Welcome!

Good Guardianship and Autonomy Preservation Coalition (G-GAP) Informational Kickoff

PROJECT GUARDIANSHIP

Agenda

- Article 81 Guardianship in NYS

- Project Guardianship and the Nonprofit Model

- Decision Support Needs: Organizing Advocacy and Change

- The Coalition: Good Guardianship and Autonomy Preservation

- Listening Session: What is the highest priority in meeting the care needs of your target population in your region?

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Poll

Who is in the room?
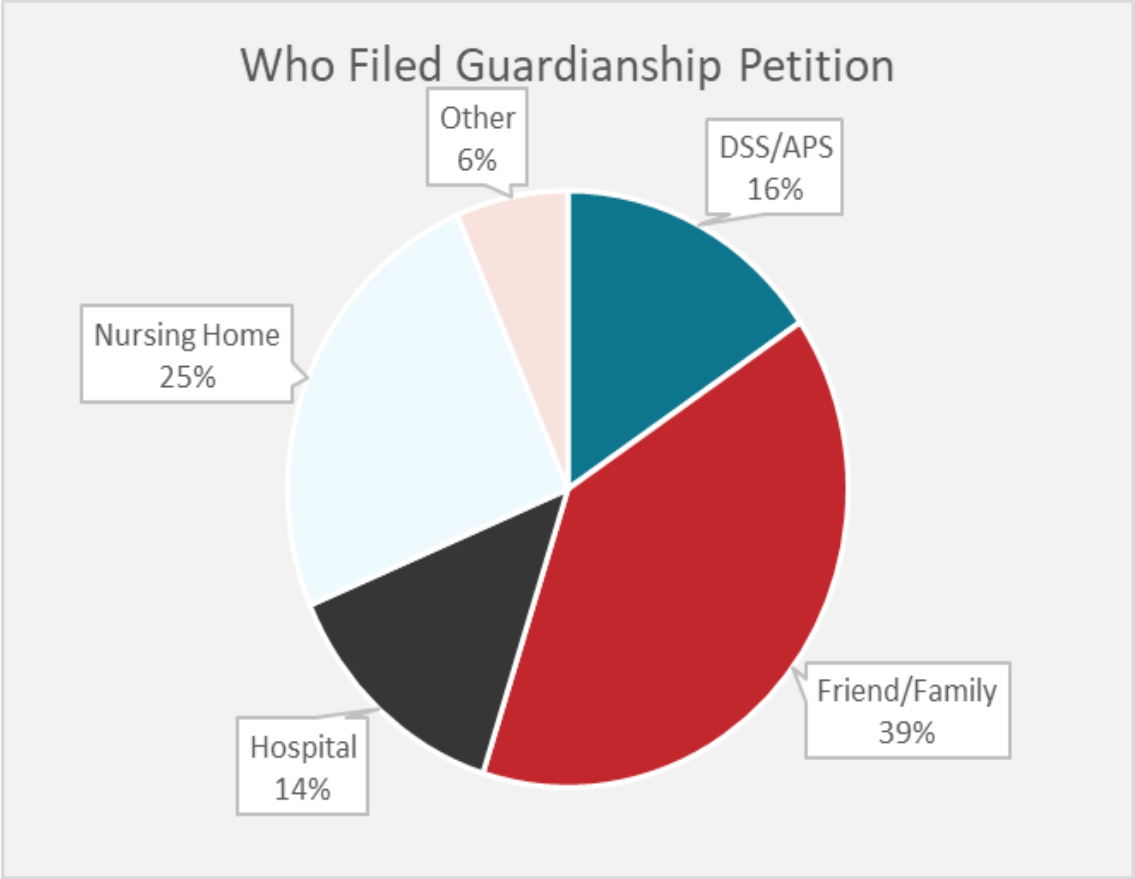
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Guardianship in NYS

- Legal tool created by Article 81 of NYS Mental Hygiene Law

- Tool of last resort

- Process can be expensive and time-consuming

- No official public guardianship program

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Who Files Art. 81 Guardianship Petitions?

