

WEBVTT

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00:00:00.000 --> 00:00:11.308

8, to see well, over a 100 participants today for this webinar, my name is Matt Wagoner. I'm the information specialist statewide lead. Um.

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00:00:11.308 --> 00:00:20.550

As part of organizational efficiency, the information specialists have consolidated and taken in house processing of the guardianship packets.

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00:00:22.285 --> 00:00:35.755

And we're doing that now on a centralized basis, instead of a regional office by regional office spaces, just a reminder that all questions and requests for support are funneled through our email address.

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00:00:36.265 --> 00:00:40.914

And I'm sure we'll cover that during our, during the course of the.

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00:00:41.670 --> 00:00:54.715

The webinar I wanted to give a quick statement about what you can expect when working with the information specialists slash guardianship coordinators. Um, and what we, what we will be able to support you with.

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00:00:54.715 --> 00:01:04.284

And maybe what we won't be able to support you with overall our function in the process of requesting the office of general counsel,

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00:01:04.555 --> 00:01:04.974

um,

8

00:01:04.974 --> 00:01:12.594

file the petition for guardianship is to be to provide technical assistance for the overall completion of the packet.

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00:01:12.655 --> 00:01:20.275

Um, we are, we are able to support you in how the question should be answered.

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00:01:20.519 --> 00:01:34.739

The format that the package should be could be presented specific information that office the general counsel rule will request when reviewing to determine if they will file the petition for guardianship.

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00:01:34.739 --> 00:01:35.579

Um,

12

00:01:36.625 --> 00:01:43.194

but all our main purpose is only to provide technical assistance when it comes to the packet itself,

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00:01:43.495 --> 00:01:46.855

we're unable to provide the team with perhaps,

14

00:01:47.215 --> 00:01:47.844

um,

15

00:01:47.875 --> 00:01:49.644

information regarding,

16

00:01:49.674 --> 00:01:50.334

um.

17

00:01:50.609 --> 00:01:55.680

What might be in the best interest of the individual? Um.

18

00:01:56.515 --> 00:01:59.844

Locating a different options or resources,

19

00:02:00.144 --> 00:02:00.864

um,

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00:02:00.954 --> 00:02:15.925

we're not able to provide anything that would appear to be legal advice and we'll probably err on the side of caution and encourage teams to reach out to legal

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00:02:15.925 --> 00:02:16.854

counsel on their own,

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00:02:16.854 --> 00:02:17.995

either through legal aid,

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00:02:17.995 --> 00:02:19.735

or or other resources,

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00:02:20.004 --> 00:02:20.455

um,

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00:02:20.485 --> 00:02:31.104

but just so that we can clear up any confusion our primary purpose in in this process is to review the packet and to provide technical assistance.

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00:02:31.319 --> 00:02:38.639

Concerning the packet, and that really is. The purpose of today's webinar is to go through the packet page by page.

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00:02:38.639 --> 00:02:48.745

And let, you know, exactly what's expected and needed for us to be able to successfully submit that to the office of general counsel. So, I'm from there.

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00:02:48.745 --> 00:03:00.414

I'm going to turn it over to Stacy and Darcy, who are veteran guardianship coordinators, they regarding ship coordinators prior to the information specialists, absorbing that responsibility.

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00:03:01.314 --> 00:03:13.944

They are extremely knowledgeable and outstanding to work with. So, Stacy and Darcy, I'm going to give it to you and Stacy. I'm going to confirm your driving the slide deck. Is that correct?

30

00:03:14.219 --> 00:03:22.530

It looks like on the screen that you are. Okay. Okay. I'm driving. Okay, so I, I'm going to mute and turn it over to you Stacy.

31

00:03:26.669 --> 00:03:34.740

All right good morning everybody on Stacey on, and I'm an information specialist, and I am located in Springfield, Missouri.

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00:03:34.740 --> 00:03:43.560

And Matt, if you go to slide 2, this is just, uh, things that you should know.

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00:03:43.560 --> 00:03:53.430

When you get a blank guardianship packet right now, it starts out at 32 pages just so you're aware of the size of this.

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00:03:53.430 --> 00:04:00.745

We will not be going over every single question on every page on a packet. That would be a really long PowerPoint.

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00:04:00.805 --> 00:04:15.775

So, um, we'll just be giving an overview pretty much of each section and highlighting some of the things that we have found are frequently asked questions or common mistakes that are made when filling out the guardianship packet.

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00:04:16.079 --> 00:04:27.538

You may not be able to read each page that is on the screen as they come up and that's okay. We're just giving an overview and we're not going to be going line by line.

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00:04:27.538 --> 00:04:36.088

And on this page here, just reminding that packets need to be thoroughly completed and that they should be typed.

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00:04:36.088 --> 00:04:47.519

Uh, only exception to this is the physician's interrogatories and that's just because a lot of times physicians are too busy to sit down and type them out. So we get them handwritten quite often.

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00:04:47.519 --> 00:04:52.139

It's just important to remember that if they are handwritten, they should be legible.

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00:04:52.139 --> 00:05:05.249

Guardianship packets do become exhibits attached to the petition for guardianship that are filed with the court. So that's a good thing to remember when you're filling this out that this is going to end up being a court document.

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00:05:05.249 --> 00:05:16.319

Always consider alternatives and be prepared to explain why those alternatives are not appropriate before you pursue full guardianship.

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00:05:16.319 --> 00:05:21.088

Guardianship packets for last revised in April of 2021.

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00:05:21.173 --> 00:05:33.324

Ask that you make sure that you're using the latest version. Some of you may have older versions saved on your computers. Just ask that you get rid of those and make sure you have the current version.

44

00:05:33.324 --> 00:05:39.803

Cause, if you hand in an older version, we will ask you to convert it to the newer 1 from April of 2021.

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00:05:41.009 --> 00:05:50.098

And then just a reminder for you all that support coordinators do attend the guardianship hearing and testify in court.

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00:05:50.098 --> 00:06:00.209

And I can go to page 3. hello, I'm Darcy Armstrong and I'm with the central Missouri, regional office.

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00:06:00.209 --> 00:06:05.723

And so, where do I submit a guardianship request as of December?

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00:06:05.963 --> 00:06:19.613

1st of last year all the requests are sent to DD guardianship at damage dot dot Gov requests will go to this email and then be assigned to an information specialist.

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00:06:19.889 --> 00:06:24.059

And the specialists will handle the guardianship.

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00:06:24.059 --> 00:06:29.968

Completion and work with the support coordinator on technical assistance.

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00:06:31.228 --> 00:06:35.939

Next all right on this slide.

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00:06:35.939 --> 00:06:43.738

This is the very 1st page of the guardianship packet whenever you get it and I will say that.

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00:06:43.738 --> 00:06:58.738

As of my last check, the 1st page is not consistent with the changes that have recently happened for the submission of the packet. So I've kind of taken that a little part of that out and typed in where you can kind of see it.

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00:06:58.738 --> 00:07:06.449

Messed up a little bit in there. I typed in where the packets go to now, but whenever you get a packet, it may say something else there, but.

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00:07:06.449 --> 00:07:10.319

We're trying to get that fixed so that everything matches.

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00:07:11.488 --> 00:07:19.528

But this is just some tips that you need to go through and read. Um, prior to filling out the packet will help you as you go along through the packet.

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00:07:20.699 --> 00:07:25.348

And important to note that when you're completing a packet.

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00:07:25.348 --> 00:07:32.038

Just to make sure that the answer that you're giving matches the question that you're responding to.

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00:07:32.038 --> 00:07:46.048

Um, read the question and focus your response to that question specifically on that question. So, occasionally responses that we get to questions, don't match the questions. So they have to be redone.

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00:07:47.519 --> 00:07:57.449

And next slide is 2, and 3 of the packet consists of the checklist and, um, the.

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00:07:57.449 --> 00:08:04.048

Only exception, um, as far as designation of resident, which is number 10.

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00:08:04.048 --> 00:08:13.649

That's only required if the proposed guardian lives out of state, or if they don't, you can just put N, a all of the items on a checklist are required.

63

00:08:16.048 --> 00:08:28.649

Next okay, and in the packet, the next 4 pages of the packet will be the positions in our auditorium and.

64

00:08:29.908 --> 00:08:42.269

We're going to take a look at each of the pages of the physicians interrogatories and make some notes about specific questions on there. Just things that we need to look for. When we receive the interop territories.

65

00:08:42.269 --> 00:08:53.879
The next slide.

66

00:08:56.994 --> 00:09:07.793
You have to make sure that the professional filling out the interlocutory is qualified physician psychologists or psychiatrists it cannot be signed by a physician's assistant or nurse practitioner.

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00:09:08.124 --> 00:09:12.714
However, they can be completed by a nurse practitioner.

68

00:09:13.374 --> 00:09:28.374
Or an assistant, but they must be signed by the physician and as long as it's accepted by the physician, they review it and make sure that everything is correct and then they can sign off on it and there were interact towards must be notarized.

