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HOUSE JOINT RESOLUTION NO. 673

Offered January 9, 2019

Prefiled January 8, 2019

Directing the Joint Legislative Audit and Review Commission to study the operations and performance of the Virginia Public Guardian and Conservator Program. Report.

Patrons—Roem (By Request), Aird, Hope, Kory, Levine and Rodman

Referred to Committee on Rules

WHEREAS, the Virginia Public Guardian and Conservator Program (Program) exists to support individuals who are incapacitated, indigent, and in need of assistance in making medical, financial, or daily living decisions and who have no other suitable person to serve as their guardian; and

WHEREAS, public guardians are responsible for supervising the client's medical care, overseeing residential care, monitoring social services benefits, advocating on behalf of the client, and visiting with the client in person at least once per month;

WHEREAS, across the nation, there has been a rise of cases of abuse and exploitation of adults by individuals serving as public guardians; and

WHEREAS, public guardians often have high client caseloads, making it difficult to provide a high level of oversight and care; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study the operations and performance of the Virginia Public Guardian and Conservator Program.

In conducting its study, the Joint Legislative Audit and Review Commission shall (i) compile and review data on all facets of the Program's complaint process, including the number of complaints filed yearly, the steps taken to investigate such complaints, and the outcomes of such complaints; (ii) determine the average number of clients assigned to each guardian in the Program; (iii) determine and recommend an adequate guardian-to-client ratio to ensure the highest level of oversight and care; (iv) identify potential areas for improvement for the Program; and (v) recommend steps the Program can take to address these areas for improvement.

All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2019, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2020 Regular Session of the General Assembly. The executive summary shall state whether the Joint Legislative Audit and Review Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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