

VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR PROGRAMS: EVALUATION OF PROGRAM STATUS AND OUTCOMES

EXECUTIVE SUMMARY

Introduction

The Virginia Public Guardian and Conservator Programs were established by law in 1997 in § 2.1-373.10 - § 2.1-373.14 of the Virginia Code. The 10 local programs, chosen through a request for proposal (RFP) process, are administered by the Virginia Department for the Aging. A mandated evaluation of the 10 Virginia Public Guardian and Conservator Programs was conducted over a two-year period, 2001-2002. Data were collected at approximately the same time during the fall of 2001 (Year 1) and 2002 (Year 2). Information was gathered from the programs using a password protected, web-based data collection system designed especially for this project. Five unique survey instruments were developed gather information about the administrative structure and functions of the programs, ward characteristics, the interface between the programs and wards. All of the programs participated in the Year 1 data collection; in Year 2, one of the programs chose to submit data in response to only one (i.e., Agency Profile) of the five evaluation tools (i.e., Agency Profile, Ward Assessment, Ward Care Plan, Administrative Time Log, and Ward Time Log).

Program Administration

Administratively supported by the Virginia Department for the Aging (VDA), the programs represent differing organizational models. There are seven 501C3 status non-profit organizations, two having a religious affiliation. One program, Chesapeake Guardianship Program, is housed administratively within a department of social services, and two programs, Mountain Empire Older Citizens, Inc., and District Three Governmental Cooperative, are housed within an Area Agency on Aging. Guardian of Life's Dreams is a stand-alone guardianship agency. The ten programs are contracted to serve a total of 212 wards, with each program serving between 10 and 35 persons.

Staffing of the Public Guardian and Conservator Programs remained similar across both years. The programs use a mix of full-time, part-time, and volunteer staff. At the beginning of the second year of the evaluation, programs reported having a total of 11 full-time staff, 26 part-time staff, and 44 active volunteers. Other positions, such as the program secretary and fiscal manager, were frequently funded by sources other than those provided by the agencies contracted to implement the programs.

Program Administration Time

Across all activities, the programs recorded 121.40 administrative hours in Year 1, and 82.93 administrative hours in Year 2, for an average of 10.12 and 6.91 hours per month, respectively. Consistently, the greatest amount of time was spent on "other" common everyday necessities of program administration (e.g., telephone calls, mail, maintaining files, straightening office) (M = 30.56 hours across years). Participation in program related meetings ranked second (M = 11.49 hours across years), followed by agency-related travel

(M = 11.14 hours across years). No significant differences were found in the amount of administrative time programs spent on each task in Year 1 compared to Year 2.

Costs of Operating Programs

From July 1, 2001 to June 30, 2002, the Public Guardian and Conservator Programs reported a state allotment of \$1,000,172 to operate 10 programs. Two programs supplemented their expenses with \$15,450 in grants and four programs received \$51,582 in in-kind contributions. Within these funding parameters, the average yearly cost of serving a ward across the two years was approximately \$2,955. Despite uncertain funding and lack of specific regulation and uniformity of program design implementation, the programs produced a considerable cost savings to the state—over \$2,600,000 for each year of the evaluation period. Such a cost savings indicates that the programs not only pay for themselves, but they pay for themselves over three times their funding amount in a single fiscal year.

Quality of Life Actions

Important, intangible costs savings were realized in improving incapacitated persons' quality of life. Across the two years, the majority of programs most often reported re-establishing relationships with family and friends, securing medical care and equipment, and enhancing ward socialization. Other common activities included making appropriate placements from a ward's home to a facility and arranging for wards' funerals.

Ward Characteristics, Needs, and Outcomes

Ward Characteristics

At the beginning of the two data collection periods, the ten programs were serving a total of 239 wards (Table 9). Approximately 67% (158) of the wards remained in the programs across the two years. Of the other wards being served in Year 1, 14% (32) died, and 3% (6) were transferred off the programs' caseloads before the start of Year 2 data collection. The programs served as guardian and conservator for 52.6% (120) of the wards, guardian only for 45.6% (104) of the wards, and conservator only for 1.8% (4) of the wards.

The majority of the wards (65.0%) served by the programs during the two-year evaluation period were females (58.5%) and Caucasian (72.1%). They ranged in age from 19 to 99, with an average age of 68.2 years. Nearly half (44.0%) of the wards had less than a high school education. Only 7.0% of the wards held a high school diploma, and less than 2.0% had a college degree. The majority (68.2%) of the wards had annual incomes below \$7,000; only 11.2% of the wards had annual incomes of \$11,000 or more. Most wards lived in a nursing home (59%), followed by an assisted living facility (22%); only 6% of the wards lived alone.

Health and Functional Abilities

Wards entered the program with an average of six physical and mental health problems. The most common health conditions reported were psychiatric problems (55.9%), speech problems (49.3%), vision problems (46.3%), neurological problems (38.9%), and cardiovascular problems (35.8%).