69

00:09:29.729 --> 00:09:34.379
And they should be no more than 6 months old when the hearing is held.

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00:09:34.379 --> 00:09:41.188
Prior to the here, and if the date on the form is nearing 6 months before the packet is submitted.

71

00:09:41.188 --> 00:09:45.808
Then please have, the physician will fill out and sign the affidavit of no change.

72

00:09:45.808 --> 00:09:53.308
That has been recently. Notarized. Excellent.

73

00:09:53.308 --> 00:10:02.639
Just a quick note on the affidavit of no change. That is something that if you run into needing 1, you just ask us for 1 and we have them.

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00:10:04.288 --> 00:10:09.149
But this next slide is the 2nd, page of the physician's in our laboratories.

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00:10:09.149 --> 00:10:16.528
And just make sure that all the questions on here have been answered and that you're able to clearly read them.

76

00:10:16.528 --> 00:10:21.208
Pointing out that number 10.

77

00:10:21.208 --> 00:10:33.448
The question is, do you consider so and so to be incapacitated, and that is unable by reason of any physical or mental cognitive condition that they lack the capacity to manage their own.

78

00:10:34.528 --> 00:10:45.568
Requirements of food, clothing, shelter, safety, medical care and such you need to make sure that this question says yes, because this is basically where they're giving their recommendation that this person needs a guardian.

79

00:10:47.519 --> 00:10:54.208
The next slide number 12 of the physician interrogatories.

80

00:10:54.208 --> 00:10:57.269
You need to make sure that it says yes for conservator.

81

00:10:57.269 --> 00:11:03.178
And that is provided by the physician's recommendation and as well as number 14.

82

00:11:03.178 --> 00:11:06.298
The answer must be a.

83

00:11:06.298 --> 00:11:18.328
Consistent as far as the least restrictive environment, if the physician recommends a natural home versus the SC, recommending a residential placement.

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00:11:18.328 --> 00:11:26.458
The team needs to come together and make that final decision and consult with the physician, because they have to be consistent.

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00:11:26.458 --> 00:11:31.769
Excellent.

86

00:11:33.418 --> 00:11:39.298
All right, this is the last page of the physician's interrogatories.

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00:11:39.298 --> 00:11:44.668

And just you need to note that number is 15 and 16.

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00:11:44.668 --> 00:11:59.578

Do you believe it would be in their best interest to appoint a guardian?
Do you consider it would be in their best interest to appoint a
conservator? So obviously either 1 or both of these should say yes,
depending on what's being applied for.

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00:11:59.578 --> 00:12:11.249

Make sure that the position has signed it and also make sure that it has
been notarized and dated and that the date cannot be more than 6 months
old.

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00:12:11.249 --> 00:12:24.563

Um, if it is approaching 6 months, Mark, like, if you're just now turning
in your guardianship packet, and let's say the physicians interrogatories
are 4 or 5 months old. Gotta remember that.

91

00:12:25.014 --> 00:12:29.124

It has to be gone through for any corrections.

92

00:12:29.124 --> 00:12:40.073

And it also has to sit for a little bit while waiting on a court date so
approaching 4 or 5 months and you haven't submitted it yet then you
probably want to go ahead and ask us for an affidavit if no change.

93

00:12:40.073 --> 00:12:46.193

So that we can have that with it and not cause any further delays when we
turn it into general counsel.

94

00:12:46.798 --> 00:12:56.668

Next slide and on page is 8 through 11 in the packet, or the case manager
statement.

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00:12:58.649 --> 00:13:02.969

We're gonna look at each page on the case manager statement.

96

00:13:02.969 --> 00:13:07.078

Individually go on to the next.

97

00:13:09.599 --> 00:13:14.458

As I know that this is a big 1 that concerns everyone.

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00:13:14.458 --> 00:13:26.369

The 1st, page of this is just general information. This is where you'll list your place of employment, your position, your educational background, your contact with the client.

99

00:13:26.369 --> 00:13:34.469

Or also the proposed word either way you'll see that it interchanged in this presentation. Um.

100

00:13:35.153 --> 00:13:49.974

And then, who currently has custody of the client, and a note on here, if the support coordinator changes prior to the packet being submitted, which happens pretty often, um, it does not need to be redone.

101

00:13:50.094 --> 00:14:00.744

However, you do need to update it with the current support coordinator's information and the cover letter should include the current information of the new support coordinator.

102

00:14:01.019 --> 00:14:12.839

And again, case managers statements can't be more than 6 months old, either when the court hearing is held. If they're getting close to 6 months, then we would do the affidavit of no change.

103

00:14:12.839 --> 00:14:17.009

The next slide.

104

00:14:17.009 --> 00:14:21.208

The next page of the case manager statement.

105

00:14:22.619 --> 00:14:28.109

Everything needs to be in detail as as much as detail as possible.

106

00:14:28.109 --> 00:14:34.948

And answered thoroughly because this will also assist with the se testifying in court and make it easier for them.

107

00:14:34.948 --> 00:14:43.859

So, if you can provide as many details as possible for most of all the questions throughout the entire case manager statement.

108

00:14:43.859 --> 00:14:48.958

It will be very helpful for general counsel as well as the.

109

00:14:51.719 --> 00:14:57.899

Okay, I was reading a chat, um.

110

00:14:57.899 --> 00:15:05.489

On this page question, 16 and 17, um, does this placement.

111

00:15:05.489 --> 00:15:11.818

Place the least possible restriction on the proposed words personal liberty you just need to make sure that.

112

00:15:11.818 --> 00:15:15.269

You know what we're recommending and where they're at is.

113

00:15:15.269 --> 00:15:19.229

Uh, the least restrictions on this person.

114

00:15:20.278 --> 00:15:24.448

You have as many details as you can when you answer these questions.

115

00:15:25.649 --> 00:15:33.448

And it says avoid brief answers and explain why, uh, important thing to remember is just questions and answers. So just go through it.

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00:15:33.448 --> 00:15:42.178

Whatever the question's asking answer that put as many details as you can in there as possible. It does help you later on as you are testifying in court.

117

00:15:43.288 --> 00:15:47.759

On number, 18 here make sure you provide the full name and relationship.

118

00:15:47.759 --> 00:15:51.269

To the proposed ward of the proposed Guardian on here.

119

00:15:51.269 --> 00:15:54.899

Like, you put Jane Doe.

120

00:15:54.899 --> 00:15:59.099

His his mother or public administrator in their name.

121

00:15:59.099 --> 00:16:11.333

County wouldn't hurt number 19 note any exceptions if the proposed guardians, public administrators. So there are a few questions on here that you need to make sure you read all the way to the end cause.

122

00:16:11.333 --> 00:16:19.703

Sometimes at the end of the sentence, it'll say you don't have to do this if it's the public administrator. So just keep an eye out for that as you go through it.

123

00:16:19.979 --> 00:16:30.413

And next slide, this is the final page of the case manager statement and, uh, case manager, signature needs to be on there.

124

00:16:30.443 --> 00:16:38.183

And this also needs to be notarized and that the date signed is not nearing or passed a 6 month. Mark, similar to the doctors interrogatories.

125

00:16:38.399 --> 00:16:49.828

And I see in chat, somebody had just asked, do the SD forms need to be notarized and yes, they do yes, yes. We won't be accepted if they are not notarized.

126

00:16:51.688 --> 00:16:57.778

Next all right now, this is the financial statement.

127

00:16:57.778 --> 00:17:04.919

And personal property, and this is the statement for the proposed Ward and not the proposed Guardian.

128

00:17:06.239 --> 00:17:15.239

Things on here, checking accounts, savings accounts, do they have any stocks and bonds? Do they own any vehicles or any other type of personal property?

129

00:17:16.499 --> 00:17:22.409

Um, important, just if it's not applicable to them or.

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00:17:22.409 --> 00:17:35.429

You know, they don't have it then just write in a 0 balance or something like that. There, instead of leaving it blank the way we know that, you know, you looked at it and addressed it and it wasn't just skipped because.

131

00:17:35.429 --> 00:17:47.368

If it's blank on savings accounts, then do we know do they not have any savings accounts? Or do we just not answer that? So just make sure that you either put in a, or 0 If it's not applicable to them on here.

132

00:17:48.503 --> 00:18:01.943

Next slide, like Stacy said, that you only include the income of the consumer, and not the proposed Guardian, and if there's something not applicable right?

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00:18:01.943 --> 00:18:10.433

And a, and do not leave a blank and all the, um, income all the income needs to be thoroughly explored and make sure that, um.

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00:18:10.709 --> 00:18:17.999

Like I said, if you don't find anything, or if there is nothing, then just put however, everything needs to be explored.

135

00:18:19.588 --> 00:18:33.868

This is a little bit simpler because it's the individual's income and not to propose Guardian and I'd say most of the time we're just dealing with Social Security or payments. Occasionally they do have some other.

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00:18:33.868 --> 00:18:41.939

Income that they have coming in, but I say, typically it's and it makes it a little bit easier to fill out.

137

00:18:43.259 --> 00:18:50.038

And this is the list of relatives.

138

00:18:50.038 --> 00:18:56.159

So, when you fill out a guardianship packet, you are going to have to locate relatives.

139

00:18:57.298 --> 00:19:02.368

And you may have to conduct a due diligence search for family members.

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00:19:03.509 --> 00:19:09.898

If there are any known close and suitable family members who are unwilling to become Guardian.

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00:19:09.923 --> 00:19:23.663

Or, and you need to have them sign a statement that indicates that they are not willing to serve and that they agree to the proposed Guardian. Now in a perfect world you would get everybody to do that.

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00:19:24.114 --> 00:19:30.683

But we live in an imperfect world, and a lot of times you either can't find them or they'll refuse to write. 1.

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00:19:31.433 --> 00:19:41.183

if that's the case, then they just ask that you include a copy of the letter that you sent to them and send it in with the packet. That way.

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00:19:41.183 --> 00:19:48.564

We get an idea of what efforts were made to find them, even though they refused to cooperate or you couldn't find them.

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00:19:50.098 --> 00:19:54.719

And you would just list any adult siblings or adult children, or, uh.

146

00:19:54.719 --> 00:19:58.648

Parents next up.

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00:20:01.078 --> 00:20:05.878

The slide that continues on with the, with the previous side had said, as far as.

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00:20:05.878 --> 00:20:17.038

Siblings and address and age, however, there's something called other close relatives and close relatives does not mean people that are in close proximity of the consumer.

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00:20:17.038 --> 00:20:21.778

This means close some bloodline uncle grandparent, et cetera.

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00:20:21.778 --> 00:20:26.909

We need to also make sure that you list any other adults living with the individual.

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00:20:26.909 --> 00:20:34.709

Non the major clients, and it was very large, prohibits the court from appointing.

152

00:20:34.709 --> 00:20:43.229

And unrelated 3rd party as a guardian or conservator, unless there are no other route suitable relatives that are willing to serve.

153

00:20:43.229 --> 00:20:52.378

Right so that's the why that's that's why we have to find the relatives because it is in Missouri law, and we have to have a, do.

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00:20:52.378 --> 00:20:57.479

Due diligence when it comes to family, all reasonable efforts correct?

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00:20:58.919 --> 00:21:07.229

All right, this is the list of the steps taken to locate relatives.

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00:21:08.429 --> 00:21:12.209

Were you able to locate an address for the mother and father.

157

00:21:12.209 --> 00:21:15.598

Addresses for brothers and sisters.

158

00:21:15.598 --> 00:21:26.459

Adult children, but basically this is all of the people that you either were, were not able to locate you would put that down on here.

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00:21:26.459 --> 00:21:38.038

If they do not have any children or siblings don't leave it blank, just put in a, on there. So we know that it just wasn't skipped.

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00:21:38.038 --> 00:21:41.939

If you answer no to any of.

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00:21:41.939 --> 00:21:45.298

1, through 5, then.

162

00:21:45.298 --> 00:21:53.848

You need to finish number 6 and make sure that you go through the steps and initial each 1 of those blanks on number 6.

163

00:21:53.848 --> 00:21:58.558

It's where you document the due diligence efforts that you.

164

00:21:58.558 --> 00:22:03.118

Did to look for the family members.

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00:22:03.624 --> 00:22:11.963

Yeah, next slide just for information for guardians and contributors.

166

00:22:11.993 --> 00:22:23.394

This includes, um, the duties that they're going to have and, uh, the obligation that they're going to have over the conservator or, excuse me over the consumer, being their guardian.

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00:22:23.669 --> 00:22:34.048

And there are, I believe, 9 scrub duties that the consumer proposed guardian needs to review.

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00:22:34.048 --> 00:22:40.648

With, um, signature and the date that they review it, and they must sign it however.

169

00:22:40.648 --> 00:22:44.128

If the post Gordon is public administrator.

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00:22:44.128 --> 00:22:47.219

They do not need to send this page. Nobody needs to sign it.

171

00:22:49.078 --> 00:22:54.179

And again, that's something that you can see on the checklist at the beginning of the packet but.

172

00:22:54.179 --> 00:22:57.239

The forms in this part that can be skipped.

173

00:22:57.239 --> 00:23:04.259

For the different scenarios, like, whether or not it's the public administrator or a parent.

174

00:23:04.259 --> 00:23:07.409

An adult sibling, or an adult child uh.

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00:23:07.409 --> 00:23:11.729

Many of these forms that we're getting ready to go through can be skipped in those.

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00:23:11.729 --> 00:23:15.989

Scenarios, um, and then this.

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00:23:15.989 --> 00:23:21.358

Next slide is the background screening form.

178

00:23:22.679 --> 00:23:30.239

And again, you don't have to include it. If the proposed guardian is the public administrator or a parent child built siblings.

179

00:23:30.239 --> 00:23:36.808

It's pretty self explanatory on the background screening and then you go to the next slide.

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00:23:38.519 --> 00:23:51.479

Maybe just the instructions on how to complete the background screening. Like, basically just said, do not include if the guarding proposed guardian is, um, the public administrator or parent, adult child or adult sibling.

181

00:23:51.479 --> 00:23:57.088

And it shows where to send the screening to, in order to have processed.

182

00:23:57.088 --> 00:24:04.348

As well as all the instructions, all right next.

183

00:24:04.348 --> 00:24:07.709

This is the consent to appointment.

184

00:24:07.709 --> 00:24:19.288

And the proposed guardian 3, people who do not live with them, that will know there were about on this page, uh, need to make sure that this.

185

00:24:19.288 --> 00:24:26.159

1 isn't skipped do not include if the proposed audience, the public administrator.

186

00:24:27.689 --> 00:24:34.588

It's pretty self explanatory on this, make sure you put the last 4 digits of the social security number on number 6.

187

00:24:34.588 --> 00:24:39.328

And then we have to sign it and date it.

188

00:24:39.328 --> 00:24:44.068

That's just saying that they agree to appointment as guardian.

189

00:24:51.749 --> 00:24:59.548

This page is only applicable if the postcard analytics outside of the state of Missouri and.

190

00:24:59.548 --> 00:25:06.538

They don't need to fill it out the resident and the signature and the date and send it back in to.

191

00:25:06.538 --> 00:25:10.288

The SC, or to be submitted with the.

192

00:25:10.288 --> 00:25:14.009

Guardianship packet. Oh, that's.

193

00:25:14.009 --> 00:25:18.209

Just f, the proposed guardian is out of state.

194

00:25:21.328 --> 00:25:27.778

Right. So it's important to remember. There's an extra form to fill out if they preside out of state.

195

00:25:27.778 --> 00:25:31.108

Correct.

196

00:25:34.193 --> 00:25:34.703

All right,

197

00:25:34.763 --> 00:25:45.923

the next 3 pages of the guardianship packet will be the domicile statement and this is just information on where the client currently resides,

198

00:25:46.044 --> 00:25:46.403

um,

199

00:25:46.433 --> 00:25:50.363

as well as their prior residences for up to 3 years.

200

00:25:50.933 --> 00:25:54.953

And we're gonna take a closer look at page 25 of the packet.

201

00:25:58.679 --> 00:26:08.729

Number 4 says this patient in property in this county, or any other county in Missouri, and this needs to be explored and so you can put in specific answers.

202

00:26:08.729 --> 00:26:12.838

And if they own any other property in any other state.

203

00:26:12.838 --> 00:26:15.743

That needs to be explored as well thoroughly explored,

204

00:26:15.773 --> 00:26:16.523

and on the date,

205

00:26:16.523 --> 00:26:30.743

when they 1st entered the mental health system and this is important to make sure you answer it completely at the age and complete address where they were living as family 1st entered the mental health system and how long they were at at this

206

00:26:30.743 --> 00:26:31.584

address.

207

00:26:31.648 --> 00:26:37.019

Cannot leave any of these blank cannot put and they need to find out all the information.

208

00:26:38.939 --> 00:26:43.409

Yeah, that's a common 1 that, uh, is often overlooked or.

209

00:26:43.409 --> 00:26:47.159

Not answered on all of the sections.

210

00:26:47.159 --> 00:26:56.219

Slide and information needed for confidential filing.

211

00:26:56.723 --> 00:27:06.743

There's a couple of places on here, where you just need to make sure that you put the whole social security number and not just the last 4 that's a mistake. Commonly made.

212

00:27:06.983 --> 00:27:12.232

We often get them with the last 4 digits on there to get the whole social security number.

213

00:27:12.538 --> 00:27:17.548

And then note exceptions on this page, for the public administrator.

214

00:27:26.638 --> 00:27:34.528

On this page, um, statement regarding proposed Guardian, who did you consider to serve as guardian and or conservator? You must.

215

00:27:34.528 --> 00:27:43.048

But other people, other than the current 1 that you are recommending, you just have to state. Who did you consider? Who did the team consider.

216

00:27:43.048 --> 00:27:47.429

And then number 6, this is very important as well.

217

00:27:47.429 --> 00:27:52.979

You need to stay why you are not recommending family members or a certain family member.

218

00:27:52.979 --> 00:27:56.818

And as far as why they are considered.

219

00:27:56.818 --> 00:28:04.108

Not being guarding or conservator even if you have considered them, why they are not being recommended.

220

00:28:04.108 --> 00:28:09.538

Make sure that you list all the adults, including the list of.

221

00:28:09.538 --> 00:28:12.868

Relatives, they are also on the form.

222

00:28:12.868 --> 00:28:17.038

Right. So basically the list of relatives.

223

00:28:17.038 --> 00:28:25.709

And this form the statement regarding the proposed guardian need to match. So any adult that you listed on the list of relatives.

224

00:28:25.709 --> 00:28:29.519

Needs to be listed on this page as well.

225

00:28:34.588 --> 00:28:41.398

Next slide, this is just a list of the prospective witnesses.

226

00:28:41.398 --> 00:28:44.909

And, um, you have the physician.

227

00:28:44.909 --> 00:28:51.328

Uh, service coordinator, the proposed Guardian, and then anybody else that might be.

228

00:28:52.919 --> 00:28:58.019

On the witness list, this is just where you put their contact information on there.

229

00:28:58.019 --> 00:29:02.128

Next slide.

230

00:29:03.179 --> 00:29:06.628

This is a statement regarding any pending criminal charges.

231

00:29:07.739 --> 00:29:14.038

There are criminal charges and you need to put. Yes. And then you need to explain and complete the following.

232

00:29:14.038 --> 00:29:21.568

Uh, number 1 in descriptions and what the case number is, and you can probably find this under casement.

233

00:29:21.568 --> 00:29:28.108

And if the answer is no to question 1, then you move straight to question 2.

234

00:29:28.108 --> 00:29:34.409

And any other background history, criminal history that the team, or you are aware of, or the provider.

235

00:29:34.409 --> 00:29:41.429

And then that needs to be described in life if there are any other past.

236

00:29:44.009 --> 00:29:48.778

All right and that would complete the guardianship packet.

237

00:29:48.778 --> 00:29:58.048

So now.

238

00:29:58.048 --> 00:30:02.219

Matt that you'd want us to go through questions in the chat.

239

00:30:02.219 --> 00:30:09.778

Yeah, I think it's a good idea um, to to kind of start going through questions in chat. Um, we've got the time.

240

00:30:09.778 --> 00:30:24.534

Uh, we scheduled a lot more time than we needed just so that we, you know, we, we could get through questions and and provide some support some questions. We'll be able to answer today. Some questions we'll have to respond and the frequently asked questions.

241

00:30:26.544 --> 00:30:39.834

So, I'm fine, I'll go through and I'll read them out and we can answer them. Okay. 1st question is from Joseph. He's got a successor guardianship packet that needs to be completed pretty quickly.

242

00:30:41.368 --> 00:30:51.598

He has some questions about getting it filled out and that an attorney is asking for 800 dollars minimum to to do the packet. So.

243

00:30:52.858 --> 00:31:05.334

I hope that Joseph, it doesn't look that was more of a statement than it is a question. So, Joseph, if you have further questions, you can email the guardianship questions towards DD guardianship but dot Gov.

244

00:31:05.364 --> 00:31:11.153

If we haven't thoroughly answered your question, or if we've got time, you can put it in chat.

245

00:31:11.249 --> 00:31:24.509

Um, the training is being recorded, um, PowerPoint transcript. Q. and a, all of that will be posted. Um, can you place guardianship packet location in the chat? So, um.

246

00:31:24.509 --> 00:31:38.759

So, we can do 1 of 2 things when you reach out. So typically, when you reach out to the DD guardianship, initially, I typically respond to those questions. We have some boilerplate language that we.

247

00:31:38.759 --> 00:31:48.419

Uh, put in an email to you and to the team to begin considering before we jump right into doing a guardianship packet.

248

00:31:48.419 --> 00:31:54.898

About pursuing multiple other options, or exploring other options, such as.

249

00:31:54.898 --> 00:32:05.753

You know, supported decision, making durable power of attorney could you could this could have been individuals needs to be met with a rep, Peggy, things like that.

250

00:32:06.683 --> 00:32:17.153

But we will also typically provide the, the packet to you. Um, the packet is also out on the office of general Council's webpage.

251

00:32:17.489 --> 00:32:31.199

Under forms, so it is available there, but typically, as we move forward, we'll we'll provide you with the most up to date packet. It bears saying now.

252

00:32:31.199 --> 00:32:42.868

We've had it happen recently that, you know, a packet was submitted to us on the wrong form and we had to return it. Um.

253

00:32:42.868 --> 00:32:50.699

To the to the team to be changed. So it is very important, um, to ensure that the packet you have.

254

00:32:50.699 --> 00:32:55.439

Is is the 1 dated April of 2021?

255

00:33:01.199 --> 00:33:06.298

Matt, if you'd like, I can read the questions to, you have collected them all.

256

00:33:06.324 --> 00:33:19.644

Okay, yeah, that'd be great. I think it'd be easier for you can track it and track. Okay we have 1 from Monday brown. Are there any supports available to help in to help in person?

257

00:33:19.673 --> 00:33:25.733

Get interrogatories completed when physicians refuse to provide, because the person cannot give consent.

258

00:33:29.489 --> 00:33:36.659

Darcy Stacy. Have you ever run into this? I've never run into that specifically. Um, they've.

259

00:33:36.659 --> 00:33:39.749

Always been able to get interop stories from a physician.

260

00:33:39.749 --> 00:33:45.179

However, um, I suppose it is something that could, uh.

261

00:33:45.179 --> 00:33:52.078

Be court ordered I agree. And I also have never run into that issue.

262

00:33:52.078 --> 00:33:59.189

I guess our response is going to be that might be a question that we have to run past general counsel.

263

00:33:59.189 --> 00:34:10.228

Um, to get them to weigh in on so we may we are not going to have a specific answer today, but it is something that we'll put on the frequently asked questions.

264

00:34:12.539 --> 00:34:17.909

Hey, from Cheryl.

265

00:34:17.909 --> 00:34:22.588

There used to be a 2 page in a regulatory. Is that still able to be used.

266

00:34:24.148 --> 00:34:29.068

Uh, you need to use the interop stories that are provided in this specific packet.

267

00:34:32.338 --> 00:34:43.349

Did it? I'm sorry go ahead. Just as you know, as a statement the packet that's dated April of 2021 is the packet that has to be used. Um.

268

00:34:43.349 --> 00:34:47.188

Any other iteration is is considered invalid.

269

00:34:47.188 --> 00:34:50.728

And, and just plan on using the packet.

270

00:34:50.728 --> 00:34:54.148

It's a 32 page document plan on using that.

271

00:34:57.239 --> 00:35:03.509

From Christine, do the SC forms need to be notarized and yes, you've covered that.

272

00:35:03.509 --> 00:35:07.228

Yep um, Marie.

273

00:35:07.228 --> 00:35:16.349

Is at, except is it acceptable for a physician to use their own form rather than the provided in.

274

00:35:17.759 --> 00:35:20.998

I would say say, no.

275

00:35:20.998 --> 00:35:29.009

The quick answer to that is no, there's a longer answer to that. That is a, maybe and that would be if.

276

00:35:29.009 --> 00:35:32.639

The form that they were using.

277

00:35:32.639 --> 00:35:39.298

Stated that there were that they approve of the interop stories that were.

278

00:35:39.298 --> 00:35:44.608

Build out by the or the nurse practitioner, then they signed the.

279

00:35:44.608 --> 00:35:47.639

The forms, like saying, they don't have to.

280

00:35:47.639 --> 00:35:56.759

They didn't have to fill out the questions on the physician's interrogatories. So long as they sign off on them and say that they agree with them.

281

00:35:56.759 --> 00:36:02.938

However, it's a lot easier if you just have the physician fill out that provided.

282

00:36:02.938 --> 00:36:09.989

And I think just to clarify Stacy, I think they're asking if they have their own, the doctor has their own.

283

00:36:09.989 --> 00:36:17.938

Right and I'm saying it's on that form that the doctor has, he says, I approve of the inter op stories.

284

00:36:17.938 --> 00:36:22.318

Sign off on by, you know, so, and so.

285

00:36:22.318 --> 00:36:28.739

So, I think the easy question is always use the packet day to April of 2021. yeah.

286

00:36:28.739 --> 00:36:36.449

What would be the name of the savings account if it's through the.

287

00:36:44.369 --> 00:36:47.699

I'm not exactly sure what that means.

288

00:36:53.278 --> 00:36:56.938

Maybe the person that posted that could, um.

289

00:36:56.938 --> 00:37:00.929

Verify that a little bit in the chat. It was like a healthy.

290

00:37:00.929 --> 00:37:04.048

I'm assuming.

291

00:37:06.509 --> 00:37:13.318

We just need to make sure that if they do have a health savings account that, you know, it's listed, maybe under savings accounts.

292

00:37:16.438 --> 00:37:23.608

Lisa, do you have a list of able account a B. L. E account.

293

00:37:25.108 --> 00:37:31.798

I do not. I do not Joanna.

294

00:37:31.798 --> 00:37:43.289

Okay, and I was always told that the proposed guardian needs to work on finding the relatives not us. Is that not the case.

295

00:37:44.818 --> 00:37:51.208

That is not the case, because you don't know the dynamics of the family and.

296

00:37:52.528 --> 00:37:57.208

The proposed Guardian would just give you any information that they want to give you.

297

00:37:57.208 --> 00:38:02.579

So, do we.

298

00:38:02.579 --> 00:38:06.148

Yeah, we're responsible for due diligence search.

299

00:38:06.148 --> 00:38:13.110

This question is if the individual is currently their own Guardian.

300

00:38:13.110 --> 00:38:25.105

The team wants to pursue guardianship and the individual currently disagrees with you contacting family or a doctor to pursue guardianship. Is it a HIPPA violation? If we contact others?

301

00:38:25.315 --> 00:38:28.164

But they requested us not to contact.

302

00:38:31.050 --> 00:38:40.170

I think that's a question that I would take to general counsel. I would agree.

303

00:38:44.340 --> 00:38:52.349

Mika would like to know, does the information for Guardian guardians and conservatives form have to be notarized.

304

00:38:52.349 --> 00:39:01.800

No, it does not just the interrogatories and the case management.

305

00:39:04.619 --> 00:39:12.329

Statements signed by family members, stating that they agree to the proposed Guardian, have to have statement notarized.

306

00:39:12.329 --> 00:39:15.630

No, they do not. They can, um.

307

00:39:15.630 --> 00:39:22.110

Be even handwritten as long as it's legible just as long as it's something saying that.

308

00:39:22.110 --> 00:39:25.949

They were asked and, you know, Here's why they decline.

309

00:39:25.949 --> 00:39:36.809

And then sign and date it. So, if the public administrator is the proposal already, and you have to go through this process now.

310

00:39:36.809 --> 00:39:45.420

It's a question in the past the pH and our county petitions for guardianship, without these documents being completed.

311

00:39:46.860 --> 00:39:51.210

There are different scenarios.

312

00:39:51.210 --> 00:39:54.659

Uh, it's going through then.

313

00:39:54.659 --> 00:39:57.840

This is the way you would do it.

314

00:39:57.840 --> 00:40:10.110

And this guardianship documentation be completed for an individual who needs limited guardianship.

315

00:40:11.460 --> 00:40:25.110

Yes, this can be completed for limited guardianship. What documentation is needed in order to contact relatives what a release of information have to be done for each person to be contacted.

316

00:40:25.110 --> 00:40:28.289

What, if the consumer is not in agreement.

317

00:40:31.860 --> 00:40:35.340

2nd part of that question, I would probably.

318

00:40:35.340 --> 00:40:44.610

Ask general counsel for further clarification on that. And the 1st, part of that is, uh, if you want to draw up a letter.

319

00:40:44.610 --> 00:40:49.469

Uh, that doesn't give a lot of specific information, but just a letter to.

320

00:40:49.469 --> 00:40:53.550

The last known address of any family member, and then, um.

321

00:40:53.550 --> 00:41:03.329

Track the progress of that letter and then that's if you can't find them or if they refuse, that's what you would include with the packet.

322

00:41:06.599 --> 00:41:12.360

And what if the consumer is not in agreement that's the part that I would ask.

323

00:41:12.360 --> 00:41:16.829

General further clarification on.

324

00:41:16.829 --> 00:41:22.619

Do we need to seek out biological relatives if an individual has been adopted?

325

00:41:27.750 --> 00:41:34.110

I'm not like that for sure. Right? I would never run into that. I haven't.

326

00:41:34.110 --> 00:41:37.469

Um, but if the right for terminated.

327

00:41:37.469 --> 00:41:40.769

Yeah, right for terminated then I would say no.

328

00:41:42.960 --> 00:41:54.059

I mean, technically they are biological, but they don't have any parent words to that consumer. Right? Cause if adoption is the seeing of any sort of parental rights of biological.

329

00:41:54.059 --> 00:42:02.940

Parents in reference to the domicile, uh, part of the document, what if the ward.

330

00:42:02.940 --> 00:42:11.579

Is homeless well, then I think you would just note that they are homeless and, um.

331

00:42:11.579 --> 00:42:16.500

Probably, you know, if they're staying in a shelter or somewhere list.

332

00:42:16.500 --> 00:42:21.000

Wherever they're seeing it in detail.

333

00:42:22.889 --> 00:42:28.199

If the client is a child aging out of children's division, and the CD worker is out.

334

00:42:28.199 --> 00:42:38.670

Of 1 County, and the child lives in another county. I'm guessing we contact the in the county that they live in not the county. They came from.

335

00:42:41.219 --> 00:42:45.869

Yeah, it's my understanding, it would be the county that the their residence is in.

336

00:42:50.670 --> 00:42:58.500

The 2 separate documents need to be completed if the team is seeking Co guardianship.

337

00:43:01.019 --> 00:43:08.670

Co guardianship is a fun question, because it was my understanding that, uh, DMA does not.

338

00:43:08.905 --> 00:43:22.855

Do Co, Guardian ships, unclaimed, property site, be a key access to see if the consumer has property they may not know about.

339

00:43:23.335 --> 00:43:26.454

And if so, what documentation would need to be given.

340

00:43:27.989 --> 00:43:32.400

I've never had that come up, but, uh.

341

00:43:32.400 --> 00:43:38.219

That's probably something I'd have to look a little more into for an answer to that.

342

00:43:41.730 --> 00:43:52.110

What circumstances is this packet completed? I have had individuals and their guardians go through the guardianship process on their own and I have not been involved.

343

00:43:52.110 --> 00:44:00.269

I don't know, I understand the questions.

344

00:44:00.269 --> 00:44:06.929

So that's a good private guardianship with their own legal counsel. Um.

345

00:44:06.929 --> 00:44:11.699

We wouldn't be involved. I mean, if there's still consumer in our.

346

00:44:13.019 --> 00:44:21.030

Then I would expect the team or SC to become aware or to, um.

347

00:44:21.030 --> 00:44:28.500

Reach out to the consumer, and everyone involved in a consumer's life to find get some information.

348

00:44:28.500 --> 00:44:31.860

To where we're at, we're they're at.

349

00:44:32.969 --> 00:44:37.650

Legally right if the family is going through a private attorneys and.

350

00:44:37.650 --> 00:44:41.429
That's if that's what they're doing, then.

351
00:44:41.429 --> 00:44:54.840
We just let them do that general counsel doesn't have anything to do with that. Only if it is going through, which, you know, part of the process before you fill out a guardianship packet is to.

352
00:44:54.840 --> 00:44:58.110
You know, make sure the family didn't have the.

353
00:44:58.110 --> 00:45:02.940
Funds needed to get their own private attorney, or also.

354
00:45:02.940 --> 00:45:11.550
You can try applying through legal aid, because a lot of times they'll take guardianship cases at no charge. If they qualify financially.

355
00:45:12.869 --> 00:45:19.860
But the image wouldn't have anything to do with any of those scenarios that is supposed to be considered the.

356
00:45:19.860 --> 00:45:33.090
Option of last resorts do we need to refer family to legal aid before starting a packet? Or do we help them whether they are going to legal aid versus our legal team?

357
00:45:34.380 --> 00:45:37.590
Uh, they do need to apply through legal AIDS.

358
00:45:37.590 --> 00:45:46.530
1st, then private council make sure all options have been exhausted before going through damage.

359
00:45:48.449 --> 00:45:51.929
How did the filing fees, et cetera? Get paid?

360
00:45:53.489 --> 00:45:57.989
That is a question for general counsel, because we don't have anything to do with that.

361
00:46:02.034 --> 00:46:11.815

Guardianship meeting at the courthouse, scheduled back in December, which was within the 6 months timeframe and when we arrived at the courthouse, it was rescheduled from March.

362

00:46:11.815 --> 00:46:17.215

1st do I need to have the provider get back with the doctor to sign another statement?

363

00:46:18.445 --> 00:46:30.864

I would do an affidavit of no change in that scenario. I mean, unless there's been any significant changes since then, but if everything is pretty much the same, then I would have them fill out and affidavit of no change.

