



County of Orange

County Executive Office

July 26, 2016

Honorable Charles Margines
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: Response to Grand Jury Report, "Changing of the Guardian: Life after the Reorganization of the Public Administrator and Public Guardian Offices"

Dear Judge Margines:

Per your request, and in accordance with Penal Code 933, please find the combined County of Orange response to the subject report as approved by the Board of Supervisors. The respondents are the Orange County Board of Supervisors and the County Executive Office.

If you have any questions, please contact Lilly Simmering of the County Executive Office at 714-834-6748.

Sincerely,

Frank Kim
County Executive Officer

Enclosure

cc: **FY 2015-16 Orange County Grand Jury Foreman**
Mark Denny, Chief Operating Officer, County Executive Office
Lilly Simmering, Deputy Chief Operating Officer, County Executive Office

ORANGE COUNTY BOARD OF SUPERVISORS
MINUTE ORDER
July 26, 2016

Submitting Agency/Department: County Executive Office

Approve proposed response to FY 2015-16 Grand Jury Report "Changing of the Guardian: Life After Reorganization of the Public Administrator and Public Guardian Offices." - All Districts

The following is action taken by the Board of Supervisors:

APPROVED AS RECOMMENDED OTHER

Unanimous (1) DO: **Y** (2) STEEL: **Y** (3) SPITZER: **Y** (4) NELSON: **Y** (5) BARTLETT: **Y**

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order

Documents accompanying this matter:

- Resolution(s)
- Ordinances(s)
- Contract(s)

Item No. 36

Special Notes:

Copies sent to:

CEO – Lilly Simmering
Superior Court
Grand Jury

7/29/16



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.
Robin Stieler, Clerk of the Board

By: 
Deputy



AGENDA STAFF REPORT

Agenda Item

36

ASR Control 16-000860

MEETING DATE: 07/26/16
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: County Executive Office (Approved)
DEPARTMENT CONTACT PERSON(S): Mark Refowitz (714) 834-6021
 Lilly Simmering (714) 834-6748

SUBJECT: Changing of the Guardian Grand Jury Report Response

CEO CONCUR Concur	COUNTY COUNSEL REVIEW No Legal Objection	CLERK OF THE BOARD Discussion 3 Votes Board Majority
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Budgeted: N/A **Current Year Cost:** N/A **Annual Cost:** N/A

Staffing Impact: No **# of Positions:** **Sole Source:** N/A

Current Fiscal Year Revenue: N/A

Funding Source: N/A

County Audit in last 3 years: No

Prior Board Action: N/A

RECOMMENDED ACTION(S):

1. Approve proposed response to the FY 2015-16 Grand Jury Report entitled, "Changing of the Guardian: Life After Reorganization of the Public Administrator and Public Guardian Offices."
2. Direct the Clerk of the Board to forward this Agenda Staff Report with attachments to the Presiding Judge of the Superior Court and the FY 2015-16 Grand Jury no later than August 12, 2016.

SUMMARY:

Approval of proposed response to FY 2015-16 Grand Jury Report entitled, "Changing of the Guardian: Life After the Reorganization of the Public Administrator and Public Guardian Offices" will fulfill the County's required response to the Grand Jury.

BACKGROUND INFORMATION:

On May 23, 2016, the Orange County Grand Jury released a report entitled, "Changing of the Guardian: Life After the Reorganization of the Public Administrator and Public Guardian." The report directed

findings and recommendations to the Board of Supervisors and the County Executive Offices. Attachment B is the County's proposed responses to the Grand Jury's findings and recommendations.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

ATTACHMENT(S):

- Attachment A - Grand Jury Report
- Attachment B - Proposed Grand Jury Response
- Attachment C- Draft Transmittal Letter



Responses to Findings and Recommendations
2015-16 Grand Jury Report:

*“Changing of the Guardian: Life After Reorganization of the Public Administrator and
Public Guardian Offices”*

SUMMARY RESPONSE STATEMENT:

On May 23, 2016, the Grand Jury released a report entitled: “Changing of the Guardian: Life After Reorganization of the Public Administrator and Public Guardian Offices.” This report directed responses to findings and recommendations to the Orange County Board of Supervisors, OC District Attorney, Public Guardian, and the Orange County Executive Officer, which are included below.

