NORTHERN NEVADA ADULT MENTAL HEALTH SERVICES
POLICY AND PROCEDURE

SUBJECT: GUARDIANSHIP APPLICATION

NUMBER: NN-PC-PL-04

ORIGINAL DATE: 10/15/98

REVIEW/REVISE DATE: 01/03/02, 02/19/09, 9/20/12

APPROVAL:__________________Cody L. Phinney__________ Agency Director

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I. PURPOSE

To delineate the process of application for the Guardianship of Person for Northern Nevada Adult Mental Health Services (NNAMHS) consumers who reside in Washoe County.

II. POLICY

The application for guardianship will be completed when the need for guardianship has been identified and ordered by the consumer's physician.

III. DEFINITIONS

1. "Guardianship of Person" the guardian is responsible for personal and medical decisions only.
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IV. PROCEDURE

A. ALL INPATIENTS

1. The attending physician will write the order and document the following in the medical record after:

   a. Discussion of the guardianship with the Medical Director or designee.

   b. Discussion with the consumer in a treatment team meeting.

2. The attending physician and treatment team will enter the topic of guardianship on the Problem List and develop the Treatment Plan.

3. The attending physician will prepare a statement of the consumer's need for guardianship of person when the treatment team feels it is indicated. The attending physician and the Medical Director or designee must sign this.

4. As appropriate, the attending physician's statement will include the facts regarding the family's refusal/inability to serve as the guardian.

B. INPATIENTS - GUARDIANSHIP INITIATED BY THE FAMILY

1. The social worker will contact the consumer's family (if the consumer has consented on the MR-126 "Authorizations and Assignments for Admission"), to see if they are interested and willing to be guardians for the consumer.

2. If the family is willing to pursue guardianship, they must do so with their own legal counsel.

a. The social worker will provide the families with a referral list of attorneys willing to help the families of mental health consumers establish guardianships of the person at reasonable costs.

3. The social worker will provide the family with a copy of the attending physician's statement of incapacity documenting the extent the consumer is incapable of effectively managing his/her health care needs.

4. The social worker will make a minimum of weekly contacts with the family (and document each contact in the inpatient medical record) on the status of the guardianship with the consumer's family, including the person that they spoke with and the telephone number.

5. Documentation of guardianship

a. The fact that the guardianship has been established will be documented in the medical record, in the social worker's progress notes.

b. The guardian's name, address and telephone number will be entered on the MR-100 "Admission Form" by the person who develops the admissions face sheet MR-100.

c. A copy of the guardianship papers will be placed in the Consents/Legals section of the medical record.

d. The Problem List will be updated to reflect that the issue is resolved and the treatment plan for the issue resolved.

e. All Treatment Plans, consents, etc. must be signed by the guardian from the date NNAMHS is apprised of the name, address and telephone number of the appointed guardian.

f. Guardianship status will be noted under the Electronic Medical Record (EMR) Legal Document Tab, as well as placed in alerts by Health Information Services (HIS) upon receiving guardianship papers.

6. If the consumer is clinically ready for discharge from inpatient status, and the guardianship process has not been completed, the following will be done:

   a. The social worker will notify the Medical Director or designee and the outpatient service coordinator of the guardianship status when applicable. This contact will be documented in the progress note of the electronic medical record or EMR.

   b. The outpatient service coordinator will be responsible for follow up with the consumer's family on the status of the guardianship and documentation of this contact in the progress notes in the EMR.

   c. The social worker will notify the Washoe County Public Guardian's Office that the consumer is being discharged from inpatient service and provide the name of the consumer's assigned outpatient service coordinator and the address where the consumer will be living. This contact will be documented in the progress notes in the EMR.

C. INPATIENTS - GUARDIANSHIP INITIATED BY NNAMHS

1. If the family is not interested in becoming guardian, the social worker will:

   a. