

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

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<b>Action:</b>	Do Pass and Rescind the Subsequent Referral to the Committee on Ways and Means
<b>Vote:</b>	8 - 0 - 0
<b>Yeas:</b>	Frederick, Greenlick, Harker, Parrish, Thompson, Weidner, Gilliam, Tomei
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Jennifer Kellar, Administrator
<b>Meeting Dates:</b>	3/30, 4/11

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**WHAT THE MEASURE DOES:** Allows for the continuation of the Public Guardian and Conservator Task Force. Sunsets July 1, 2013. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Multnomah County only Oregon county to operate a public guardian program
- Public guardian programs provide services to person who are without family or financial resources to address their needs
- Individuals' physical and mental health conditions who utilize public guardian programs
- Public guardianship is publicly funded program to serve as legal guardian in the absence of legal resources to employ a private guardian
- Testimony indicated guardianship service recipients are resistant to services and unwilling to accept assistance
- Decline of community-based guardianship programs due to funding
- Study by task force on need for services in Oregon
- Recommendation of independent state entity model for program by task force
- Public Guardian and Conservator Task Force *Executive Summary* report

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In 1971, the Oregon State Legislature enacted Oregon Revised Statute 125.700, an enabling statute allowing counties to establish Public Guardian and Conservator Programs. According to the Department of Human Services (DHS) there is a need in Oregon for adoption of professional standards for guardians and conservators, and for coordination and oversight of statewide program standards. The Public Guardian and Conservator Task Force was created through the passage of House Bill 2237 (2009). The task force was established on June 17, 2009, by section 1, chapter 321, Oregon Laws 2009, and repealed on January 10, 2011.

Under the original task force, the Senate, the House of Representatives, the Chief Justice of the Supreme Court and the Board of Governors of the Oregon State Bar each were authorized to appoint a member, and the Governor appointed sixteen members representing various disability rights, social service and advocacy organizations. The task force was charged with studying the need and providing comprehensive recommendations to the legislature about public guardian and conservator services in Oregon. Specifically, the recommendations were to address: providing guardianship and conservator services to those not served by the private sector and those who cannot afford such services; models of like programs with quality and cost effective approaches for delivering such services; the need, efficacy, duration and resources required to establish and evaluate procedures for interim pilot programs; reviewing Oregon's existing public guardian and conservator laws and recommending legislative changes where needed; to evaluate the need for a permanent commission authorized to allocate funds to projects; and review potential alternative public and private funding sources to finance programs and projects.

4/13/2011 9:39:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*