FINDINGS AND RESPONSES:

F.1. The Public Guardian’s Office does not work with Human Resources to fill vacancies for permanent and temporary positions in a timely manner. This results in some tasks not being completed, as well as placing an additional workload on existing staff to ensure all conserved individuals receive mandated services.

Response: *Disagree wholly with the finding.* Public Guardian’s Office management works closely with Human Resources Services (HRS) recruitment staff to fill vacancies as they occur. The vacancy factor within the Public Guardian’s Office is similar to that experienced by Behavioral Health Services, the larger division within the Health Care Agency (HCA) of which it is a part. This finding is more reflective of the challenges in recruitment across HCA. Timely recruitment is not reflective of any failure on the part of Public Guardian’s Office staff to work with HRS. To address challenges within the agency, HCA Human Resources continues to seek additional recruitment resources to improve the recruitment timelines. In a small office, such as the Public Guardian’s Office, any vacancy results in the shifting of workload onto the existing staff. Management staff works to ensure the completion of all required tasks.

F.2. Behavioral Health Services/Public Guardian leadership does not have a process in place to ensure managers and supervisors adhere to the Performance Incentive Plan (PIP) Manual standards for conducting quality performance appraisals.

Response: *Disagree wholly with the finding.* In or around May 2014, Health Care Agency Human Resources provided training to all Public Guardian supervisors and managers regarding writing performance evaluations and performance management. Individual guidance has also been provided to Public Guardian supervisors and managers regarding the documentation necessary to support performance evaluation ratings. Additionally, Human Resource Services has provided Performance Management Essentials (PME) Training to all supervisors and managers, including Public Guardian staff, and will be providing PME Module 5, which focuses on performance management steps and tools, in the near future.

F.3. The Public Guardian Policy 1.12, Performance Evaluation, provided to the Grand Jury, is not included in the current Public Guardian policy manual and therefore, the Public Guardian managers and supervisors lack clear direction on the elements of an effective performance evaluation.

Response: *Disagree wholly with the finding.* As part of the Health Care Agency, all employees in the Public Guardian (PG) Office, as well as employees in the rest of the agency, are governed by the County Executive Office/Human Resource Services (HRS) policies regarding performance evaluations. These policies were developed by Human Resource Services, in conjunction with appropriate labor organizations. These policies are located on the County intranet and accessible to all PG staff. Supervisors and managers are provided clear direction on the requirements of performance evaluations. In addition, resources and appropriate forms for completing performance evaluations are maintained on the HRS Portal.

F.4. The Public Guardian's Office does not utilize the County of Orange Disciplinary Process Manual, which includes specific progressive steps of discipline to ensure mid-level managers and supervisors hold staff accountable. This has resulted in incidents of unprofessional staff conduct and inconsistent compliance with established protocols.

Response: *Disagree wholly with the finding.* The Public Guardian's Office fully complies with the County of Orange Disciplinary Process Manual and addresses personnel issues utilizing progressive steps of discipline as appropriate.

F.5. The Public Guardian's Office has not ensured that all supervisors consistently follow established Policy 10.1 Supervisor Review of Cases to conduct quality reviews of deputy casework.

Response: *Disagree wholly with the finding.* Supervisors are required to conduct quality review of deputy casework. These monthly reviews provide vital information on deputy performance (utilized in evaluations), training needs, client demographics/trends, as well as the accuracy and effectiveness of policies and procedures. Supervisors' completion of reviews is also monitored by Public Guardian's operations manager as an element of their performance evaluations.

F.6. Health Care Agency/Behavioral Health Services has failed to fully organizationally integrate the Public Guardian function, resulting in a fragmented and isolated Public Guardian Office.

Response: *Disagree wholly with the finding.* The Grand Jury report itself provides the Health Care Agency (HCA) management's perspective on this finding: "...the change (separating Public Administrator and Public Guardian) was not completed in a vacuum and they [HCA leadership] worked closely with the Public Guardian management team to bring the organization on board." It is also true, as reported in the report, that the Public Guardian's Office has its own budget that can't be intermingled with other funding sources within the department. HCA is a large organization with many specialized programs. The specialized role that the Public Guardian's Office has and its separate budget do not shed credibility to the argument that the Public Guardian is not integrated into the agency. Public Guardian staff are provided with agency level training, are integrated into agency level policies and procedures, and senior Behavioral Health Services management staff regularly attend meetings and trainings at the Public Guardian's Office location.

