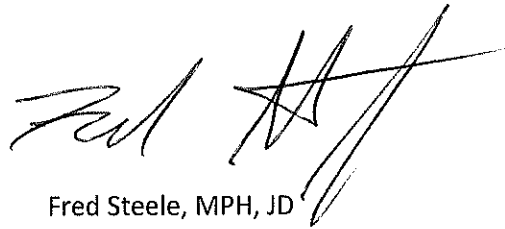
**Conclusion**

It has been an honor and a privilege for OPGC to already serve some of Oregon's most vulnerable veterans within our existing program infrastructure. Our expectation is to create a focused program under this legislation of which the Legislature and all Oregonians will be proud.

Respectfully,



Chris Rosin, JD  
Oregon Public Guardian



Fred Steele, MPH, JD  
Agency Director