

**Department of Planning and Budget
2005 Fiscal Impact Statement**

1. Bill Number SB719

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Edwards

3. Committee: Courts of Justice

4. Title: Public guardian and conservator program

5. Summary/Purpose: The bill provides that if a person is adjudicated incapacitated and in need of a guardian or conservator and the court has not identified any person to serve as a guardian or conservator within one month from the adjudication, the court may appoint a local or regional program of the Virginia Public Guardian and Conservator Program, authorized by the Department for the Aging. If there is no program within the court's jurisdiction, the court may appoint the program nearest to the residence of the incapacitated person as identified by the department. However, the court shall not appoint any program that has reached or exceeded its ideal ratio of clients to staff.

6. Fiscal Impact Estimates are: SEE ITEM 8.

7. Budget amendment necessary: No.

8. Fiscal implications: The bill would allow the courts to appoint a guardian/conservator from the Virginia Public Guardian and Conservator program. There are nine such programs in the Commonwealth, serving much of Southwest Virginia, Tidewater, and part of Northern Virginia with the remainder of the state not served. The current overall program serves about 200 incapacitated individuals. According to the Department for the Aging and based on previous studies, it is estimated that about 2,200 incapacitated individuals are in need of a guardian or conservator. At an average annual cost of \$2,500 per guardian/conservator the program would require \$5.5 million annually to serve all those that are in need. However, the bill does not allow the court to appoint the program as guardian/conservator if the ideal ratio of clients to staff would be exceeded. This means that the bill would have no fiscal impact because the program would continue to operate within its current workload.

9. Specific agency or political subdivisions affected: Department for the Aging, and the court system.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 1/18/05 / mst

Document: G\GA Sessions\2005 Session\Fis\SB719.Doc

cc: Secretary of Health and Human Resources