F.7. Some Health Care Agency/Behavioral Health Service/Public Guardian leadership staff do not effectively communicate with Public Guardian staff, resulting in mistrust, in-fighting, and low morale.

Response: *Disagree wholly with the finding.* Leadership staffs of both HCA/BHS and HCA/PG are regularly encouraged to communicate clearly to ensure clarity, consistency and effectiveness of directives and provide support. Both HCA/BHS and HCA/PG managers and supervisor staff hold monthly one-on-one meeting with direct reports to ensure effective and timely communication. Additionally, there are various monthly meetings such as unit, case management, supervisors/managers and general staff meetings that provide, facilitate and ensure timely and effective communication. The Public Guardian's Office (PG) also routinely utilizes emails to communicate changes in policies, updates, case/court/departmental activities. Communication is an on-going focus for PG as it is an essential tool in ensuring program success.

F.8. **The Public Guardian Lanterman-Petris-Short (LPS) supervisory unit operates as two independent groups serving the same purpose, resulting in ongoing office conflicts and interpersonal issues.**

Response: *Disagree wholly with the finding.* The two LPS units provide services to our LPS caseload and operate as one unit. Public Guardian investigation and case administration activities are very complex requiring accurate immediate decisions and actions. Deputies must have immediate access to supervisors when seeking directions or clarifications in order to provide time sensitive recommendations/information to court, treating staff and service partners. Creating one LPS unit will increase supervisor to deputy ratio and will not allow for the support required for deputies to appropriately carry out their responsibilities. The current two unit structure ensures effective supervisor to deputy ratio. Conflicts or interpersonal issues are not a result of the current two unit structure.

F.14. **The E-CMDS case management system is antiquated, unreliable, does not have the ability to quickly and accurately cull reliable data, and does not meet the current business needs of the Public Administrator/Public Guardian deputies. Although there have been several attempts to replace the current E-CMDS, each has failed to produce tangible results.**

Response: *Agree with the finding.* Public Administrator and Public Guardian staff continue to meet monthly to develop an alternative that will allow vendors to bid to replace or upgrade E-CMDS. A new system is needed. Meetings regarding this project have included County Executive Office Information Technology (IT), Health Care Agency (HCA) IT, Public Guardian and Public Administrator staff and management, as well as District Attorney and HCA management and internal audit representatives. We are currently negotiating pricing for an upgrade. Once that is settled, HCA intends to upgrade. HCA's Chief Information Officer is the point person on the negotiations.

F.15. **The Public Administrator's Office is considering pursuing the purchase of a case management system that will be completely separate from whatever case management system the Public Guardian pursues, which has the potential to result in fragmented communication and duplicative processes when cases are handed over from the Public Guardian to the Public Administrator.**

Response: *Disagree partially with the finding.* Due to the separation of the Public Guardian and Public Administrator's offices, Public Guardian cannot direct Public Administrator's decisions regarding the case management systems. However, Public Guardian staff continue to work with Public Administrator staff to collaborate on a solution to replace the out-of-date case management system. Any solution that is identified will need to address coordination between the Public Guardian and Public Administrator offices.

F.16. The Public Guardian's Office does not have a reliable system for tracking Public Guardian deputy training and membership status to ensure guardians maintain certification as stated in Probate Code.

Response: *Disagree wholly with the finding.* The Public Guardian has a very detailed system of tracking Public Guardian deputies' training and membership. In fact, our tracking mechanisms are more accurate than that of the PA/PG/PC association and are used to correct the association's records.

F.17. The Public Guardian's Office does not hold deputy staff accountable for adhering to Policy 1.01- Public Guardian Certification and Continuing Education. This has resulted in the majority of deputies being out of compliance with certification which could have negative consequences and/or impact their ability to best serve their clients.

Response: *Disagree wholly with the finding.* The Public Guardian consistently urges deputy staff to comply with certification requirements, and stipulates this requirement in recruitment announcements. Deputy staffs are regularly provided training to ensure accurate and effective performance of core duties. This has resulted in outstanding operational performance evidenced by timely and effective case management, outstanding working relationships and reputation with internal and external partners and audit results with no significant findings.

F.18. The Public Guardian's Office has not provided clear guidance or assistance to ensure deputies understand the financial reimbursement process, resulting in deputies not pursuing recertification.