June 2018-Feb. 2022

Who Filed Guardianship Petition

- Other 6%
- DSS/APS 16%
- Nursing Home 25%
- Friend/Family 39%
- Hospital 14%

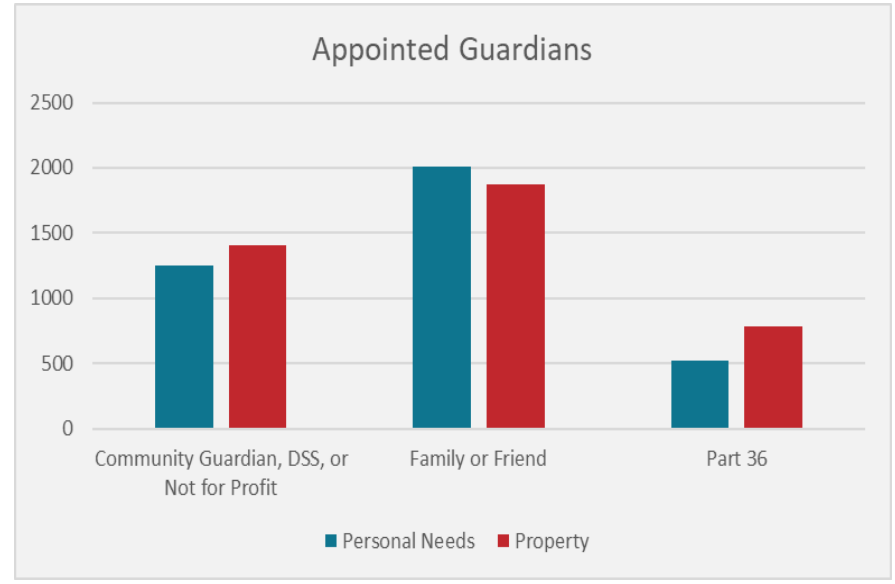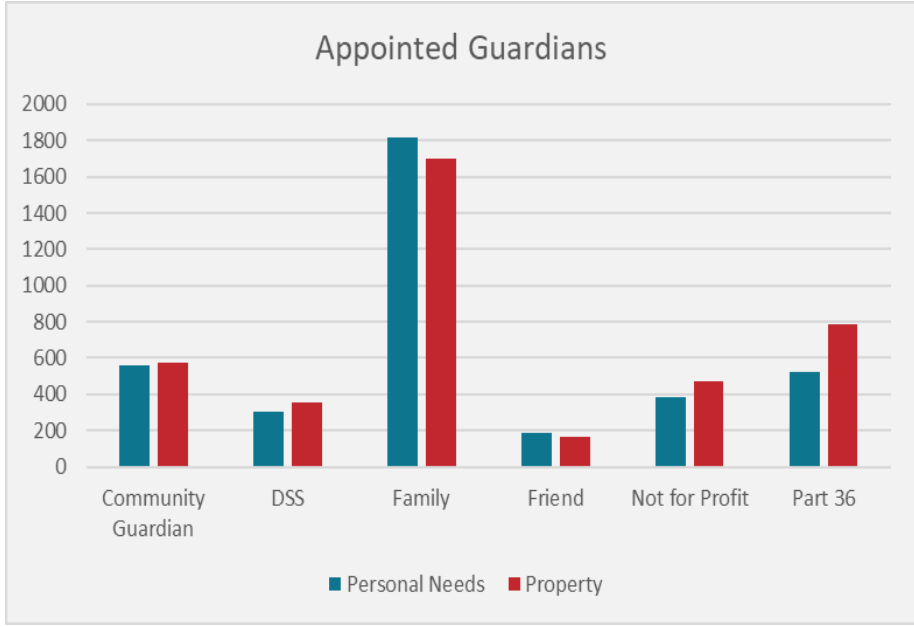NYS Unified Court System, Article 81 Data Sheets

Types of Guardians

- Lay Guardians (Family and Friends)
- Private Guardians (Part 36 List)
- NYS's Guardianship of Last Resort Scheme
  - Dept. of Social Services/Adult Protective Services (APS)
  - Community Guardian Programs (NYC)
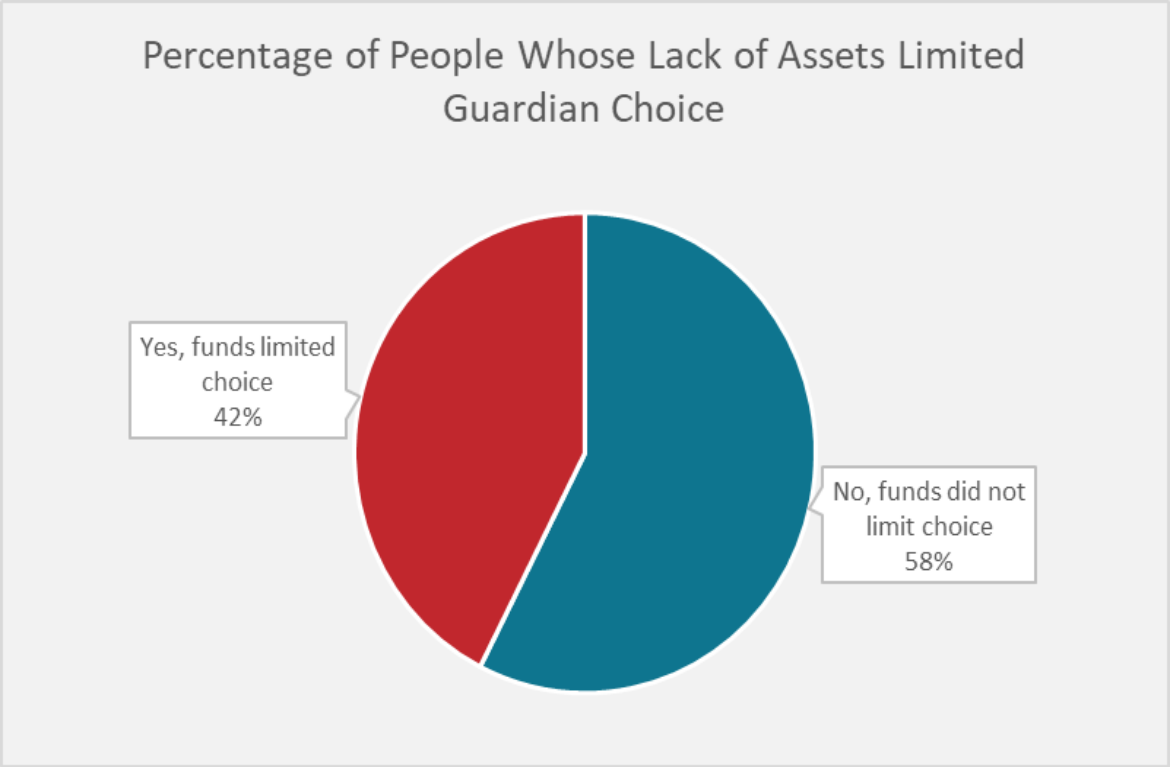 - Nonprofit Agency Guardian Programs