364

00:46:30.864 --> 00:46:34.105

So, it's not delayed any further when you get the court.

365

00:46:35.639 --> 00:46:40.679

And you can find that on the image that mode dot Gov TD.

366

00:46:40.679 --> 00:46:43.980

The general counsels site as well.

367

00:46:43.980 --> 00:46:48.539

Or you can ask actual form, or you can ask the specialist.

368

00:46:48.539 --> 00:46:51.840

Dd guardianship at dot. Gov.

369

00:46:54.269 --> 00:47:00.420

Working with a physician that will not complete the interlocutory from the packet, but we'll submit information and grease.

370

00:47:00.420 --> 00:47:09.210

And agrees that the individual needs a Guardian, but wrote this on their hospital forms. Can we submit this with the packet?

371

00:47:09.210 --> 00:47:14.010

You have to have the interrogatories completed, um, if he wants to have.

372

00:47:14.010 --> 00:47:20.639

And this or a nurse practitioner, fill out the form, because they don't have time.

373

00:47:20.639 --> 00:47:25.170

And he can sign off on them then that would work as long as he signs him.

374

00:47:25.170 --> 00:47:28.619

Or she.

375

00:47:28.619 --> 00:47:34.500

An individual says they do not want a Guardian, but family member wants to be Guardian.

376

00:47:34.500 --> 00:47:38.099

How do you proceed? Does it depend on our independent.

377

00:47:38.099 --> 00:47:45.269

How independent they are, or can be.

378

00:47:45.269 --> 00:47:50.670

I think the team would need to come together as well as getting the physicians.

379

00:47:50.670 --> 00:47:58.980

Opinion, depending on what everybody feels is in the best interest for the consumer.

380

00:48:00.869 --> 00:48:07.679

But the consumer also has right voice their own opinion as far as what they would like, in their life.

381

00:48:10.260 --> 00:48:15.449

You have to have a medical professional say this person is a native, a guardian you.

382

00:48:15.449 --> 00:48:21.300

Can't just have a family member say I want to be guardian without having a.

383

00:48:21.300 --> 00:48:27.389

Medical basis.

384

00:48:27.389 --> 00:48:38.219

If someone is in damage placement, like an, the Guardian passed away. So I am doing a successor guardianship packet, but no, 1 in the family knows they're.

385

00:48:38.219 --> 00:48:42.360

Previous placements is there some more to get that information.

386

00:48:47.610 --> 00:48:51.900

I'm not exactly sure.

387

00:48:51.900 --> 00:48:55.110

The answer to that, I don't know if that's something that.

388

00:48:58.110 --> 00:49:03.659

I mean, if it's not in the file and the consumer's file.

389

00:49:03.659 --> 00:49:12.300

I'm not exactly sure either. A lot of times from what I know is that it is.

390

00:49:12.300 --> 00:49:18.119

Listed stated somewhere in the file, or is there a natural place? More previous placements?

391

00:49:21.599 --> 00:49:26.429

What happens when the SC does not agree? The guardianship is needed.

392

00:49:28.139 --> 00:49:33.960

Well, I think that's a conversation that you have with the team for the client.

393

00:49:33.960 --> 00:49:43.230

Is criminal background information need to cover assaults or criminal behavior that charges.

394

00:49:43.230 --> 00:49:46.230

Were not brought against the client for.

395

00:49:48.449 --> 00:49:57.809

I believe any anything that, um, criminal charge.

396

00:49:57.809 --> 00:50:03.449

Or if they were arrested needs to be stated, and then I think that there's a place to explain.

397

00:50:03.449 --> 00:50:10.380

What occurred and why they're not in charge or that could just be added in for further explanation.

398

00:50:18.239 --> 00:50:26.369

Have 1, um, my packet was sent to the and regional office back in the summer, and was on the old form 2018.

399

00:50:26.369 --> 00:50:32.820

The court date is rescheduled for March. 1st will I need to revise the packet and send back through.

400

00:50:32.820 --> 00:50:36.059

So before the court date.

401

00:50:36.059 --> 00:50:42.659

Yes, with a new packet, the April of 2021.

402

00:50:44.219 --> 00:50:47.219

My knowledge, it won't be accepted unless it's to that.

403

00:50:47.219 --> 00:50:52.320

Back in the Stacy, have you heard differently? Yeah, it needs to be.

404

00:50:52.320 --> 00:50:57.360

Um, because that's that's quite a ways back that would need to be put on the new.

405

00:50:57.360 --> 00:51:03.389

Packet with the app, David doesn't have change if this.

406

00:51:03.389 --> 00:51:06.630

How the position is still in that scene.

407

00:51:06.630 --> 00:51:11.909

Right. Does the process take.

408

00:51:11.909 --> 00:51:17.579

I'm sorry, you cut out is that how long does the process take.

409

00:51:17.579 --> 00:51:31.739

Yes, I'm sorry how long does the process take that varies? Um, once the packet is completed properly and submitted to general counsel, there's not like a set.

410

00:51:31.739 --> 00:51:37.110

Amount of time that it takes because it has a lot of factors in that like.

411

00:51:37.110 --> 00:51:48.690

I mean, cobit mess things up for a while as far as courts and stuff are concerned. So, uh, but typically, and I say, typically, once it's submitted and accepted.

412

00:51:48.690 --> 00:51:54.269

Um, I'd say a month, 2 months, somewhere in there.

413

00:51:57.659 --> 00:52:06.690

The guardianship packet process need to be followed if the family is going through a private attorney, or just if we are asking for the office of general counsel to review.

414

00:52:06.690 --> 00:52:11.519

No, it does not need to be done if the family is using a private attorney.

415

00:52:15.179 --> 00:52:20.849

There are getting forms. Notarized. Are we responsible for finding our notary.

416

00:52:20.849 --> 00:52:25.530

Yes, you are responsible for a notary and a lot of, uh.

417

00:52:25.530 --> 00:52:32.130

Support coordinators, employers have notaries around. I don't know if you could check.

418

00:52:32.130 --> 00:52:37.739

To see, if anybody in your place of employment has a notary, but sometimes you do.

419

00:52:39.449 --> 00:52:43.050

All right, right in their office or bye.

420

00:52:44.730 --> 00:52:51.030

You know, I think it's just important to note that the division isn't going to isn't providing a notary service.

421

00:52:51.030 --> 00:52:56.880

So, it does fall on the responsibility of the support coordinator or the team.

422

00:52:56.880 --> 00:53:11.034

To to get it. Notarized just I'm gonna just throw this out there Matt. When I was doing them, we didn't have 1 in the office at the in St. Charles.

423

00:53:11.364 --> 00:53:15.565

I went to my bank and used the my notary at the bank, and they didn't charge me.

424

00:53:17.070 --> 00:53:21.420

That's that's a great idea.

425

00:53:23.244 --> 00:53:34.914

I have a new consumer who needs a guardianship packet, and we have little to no information on his background. No. 1 knows his biological parents and his foster parents have passed away.

426

00:53:35.244 --> 00:53:38.394

Is it suitable to just state that on the form?

427

00:53:41.579 --> 00:53:48.570

That might be in question for general counsel. I've never had to.

428

00:53:48.570 --> 00:54:03.179

And with something like that, I think that the team should make every effort to find out everything that they can and make note of that. And then we can, we can give that information to general counsel. If the packet is submitted.

429

00:54:05.280 --> 00:54:11.340

You have to write in the information regarding the person's a. B. L. E. account.

430

00:54:12.840 --> 00:54:18.690
I haven't had to do that yet.

431
00:54:18.690 --> 00:54:28.710
I would think just to err on the side of caution note that they haven't
able account and, and the, the, the.

432
00:54:28.710 --> 00:54:38.340
And what's in it? You have any resources to search for relatives.

433
00:54:42.780 --> 00:54:48.659
On line research, um, person finder, Google that's what I'm.

434
00:54:48.659 --> 00:54:52.889
And people use it I don't know anything, any other.

435
00:54:52.889 --> 00:54:56.460
Form or what not, um.

436
00:54:57.599 --> 00:55:03.449
You know, um, I've gotten a lot of addresses from, um.

437
00:55:03.449 --> 00:55:09.809
Mm, hmm. Other than that um.

438
00:55:09.809 --> 00:55:13.530
That's just the file and using any.

439
00:55:13.530 --> 00:55:17.130
Previous addresses if you, if you have an address that.

440
00:55:17.130 --> 00:55:21.570
You know, isn't current, but it's the last 1 you have then then just send
a letter to it.

441
00:55:21.570 --> 00:55:25.170
And say that, uh, I sent the letter.

442
00:55:25.170 --> 00:55:31.949
Certified letter maybe. Okay, so now you can also find sometimes, um,
dates birth.

443

00:55:31.949 --> 00:55:43.829

They'll give you a little bit more information as well. So if the individual is removed from parents, et cetera, who to abuse, but is now an adult and would still be, can.