Response: *Disagree wholly with the finding.* The Public Guardian's Office notified staff that Educational and Professional Reimbursement (EPRP) process training was available and offered assistance to any staff member on how to navigate the process on several occasions. Additionally staff was made aware of the guidance information and FAQ's on the process available on HCA's website. HCA also has a general email EPRP@ochca.com which is monitored regularly by HCA/Budget staff dedicated to respond to all EPRP related questions, concerns, and requests for assistance. Moreover, this is regularly discussed in Public Guardian staff meetings along with efforts in tracking credits, payment and reimbursement submissions in order to encourage deputies to remain current in certification and membership dues.

F.19. The Public Guardian's Office has worked diligently to update policies and procedures, however, some of the staff responsible for implementing these policies do not agree with some of the content, are not aware that they have been completed, and/or do not intend to comply with the policies.

Response: *Disagree wholly with the finding.* The Public Guardian's Office ensures that staff are informed of updated policies and procedures (P&Ps) through staff and unit meetings. Supervisors ensure that staff understands the implemented changes and P&Ps are stored in our shared drive for reference. Performance expectations are addressed in annual performance planning, stipulating employee performance in all five core and customized competencies. Non-compliance with current policies and issues are reflected in employee performance and addressed in evaluations and routine supervisor/staff one-on-one monthly meetings for timely feedback and corrective actions.

F.20. The Public Guardian's Office has not effectively communicated the expectation that deputy staff are required to adhere to updated Public Guardian policies.

Response: *Disagree wholly with the finding.* The Public Guardian's office informs staff of all policy updates, ensuring understanding of expectations and requirements for adherence. Supervisors and managers address performance expectations through annual performance planning, stipulating employee performance in all five core and customized competencies. Non-compliance with current policies are reflected in employee performance and addressed in evaluations. Moreover, performance expectations and issues are routinely addressed in supervisor/staff one-on-one monthly meetings for timely feedback and corrective actions.

F.21. Behavioral Health Services has a policy review structure in place. Although it is the intention to integrate the Public Guardian Office into Behavioral Health Services processes, two years have gone by without this integration occurring. Behavioral Health Services is not knowledgeable about Public Guardian processes and can only review Public Guardian specific policies for style and format compliance.

Response: *Disagree wholly with the finding.* The integration of Public Guardian Office into Behavioral Health Services is addressed in Finding #6. The response to that finding also points out that specialized programs exist throughout the Health Care Agency.

The review of policies done at the agency level is not to review for content, but to provide consistency in style and formatting.

F.22. Public Guardian policies are not reviewed and revised on a regular basis and there is no clear system in place for distribution of new or revised policies.

Response: *Disagree wholly with the finding.* Public Guardian policies and procedures are reviewed and revised regularly as Public Guardian staff become aware of regulation and court changes requiring changes in our processes. A system is in place for distribution of new/revised policies. An email is sent to supervisors who in turn provide training in unit meetings and the updated/new policy is placed in our shared drive for reference.

F.23. The Public Guardian staff is expected to follow general Behavioral Health Services policies, which address over-arching expectations for all Behavioral Health Services staff. However, some Public Guardian staff do not feel like they are an integral part of the Behavioral Health Services culture and do not acknowledge that Behavioral Health Services policies are relevant to their job. The Public Guardian manual, which is the primary reference for deputies, does not include several policies that would be considered as staples for most organizations.

Response: *Disagree wholly with the finding.* Public Guardian staff receive notification of updated agency and Behavioral Health Services (BHS) policies along with all BHS/Health Care Agency staff. Public Guardian supervisors cover policy updates as they apply to Public Guardian staff during unit meetings. As part of their notification and training, staff are made aware of the location of BHS policies on our intranet for easy access and future reference.

F.24. The Public Guardian's Office has no internal Quality Assurance unit, and the department is not represented or included in Behavioral Health Services quality assurance activities two years after the reorganization of the Public Guardian Office. The Public Guardian's Office depends upon external audits to evaluate their performance.

Response: *Disagree partially with the finding.* We agree that the Public Guardian's Office is not currently included in Behavioral Health Services quality assurance activities and does not have an internal Quality Assurance unit. However, The Public Guardian does not depend upon external audits to evaluate performance as we conduct internal audits through supervisor caseload reviews, management reviews and monitoring of caseload and court activities ensuring appropriate handling of conservatees' estate and care as well as timely filing of court reports, petitions and

responses. Through these operational efforts, the Public Guardian's Office continues to provide outstanding services resulting in no court surcharge, no significant external audit findings and excellent working relationships and reputation with service partners

F.25. The Public Guardian's Office does not initiate any internal quality assurance activities to measure job performance, or adherence to Probate Codes and Best Practices to ensure excellent customer service.

