

RESOLUTION

Ensure a dedicated funding stream from the State to local guardianship programs.

A RESOLUTION TO: ensure dedicated funding to local guardianship programs.

WHEREAS: Many incapacitated adults in Texas do not have suitable family members or friends to serve as their guardians to make medical, residential and financial decisions on their behalf. Many of these incapacitated adults are not victims of abuse, neglect or exploitation, and are therefore not eligible for guardianship services from the DADS guardianship program.

WHEREAS: Currently, twenty local guardianship programs provide guardians and money managers in 65 counties to more than 3,500 individuals with budgets exceeding \$7 million annually. These programs struggle every year to raise the money needed to protect these incapacitated adults. The State is currently making annual contributions of \$400,000 in HHSC grants to new and expanding local guardianship programs and \$300,000 in DADS contracts for local guardianship programs to handle guardianship cases on which DADS would otherwise be appointed. The State is not currently contributing any funds to local guardianship programs to handle existing caseloads.

WHEREAS: A need exists for a dedicated funding stream from the State to local guardianship programs to handle existing caseloads and to encourage counties to continue to contribute funds to local guardianship programs so that they will remain financially viable to serve these un-befriended incapacitated adults with guardianship services and alternatives to guardianship, such as money management services.

RESOLVED: That the 11th Texas Silver-Haired Legislature requests the 80th Texas Legislature approve a \$20 fee to be added onto every original probate filing (approximately 60,000 per year) made in the State of Texas and that such funds be delivered by the Clerks of the various courts to HHSC to be distributed with the advice of the Guardianship Advisory Board to certified local guardianship programs, to enable local guardianship programs to serve existing wards other than wards served by such programs pursuant to contracts with DADS.

PASSED AND APPROVED this 12th day of September, 2006, by the Human Services Committee.

Adalaide C. Balaban, Chair

PASSED AND APPROVED this 14th day of September, 2006, by the Texas Silver-Haired Legislature.

Charlotte Parks, Speaker

ATTEST:

Carlos Higgins, Secretary