444

00:55:43.829 --> 00:55:49.110

And would still be concern, would they still need to be notified?

445

00:55:54.030 --> 00:55:57.840

Not 100% sure on the answer to that, but I would think it would have.

446

00:55:57.840 --> 00:56:02.969

Uh, to do with whether or not the parental rights were terminated.

447

00:56:02.969 --> 00:56:13.920

Through that process, or not limited guardian state appointed Guardian.

448

00:56:13.920 --> 00:56:22.139

I asked because the individual who I, I'm thinking of does not have any family or friends to help or support.

449

00:56:24.210 --> 00:56:28.170

Well, then that would most likely be a real book administrator.

450

00:56:36.150 --> 00:56:44.429

Someone moves from another state, and the person has guardianship from the other state. How does this move over to Missouri?

451

00:56:44.429 --> 00:56:52.949

Who is responsible to do this? Do we recognize guardianship from another state? What is the sc's role or responsibility at this point?

452

00:56:54.750 --> 00:56:58.260

I would get clarification from general counsel on that question.

453

00:57:00.869 --> 00:57:05.670

So, sometimes what we have, you know, what we've heard is, I would reach out to your probate court.

454

00:57:05.670 --> 00:57:15.030

Encourage the family to reach out to their probate court to see if the probate court would allow them to just file.

455

00:57:15.030 --> 00:57:19.559

Or submit their guardianship or order of guardianship.

456

00:57:19.559 --> 00:57:24.960

Um, basically, I would always just encourage someone to start with the probate court.

457

00:57:24.960 --> 00:57:30.090

And, and let the probate court advise them on what they need to do.

458

00:57:34.050 --> 00:57:43.469

How do we see clarification on something from general counsel? Do we use the centralized state? Guardianship email?

459

00:57:46.440 --> 00:57:56.369

Take that 1 no, Stacy. Go right. Ahead. Um, so here's the situation. General counsel is unable to provide.

460

00:57:56.369 --> 00:57:59.789

Legal advice, um.

461

00:57:59.789 --> 00:58:10.260

Because they do not represent the individual, and they are not representing the entity. Um, they represent the department and the division.

462

00:58:10.260 --> 00:58:22.530

So, it's kind of a strange question. We can, you can submit a question, we can reach out to general counsel and general counsel may respond and say that they're not able to provide.

463

00:58:24.175 --> 00:58:26.425

Our response or advice,

464

00:58:26.755 --> 00:58:29.755

and I want to be very cautious in how I respond,

465

00:58:30.204 --> 00:58:31.074

especially because,

466

00:58:31.315 --> 00:58:31.614

you know,

467

00:58:31.614 --> 00:58:31.974

we,

468

00:58:32.005 --> 00:58:40.405

we respect general counsel and I respect Denise Thomas and don't want to advise you incorrectly or say something wrong.

469

00:58:40.465 --> 00:58:41.394

But.

470

00:58:41.489 --> 00:58:50.429

It's so typically the questions that you're going to ask, you know, should relate to the guardianship packet itself.

471

00:58:50.429 --> 00:58:56.309

I know that that's kind of a convoluted, you know, answer, but.

472

00:58:56.309 --> 00:59:04.139

The general counsel, you know, does not represent anyone, but the Department of mental health, they are providing a service.

473

00:59:04.139 --> 00:59:17.485

To assist in filing the guardianship order, and I hope I'm saying this correctly. If I'm not in our general Council's on, I welcome them to correct me. But they're filing the petition on behalf of the division.

474

00:59:17.965 --> 00:59:20.965

They are not filing the petition on behalf of.

475

00:59:21.329 --> 00:59:28.530

The individual the TCM entity, or even on behalf of the proposed Guardian. So.

476

00:59:28.530 --> 00:59:32.550

You know, the amount of response that we can typically get from general counsel.

477

00:59:32.550 --> 00:59:40.800

May be very, very limited, so that's a a pretty convoluted answer to a more specific question.

478

00:59:44.400 --> 00:59:54.989

The Guardian passes away what is the roll at that point? Do we hotline this? Do we ask for a successor guardianship? Or do we contact the port? Ask.

479

00:59:54.989 --> 01:00:05.010

Them for a hearing, uh, typically, it would be the successor guardianship packet.

480

01:00:08.940 --> 01:00:15.030

The affidavit of no change document on the dmhc website. How do we access it?

481

01:00:16.079 --> 01:00:22.769

You can ask for 1 through DD guardianship at dot. Gov.

482

01:00:25.710 --> 01:00:29.340

Otherwise it is on the Internet on general counsels.

483

01:00:29.340 --> 01:00:34.079

Fight they do have a specific page for guardianship.

484

01:00:34.079 --> 01:00:38.369

That's where the packets are, and the affidavit of no changes on there too.

485

01:00:44.610 --> 01:00:55.800

When someone says I might have missed this, but what if the family only wants a partial guardianship? And how do they release guardianship later? Should the consumer not need it any longer?

486

01:00:57.599 --> 01:01:03.719

And we still go through the packet process, um, for a limited guardianship.

487

01:01:03.719 --> 01:01:08.909

And just, uh, be specific about what areas.

488

01:01:08.909 --> 01:01:11.909

They're requesting guardianship.

489

01:01:14.699 --> 01:01:17.699

Right. Whether it's financial or conservator.

490

01:01:17.699 --> 01:01:24.480

Correct resources. Do you have for legal aid?

491

01:01:28.050 --> 01:01:31.860

I just need to look into it in their county or.

492

01:01:31.860 --> 01:01:35.070

The region, we cannot give out legal advice.

493

01:01:37.349 --> 01:01:43.440

If they're wanting, just general information on the legal aid offices, you can Google it. Um.

494

01:01:43.440 --> 01:01:49.320

I have information on the different offices throughout the state.

495

01:01:49.320 --> 01:01:53.099

1st, whatever region you live in, you have to contact that specific.

496

01:01:53.099 --> 01:02:03.599

Who was responsible for paying all legal fees.

497

01:02:06.360 --> 01:02:12.119

If it is going through dmhc, which is the option of last resort.

498

01:02:12.119 --> 01:02:17.429

Then, uh, damage absorbs the cost.

499

01:02:17.429 --> 01:02:20.849

Matt, is that, do you have anything different.

500

01:02:20.849 --> 01:02:28.559

Basically, and that's the reason we ask all of the prying financial questions and.

501

01:02:28.945 --> 01:02:42.474

And asks guardians have have proposed guardians. Have you gone to legal aid? Have you gone to Catholic Charities? Have you sought your own legal counsel? What are your what's your income? What are your expenditures?

502

01:02:42.894 --> 01:02:45.474

That's why we're asking all those questions.

503

01:02:45.719 --> 01:02:51.630

So, that general counsel has a good idea that this is a financial hardship.

504

01:02:51.630 --> 01:02:58.739

Okay, so that's the long answer to a short question. Um.

505

01:02:59.244 --> 01:03:04.824

That that's why we ask you to provide that depth of information,

506

01:03:05.574 --> 01:03:11.094

to determine that it to allow general counsel to make the determination that this,

507

01:03:11.215 --> 01:03:13.014

for them to file the petition on the,

508

01:03:13.045 --> 01:03:16.164

on the behalf because it's a financial hardship.

509

01:03:19.500 --> 01:03:22.619

They're in placement with in another state.

510

01:03:22.619 --> 01:03:28.590

Do we include that information or just the 1st placement with within Missouri?

511

01:03:32.130 --> 01:03:42.510

Are they currently I, I guess that question doesn't make sense. Did did the state of Missouri did the Department of mental health? Are they agreeing to pay for services in another state?

512

01:03:47.820 --> 01:03:52.409

I mean, if the individual is not considered domiciled in the state of Missouri.

513

01:03:53.849 --> 01:04:02.099

And so the question then comes down, the individual has to be considered domiciled in the state of Missouri, which means that they are a resident of the state.

514

01:04:02.099 --> 01:04:09.144

If they're receiving that kind of question, probably is something that we should talk about in a little more depth. Maybe not here.

515

01:04:09.414 --> 01:04:21.445

Um, so whoever proposed that question if you want to email that to the guardianship email box, that it's there on the screen there. So that we kind of better know how to answer that question.

516

01:04:22.769 --> 01:04:30.179

And I'll, we'll put it together and frequently asked questions in a way that kind of would answer it in more general terms.

517

01:04:30.179 --> 01:04:41.519

Client's guardian passed away several years ago and the courts have never appointed in New Guardian. Is the successor packet still the correct 1 to complete.

518

01:04:44.760 --> 01:04:51.480

If they had a guardian prior to, and there has not been any.

519

01:04:51.480 --> 01:04:55.139

Legal changes to that.

520

01:04:55.139 --> 01:05:00.809

Since the passing of the Guardian, and then the successor guardianship packet can be completed.