Response: *Disagree wholly with the finding.* The Public Guardian conducts quality assurance activities through supervisors' case reviews which provide information on deputies' performance and adherence to Probate Codes, policies and procedures.

RECOMMENDATIONS AND RESPONSES:

R.1. The Public Guardian's Office should coordinate monthly meetings with Human Resources to discuss and take action on personnel needs, including anticipated short-term and actual vacancies, as well as opportunities for promotion to be initiated by December 31, 2016. (F.1)

Response: *The recommendation will not be implemented because it is not warranted.* Human Resources staff are available to meet with Public Guardian staff as needed. Training on performance management, recruiting and other topics has been provided in the past, and is available as needed for future training needs.

R.2. The Public Guardian's Office should provide training to all managers and supervisors related to the expectations for and mechanics of writing Performance Appraisals. Upon completion of this training the Public Guardian should incorporate implementation and adherence into a Quality Assurance process to ensure compliance with expected standards all to be initiated by December 31, 2016. (F.2)

Response: *The recommendation has been implemented.* In or around May 2014, HCA Human Resources provided training to all Public Guardian supervisors and managers regarding writing performance evaluations and performance management. Individual guidance has also been provided to Public Guardian supervisors and managers regarding the documentation necessary to support performance evaluation ratings. Additionally, Human Resource Services has provided Performance Management Essentials (PME) Training to all supervisors and managers, including Public Guardian staff, and will be providing PME Module 5, which focuses on performance management steps and tools, in the near future.

R.3. The Public Guardian's Office should re-evaluate Policy & Procedure 1.12 Performance Evaluations for potential inclusion into the current Public Guardian Policy Manual by December 31, 2016. (F.3)

Response: *The recommendation will not be implemented because it is not warranted.* As part of the Health Care Agency, all employees in the Public Guardian Office, as well as employees in the rest of the agency, are governed by the County Executive Office/Human Resource Services policies regarding performance evaluations. These policies were developed by Human Resource Services, in conjunction with appropriate labor organizations. These policies are located on the County intranet and accessible to all Public Guardian staff. Supervisors and managers are provided clear direction on the requirements of performance evaluations. In addition, resources and appropriate forms for completing performance evaluations are maintained on the Human Resource Services webpage.

R.4. The Public Guardian's Office should develop curricula and initiate training for all levels of Public Guardian staff regarding the Health Care Association's mission and vision statement and the Health Care Association's Code of Conduct, with emphasis on how these topics relate to the role of the Public Guardian and the need to follow established protocol, by December 31, 2016. (F.4)

Response: *The recommendation has already been implemented.* Public Guardian's Office is part of the Health Care Agency, Behavioral Health Services, and adheres to the agency's Code of Conduct. Starting in 2014, and annually thereafter, all Public Guardian staff were required to take Annual Compliance Training, which covers the agency's Code of Conduct, certain agency policies, and privacy and security matters. Training is tracked for all agency employees to ensure that all staff have completed this training.

R.5. The Public Guardian's Office should develop and initiate training for all managers and supervisors related to the County of Orange Disciplinary Manual by December 31, 2016. (F.4)

Response: *The recommendation has already been implemented.* The Public Guardian's Office is part of Health Care Agency (HCA), Behavioral Health Services, and adheres to the County of Orange Disciplinary Manual. Public Guardian is supported by the HCA Human Resources team. The County of Orange Discipline Manual is currently being revised and updated by Human Resource Services. Training on the information will be offered once the manual is completed. Additionally, in the near future Human Resource Services will be providing Performance Management Essentials (PME) Module 5 Training to all supervisors and managers, including Public Guardian staff, which focuses on performance management steps and tools.

R.6. Senior Executive Public Guardian personnel should meet with managers and supervisors individually monthly to discuss and take action on disciplinary issues within the department with these meetings to be initiated by December 31, 2016. (F.4)

Response: *The recommendation has been implemented.* Public Guardian senior executive management, managers and supervisors meet monthly with their direct reports to discuss issues and disciplinary actions. Senior management staff are made aware of all staff issues in order to provide appropriate guidance and take necessary action.