A little more than one-half (56.0%) of the wards required assistance with at least one activity of daily living (ADL). The most frequent assistance needed was human physical assistance with dressing, followed by bathing. Over 90% of the wards needed assistance with instrumental activities of daily living (IADL), including money management, transportation, shopping, meal preparation, house keeping, and laundry.

The majority of persons served were cognitively disoriented in some spheres (i.e., person, time, and place), and had problems in the areas of judgment and decision making, as well as short- and long-term memory. Almost one-half (48.9%) of the wards had a diagnosis of dementia. Approximately one-third were persons with mental retardation (36.2%) or other types of developmental disabilities (31.1%).

Ward Needs

The programs provided need information for 192 wards from ten programs in Year 1 and for 169 wards from nine programs in Year 2. Over 80% of the wards had needs in the areas of medical and physical health care, ADLs, and IADLs at both Year 1 and Year 2 of the evaluation. Other frequently reported needs were in the areas of financial assistance, nutrition, and mental/emotional assistance. Fewer than 12% of wards had employment related needs.

Overall, the actions of the public guardians consisted of monitoring and arranging for most services. These actions typically occurred at a frequency of once a month or less. Over a month's time, 175 out of 192 (91.1%) wards in Year 1 and 149 out of 169 (88.2%) wards in Year 2 received ward-specific attention or the extent to which planned activities were accomplished.

Programs spent the greatest amount of time addressing financial assistance areas, with medical/physical health ranking second in time. Except for the area of caregiver support, the total number of hours and number of wards helped increased in Year 2, although the mean hours spent per ward remained relatively stable. Across all need areas in Year 1, wards received 652.50 hours of program time, for an average of 4.7 hours per month and 846.00 hours of program time in all need areas in Year 2, for an average of 5.7 hours per month.

During the evaluation period, in Year 1, approximately half the wards had their needs addressed in the need areas with the exception of assistive devices, nutrition, and employment. During the evaluation period, in Year 2, approximately half the wards had their needs addressed in the need areas with the exception of assistive devices, and employment. For both years, some wards of the programs received attention that was not identified as areas of need on their care plans. Programs' estimates of ward face-face-to-face time were consistent with the actual time recorded by the programs across both years.

Recommendations

The 2001-2002 evaluation of the Virginia Public Guardian and Conservator Programs represents the first academic and state-of-the art analysis of one state's public guardianship system in the country. In this respect, the evaluation of the Virginia programs provides a model for the rest of the country. Overall, the public guardian programs in Virginia are

performing reasonably well serving the incapacitated citizens needing their services. Based on the evaluation, the following recommendations will enhance program operations and ward outcomes:

- The public guardian and conservator programs should have statewide coverage in order to adequately serve the citizens of the Commonwealth.
- Either regulations should be promulgated, or they should be organized into standard policies and procedures to which all programs should adhere. Such standard procedures should especially be applied to the use of ward assessment instruments, ward care plans, and time accounting mechanisms.
- A guardian-to-ward ratio needs to be established in statute, regulations, or policy. Without benefit of a specified guardian to ward ratio (written in law or regulation), the programs may fall prey to pressure to increase the number of wards they serve without a concomitant increase in funding.
- Although the reallocation of funds by the VDA is an excellent way to assure that the programs serve citizens needing services, the need for such reallocation suggests that the programs are not necessarily planning the use of their fiscal resources to the best extent possible.
- Increased fiscal support by the Commonwealth is critical to the success of the programs.
- Tangible and intangible cost savings by the programs need to be documented. The programs have produced a considerable cost savings to the state—over \$2,600,000 for each year of the evaluation period. The programs not only pay for themselves, but they pay for themselves over three times their funding amount in a single fiscal year.
- Volunteers, while providing an important function, are not without incurring real costs for the programs. The use of volunteers for guardianship services is warranted only when the programs can provide full guardian and conservator services without them.
- Even in times of fiscal constraint, the public guardians should have on-going in-service to allow them to develop and implement standardized and improved practices in the provision of guardian and conservator services.
- Out-migration of younger individuals in rural areas appears to be increasing, leaving older persons aging in place with fewer service options available to them. Meeting the needs of this population will pose new challenges for the public guardians in Virginia and will require resources sufficient to meet the challenge.
- Programs should more closely concentrate their efforts on meeting the wards' needs identified in the care plans, should review how thoroughly they plan for wards' care, and should consider whether the wards needing guardianship are appropriate for the program.
- Rigorous accountability of the programs needs to be maintained through record keeping that includes, at a minimum, standardized assessments, care plans, and time logs.
- Review of ward care plan and related documents should be no less than yearly, and, at regular intervals, each ward should be assessed for his or her continued need for a guardian as well as for the services of the public guardian program.
- Programs should provide standardized administrative information (e.g., administrative profile) yearly, especially information regarding fiscal and quality of life cost savings.
- At regular intervals, the Commonwealth should fund ongoing, independent evaluation of all of the programs to ensure protection of and acceptable outcomes for wards served by the public guardians.