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Who is appointed as Art. 81 Guardian?

June 2018-Feb. 2022

NYS Unified Court System, Article 81 Data Sheets

How Often Does Lack of Assets Limit Guardian Choice?

June 2018-Feb. 2022

Percentage of People Whose Lack of Assets Limited Guardian Choice

Yes, funds limited choice 42%

No, funds did not limit choice 58%

NYS Unified Court System, Article 81 Data Sheets

Project Guardianship

Project Guardianship's mission is to provide person-centered care for older adults and individuals living with disabilities and mental illness who need help making decisions, and to transform the systems that support them to ensure safety, promote independence, preserve dignity, and advance racial and social justice.

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Our Model

- Holistic model
- Multidisciplinary team
- Individualized care planning
- Maximize autonomy
- Move back home/stay home
- Support end of life process
- No money, no problem
- Excel at the hardest cases
- Serve as co-guardian with family/friends
- Research and Advocacy

Case Mgmt

Legal Services

Financial Mgmt

Benefits Admin

Property Mgmt

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2018 Report: "Incapacitated, Indigent, and Alone: Meeting Guardianship and Decision Support Needs in New York"

- Big step in organizing advocacy and change

- **Recommendations**: 5 Categories
  - Need for Decision Support and Guardianship Services
  - Who Serves as Guardian
  - Court Process: Barriers to Effective Services and Oversight
  - National Landscape of Public Guardianship Programs
  - PG Model of Guardianship

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Implementing the Recommendations

- **2021 Elder Justice Innovation Grant** awarded by ACL to the NYS Unified Court System (UCS) to examine and improve Article 81 Guardianship
  - **Guardianship Reform in the Courts:** Data, Uniform Forms, Education/Training, Statewide survey

- Project Guardianship's 2022-23 Policy Agenda

- **G-GAP:** Good Guardianship and Autonomy Preservation Coalition

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New York needs a plan to address the needs of a growing population of older residents

51 — **Counties in New York** where the population over 60 will be more than **25%** of the population

5.3M — **Projected number** of New Yorkers over age 60 by 2030

70% — Percent of New Yorkers over age 65 who are **likely to need some form of long-term care**

Why Good Guardianship and Autonomy Preservation?

- Mandate of exploring lesser restrictive alternatives

- Availability and access to services

- Paradox: Self-determination vs. removal of rights

- "Magic Wand" use of guardianship

- Procedural safeguards to protect the rights of people subject to guardianship proceedings

- Mismatch between client's complex needs and the expertise of available guardians

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G-GAP: Goals

- Reduce reliance on guardianship

- Fill gaps in continuum of care

- Increase access to alternative decision-making support options

- Ensure equitable access to good guardianship when needed

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Why this group of people/orgs?

- Intersection of sectors: health and care coordination, mental health, aging, disability, housing, women's issues, LGBTQIA, finance, civil and criminal legal systems,...

- Viewpoints across the continuum of care

- Siloed Projects

- Geographic Diversity

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What can you get out of it?

- Education and information on topics of your choosing

- Local networking and partnership building

- A forum to raise awareness of local and sector concerns

- A voice to influence priority issues for the coalition to address

- Opportunities to participate in continuum of care reform efforts

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How can you participate?

- [Send in survey of priorities](#)
- Geographic leadership group
- Sign up for future communications
    - Webinars, Discussion Groups, Calls for Participation…

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Listening Session

What is the highest priority in meeting the care needs of your target population in your region?

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Thank You!

For questions, more information, or to share ideas:
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