R.7. The Public Guardian's Office should implement a consistent process for objectively evaluating Public Guardian casework that includes a standardized audit form to objectively measure Public Guardian deputy performance with implementation to be initiated by December 31, 2016. (F.5)

Response: *The recommendation has been implemented.* A standardized audit form is already developed and is utilized by supervisors to conduct quality reviews of deputy casework.

R.8. The Health Care Agency/Behavioral Health Services should have a management representative attend monthly Public Guardian staff meetings to directly communicate the Health Care Agency's vision and mission, as well as to address any Public Guardian concerns with such meetings to be initiated by December 31, 2016. (F.6, F.7)

Response: *The recommendation will not be implemented because it is not warranted.* A prescriptive monthly attendance at a single meeting will not address the issues identified in findings 6 and 7. Instead, open channels of communication are in place, and agency-wide communications and trainings occur regularly. Health Care Agency Behavioral Health Services senior management have attended trainings and various meetings at the Public Guardian's Office, and will continue to do so.

R.9. The Public Guardian's Office should ensure minutes from Public Guardian staff meetings are made available to all Public Guardian staff on the internal Public Guardian portal by December 31, 2016. (F.6, F.7)

Response: *The recommendation has been implemented.* Public Guardian's staff meeting agendas and minutes are posted on Public Guardian's shared drive for staff's future reference.

R.10. The Public Guardian's Office should establish quarterly team meetings with Public Guardian staff, which should incorporate a positive recognition program, state of the business, and team building events with such meetings to be started by December 31, 2016. (F.6, F.7)

Response: *The recommendation has been implemented.* Public Guardian monthly staff meetings include positive staff recognition, team building events and state of the business discussions.

R.11. The Public Guardian's Office should have one supervisor directing a consolidated Lanterman-Petris-Short (LPS) team by December 31, 2016. (F.8)

Response: *The recommendation will not be implemented because it is not warranted or reasonable.* LPS is divided into two units to ensure appropriate deputy to supervisor ratio. Supervisors are required to provide close monitoring and support of staff's daily activities which often includes critical decisions involving court activities, life/death, health care, placement and fiduciary duties. These complex, critical and high risk activities require effective, immediate and close supervision that cannot be accommodated in one large LPS unit with a high supervisor to deputy ratio. Conflicts and interpersonal issues reported in finding #8 are not a function of the structure of the units and will be addressed by supervision as appropriate.

R.15. The Public Administrator and Public Guardian Offices, in conjunction with the IT Project Manager, should meet with the County Executive Office (CEO) by December 31, 2016 to recommend to the Board of Supervisors the purchase of a new case management system that will meet the business needs and interface with both the Public Administrator and Public Guardian deputy staff. (F.14)

Response: *The recommendation has been implemented.* Public Administrator and Public Guardian staff continue to meet monthly to develop an alternative that will allow multiple vendors to bid to replace or upgrade E-CMDS. A new system is needed. Meetings regarding this project have included County Executive Office Information Technology (IT), Health Care Agency (HCA) IT, Public Guardian and Public Administrator staff and management, as well as District Attorney and HCA management and internal audit representatives. We are currently negotiating pricing for an upgrade. Once that is settled, HCA intends to upgrade the system.

R.16. The Public Administrator and Public Guardian Offices should re-establish a steering committee, with a designated Project Manager, by December 31, 2016

to acquire a replacement case management system. (F.14, F.15)

Response: *The recommendation has been implemented.*

The Public Guardian has an established steering committee as indicated in R15. Public Administrator (PA) participation on the steering committee is not within Public Guardian's control, but we will continue to collaborate with PA and work towards an acceptable solution.

R.17. The Public Administrator and Public Guardian Offices should work together with the IT Project Manager to ensure the new case management system meets the Public Administrator and Public Guardian business needs through a comprehensive report function that can accurately track data and produce meaningful reports by June 30, 2017. (F.14)

Response: *The recommendation has been implemented.*

The Public Guardian's steering committee and Information Technology project manager are committed to ensuring that the system upgrade will include comprehensive report functions that can accurately track and produce meaningful reports.

