

Supervisors vote to eliminate elected public guardian

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Yolo County supervisors voted 4-1 on Tuesday to eliminate the elected office of Yolo County public guardian/administrator, transferring public guardian duties to the director of the Health and Human Services Agency and public administrator duties to the sheriff/coroner.

As in previous board discussions, the proposal to transfer public administrator duties to the sheriff/coroner drew no public comment or opposition, but the plan to eliminate the elected office of public guardian did draw fire.

The public administrator investigates and administers the estates of people who die without a will or without an appropriate person willing or able to act as an administrator to settle the estate.

The public guardian, on the other hand, serves as the legally appointed guardian for people who have been determined by a court to be incapable of caring for themselves. They are generally older, frail and vulnerable adults at risk for abuse or neglect, as well as the severely mentally ill who may require placement in a locked facility.

In voting against the plan Tuesday, Supervisor Jim Provenza of Davis said that having an elected public guardian whose only job is to protect vulnerable individuals "is important enough that we should keep it."

"I have great faith in our health and humans services director," he said. "But I still think there is an inherent conflict between the role of protecting the budget of health and human services and the public guardian role."

Others urging the board not to move forward with the plan Tuesday were Sheila Allen, executive director of the Yolo Healthy Aging Alliance, and attorney Elaine Roberts Musser, vice chair of the Yolo County Commission on Aging and a longtime advocate for seniors.

Both questioned the ability of the Health and Human Services Agency to care for seniors suffering from dementia and Alzheimer's disease, a population that Musser said has not been historically well-served by the county's mental health services department.

"In the name of 'aligning services and improving efficiency,' " Musser said, "the county very well may be an unwitting accomplice to giving short shrift to frail elders suffering medically induced brain malfunctions such as dementia and Alzheimer's."

HHSA director Karen Larsen, though, assured the board and public that her department is ready to take on the public guardian duties.

"It's totally understandable that people are fearful about this transition, especially many of the family members that have sons, daughters (and) partners conserved," Larsen said.

"I believe, and I can confidently say, that the outcomes and services for these clients will not only hold steady but be improved under the new system. And I don't say that because I feel like the current situation is failing in any way.

"We take this very seriously. Conserving an individual is quite a process. ... You are taking away people's basic civil rights and so for us it's absolutely the last option," she said.

The plan to eliminate the elected office of public guardian/administrator has been in the works for at least a year and has been opposed from the start by Cass Sylvia, who has served in the office for more than 17 years.

Sylvia is retiring next month and her duties will be transferred to Larsen until the ordinance the board approved Tuesday takes effect in January.