521

01:05:19.500 --> 01:05:33.090

Okay, I'm just I'm going through some more chats. Victoria says, I thought public administrators.

522

01:05:33.090 --> 01:05:37.949

Only did full guardian sips or conservative ships is that not true?

523

01:05:39.480 --> 01:05:44.039

That, I don't know 100%.

524

01:05:44.039 --> 01:05:48.449

The answer to Darcy or Matt may have something.

525

01:05:51.809 --> 01:05:56.760

So typically rule of thumb is, is that if we're going to request that general Council.

526

01:05:56.760 --> 01:06:00.989

File the petition then we're.

527

01:06:00.989 --> 01:06:04.650

We're typically, especially with a, um.

528

01:06:04.650 --> 01:06:12.809

With the, with the public administrator were typically identifying that the individual.

529

01:06:12.809 --> 01:06:22.800

Is needing full guardianship again I, I, I don't want to speak for certain. Maybe if the individual asks that question with some more specificity.

530

01:06:22.800 --> 01:06:26.309

We might be able to provide some answers. Um.

531

01:06:28.920 --> 01:06:33.239

So, yeah, I agree.

532

01:06:35.400 --> 01:06:39.239

Can we do packet process for successor? Guardian?

533

01:06:42.090 --> 01:06:47.639

There is a successor packet specific to that situation for.

534

01:06:47.639 --> 01:06:59.130

There's a full guardianship packet that's done for the initial guardianship and then if they've already had a guardian and they need it a new another 1 and the successor packet is.

535

01:06:59.130 --> 01:07:03.449

It's very similar, but it doesn't have quite as many.

536

01:07:03.449 --> 01:07:13.980

Pages as the initial packet, and that's because in the original guardianship that this person would have had, they've already gone to court and they already have the.

537

01:07:13.980 --> 01:07:28.795

The legal paperwork saying that they are incapacitated in, that they need a guardian. So instead of physicians interrogatories, you just need the original letters of guardianship and Incapacitation.

538

01:07:30.179 --> 01:07:34.650

Right. It's not as extensive as the initial guardianship packet.

539

01:07:37.500 --> 01:07:45.449

Please clarify again where to find the updated guardianship packet. The only 1 I can find online is the packet from September 2018.

540

01:07:45.449 --> 01:07:51.269

You can request a packet from DD guardianship at.

541

01:07:58.469 --> 01:08:13.315

And this is a great place to to just to just chime in there. Um, obviously, some people, some, some teams are going to submit a guardianship packet to us, and they're not going to kind of begin the process with us. Okay.

542

01:08:13.315 --> 01:08:25.675

They're they're gonna go out and they're gonna get the packet and they're gonna fill it out and they're going to submit it to us and okay. So, but realize that once that's submitted and you've gotten it all signed and you've gotten it all notarized, you're.

543

01:08:25.949 --> 01:08:39.505

Your time frame has started for the validity of that packet and we're going to review it and we're going to, you know, if there are issues, we're going to send it back and we don't get to pause those those timeframes of the 6 months.

544

01:08:39.534 --> 01:08:46.944

So, the encouragement really is to begin the process with us to reach out through the email. Um.

545

01:08:47.250 --> 01:08:56.574

So that we can, you know, we can give you the information from the beginning to support the team to provide that technical assistance in getting that packet completed.

546

01:08:57.265 --> 01:09:10.255

There are, there are questions that we're going to ask that the team is going to have to respond to in that packet, especially concerning all other options, being exhausted financial information regarding, um.

547

01:09:10.560 --> 01:09:17.909

You know, the proposed Guardian, those type of things. So we really want to encourage you.

548

01:09:18.145 --> 01:09:21.204

It's going to take time, it's not not always a fast process.

549

01:09:21.204 --> 01:09:35.604

Obviously, there are crisis situations that we can work through and support, but, you know, it's, it's not a super fast process and if we can mitigate the back and forth as much as possible, you know, before.

550

01:09:35.909 --> 01:09:49.164

Official signatures are received best case scenario is you'd complete the packet. You'd submit it to us without signatures of the doctor and notaries, so that we can review it and give you feedback and send it back.

551

01:09:49.194 --> 01:10:04.164

And then say, hey, once you've got this fixed, let's look at it. Now, go get your signatures. Go get your notarized, get it notarized and then submit it to us then then we're really looking good on timeframe. So that's a that's a long answer to a short question.

552

01:10:04.164 --> 01:10:04.734

But.

553

01:10:04.829 --> 01:10:10.739

That's best case scenario so that you were not having to look at doing that.

554

01:10:10.739 --> 01:10:16.619

You know, affidavit of no change doesn't mean that we won't have to, but if we can do it with, if we can.

555

01:10:16.619 --> 01:10:20.310

Lessen the chance of it, you know, we want to do that.

556

01:10:20.310 --> 01:10:31.500

This is the last question I see that we haven't covered. Can you clarify that? If the person was adopted? We do not reach out to non parental relatives.

557

01:10:34.470 --> 01:10:38.460

Well, we said what we thought to be the case, but I think.

558

01:10:39.295 --> 01:10:49.555

I don't know, that's the Gordon we'll just have to we'll just have to ask that of general counsel and ask them to advise us in what to do. If the individuals parental rights were terminated.

559

01:10:50.574 --> 01:10:55.045

If then it's not likely that the court is even going to be willing.

560

01:10:55.380 --> 01:11:03.659

You know, that the general counsel will most likely be willing to submit the petition if their rights have been terminated? Um.

561

01:11:03.659 --> 01:11:09.060

But, you know, we can ask for clarification with general counsel.

562

01:11:15.119 --> 01:11:18.239

The more that came in can you prove? Um.

563

01:11:18.239 --> 01:11:22.079

Provide the website where these documents are located.

564

01:11:22.079 --> 01:11:33.989

And since I have a March 1st court date, do I send the new packet back to the sites and regional office, or to the DD guardianship email?

565

01:11:36.600 --> 01:11:43.859

Uh, if you've already started the process, uh, with someone, I, I think that you would just continue the process with whoever you're working with.

566

01:11:47.579 --> 01:11:52.050

Right. Don't send it straight to the email, send it to the.

567

01:11:52.050 --> 01:11:59.430

Information specialist well, and unless you started with a guardianship coordinator that wasn't with.

568

01:11:59.430 --> 01:12:05.550

The information specialist, so if, if they were working with somebody at Sykes and and.

569

01:12:05.550 --> 01:12:12.060

If you want to reach out to us through the email, let's see how we can facilitate that best.

570

01:12:12.060 --> 01:12:18.779

That's kind of a very specific question so, you know, reach out to us through the guardianship.

571

01:12:18.779 --> 01:12:24.300

Email box about that question specifically and we'll see what we need to do to.

572

01:12:24.300 --> 01:12:36.390

To answer that question. Okay. I think that's about it. Um, do you have someone asking for the website where to find these documents again?

573

01:12:36.390 --> 01:12:41.220

I was going to say that this is going to be available this.

574

01:12:41.220 --> 01:12:44.310

Powerpoint correct? Yes.

575

01:12:44.310 --> 01:12:48.449

Okay, well that, uh, website is on 1 of the 1st few.

576

01:12:48.449 --> 01:12:54.420

Slides to this PowerPoint.

577

01:12:56.250 --> 01:13:04.170

All right, you can look on the Internet with the general counsel page, and it'll say guardianship information.

578

01:13:07.470 --> 01:13:14.340

If you don't have access to the Internet, then you will need to request it through the email email. Correct?

579

01:13:17.369 --> 01:13:32.305

That's that's on the dmhc that's like the Internet. So there will be certain folks that don't have access to that page. So that's really why we want to encourage you to begin the process with us by reaching out to get the forms.

580

01:13:32.635 --> 01:13:47.484

Okay, um, how do we build for this? Our contract states that we should not build for direct case management?

581

01:13:47.515 --> 01:13:51.265

This is direct case management. How should we build for this?

582

01:13:53.305 --> 01:14:08.215

I think that is not a question for you guys. Well, we did so, this, this question did come up. I brought it up during our 1st webinar. We've done extensive research. It is billable. It is billable through case management through the targeted case management. Um.

583

01:14:08.550 --> 01:14:22.979

Codes, um, it is considered a Medicaid billable service. Um, I can't advise you on what code to use, but I can tell you in the 1 certainty that it is a Medicaid billable service.

584

01:14:24.239 --> 01:14:29.039

I don't know if you would use planning support I'm not sure, but it is billable.

585

01:14:37.109 --> 01:14:46.109

That's the last question. Very good. Well, we appreciate everyone's participation. Um.

586

01:14:46.109 --> 01:14:56.069

Like I said, we'll get all of the questions that we've answered today, will will create a frequently asked questions, response form and put it out in the next few weeks.

587

01:15:03.720 --> 01:15:07.109

All right, thank you. Everybody, thank you.