R.18. The Public Guardian Office should initiate a process to ensure Public Guardian training records coincide with the California Association of Public Administrators Public Guardians Public Conservators Association (CAPAPGPC) records, that deputies are current with their training and certification, and that consequences for not being in compliance are clearly communicated and addressed by December 31, 2016. (F.16, F.17)

Response: *The recommendation has been implemented.*

The Public Guardian already has an established process for tracking deputy training and dues paid, used to reconcile CAPAPGPC records to ensure that deputies are appropriately credited for training completed and dues paid. We also utilize this process to track needed training credits, dues and remind deputies of training/credit requirements for certification.

R.19. The Public Guardian Office should develop clear guidelines, with examples, for Public Guardian deputies to utilize when requesting reimbursement for training and membership dues. The Public Guardian Office should provide training on the guidelines and provide a designated manager to assist in the process by December 31, 2016. (F.18)

Response: *The recommendation has been implemented.*

The reimbursement process is clearly outlined in the Educational and Professional Reimbursement link available on our HCA intranet home page which is available to all staff. All staff have been made aware of this process and the location of guidelines and forms on the intranet. Public Guardian has designated an individual to track all training, dues, certification records and deputies' reimbursement requests to ensure timely turnaround.

R.20. The Public Guardian Office should develop a process to reimburse Public Guardian staff within 30 working days of submission for reimbursement of out-of-pocket costs for training and membership dues by December 31, 2016. (F.18)

Response: *The recommendation has been implemented.*

The Educational and Professional Reimbursement Program (EPRP) is a countywide program established for the reimbursement of work-related professional expenses. While the Personnel and Salary Resolution establishes the program, the Health Care Agency has established an agency-wide policy on the EPRP program governing the reimbursement of appropriate expenses. This policy is available on the HCA Intranet and accessible to all staff. If a Public Guardian submits a claim with all required documentation, a 30-day timeline can be met.

R.21. The Public Guardian Office should provide immediate training on all new and revised Public Guardian policies as well as Behavioral Health Services policies that pertain to Public Guardian staff. Training should include management expectations on adherence to policies, along with a question and answer period for deputies to express any concerns about the accuracy of policies or their ability to carry out the policies. The training should be implemented by December 31, 2016. (F.19, F.20)

Response: *The recommendation has been implemented.*

During unit meetings, Public Guardian supervisors provide training on updated Public Guardian and Behavioral Health Services policies pertaining to Public Guardian staff. These training/meetings are interactive and include questions and answers to allow for a full discussion of impacts, accuracy and implementation concerns.

R.22. The Public Guardian Office should ensure Public Guardian policies are reviewed and revised on a regular basis, including solicitation of knowledgeable staff input to ensure accuracy. The assigned manager/supervisor should ensure communication of new or revised policies, as well as initiate documented Public Guardian staff training on new and

revised policies to ensure understanding and compliance by December 31, 2016. (F.21, F.22)

Response:

The recommendation has been implemented.

Public Guardian policies are reviewed and updated regularly as we become aware of changes in regulations, court practices/process necessitating changes to Public Guardian processes. Input from subject matter experts, impacted staff and County Counsel are solicited and obtained to ensure accuracy of the updated policy. All supervisors are required to provide training on new/updated policies and procedures to ensure understanding and compliance.

R.23.

The Public Guardian Office should ensure that Behavioral Health Services policies that pertain to Public Guardian deputies are easily accessible to them by December 31, 2016. (F.23)

Response:

The recommendation has been implemented.

BHS policies are easily accessible to deputies through our BHS intranet homepage. Policies of particular importance are covered in staff meetings. In addition, annual Compliance training highlights certain agency policies as well.

R.24.

The Public Guardian Office should integrate a Public Guardian manager or supervisor into the Behavioral Health Services quality assurance structure, with a defined role of initiating quality assurance and risk management activities, including regularly conducted internal audits specific to the Public Guardian role by December 31, 2016. (F.24, F.25)

Response:

The recommendation requires further analysis.

Quality assurance (QA) for the Public Guardian's Office will require subject matter experts on [Lanterman-Petris-Short](#) and Probate regulations and processes. Moving such staff from his/her current assignments to be integrated into Behavioral Health Services unit, dedicated to QA activities will have significant impact on our current workload and resources. Public Guardian has formed a workgroup that will explore the implementation of this recommendation. A target date of December 31, 2016 has been set for this Public Guardian workgroup to complete their analysis and make a recommendation.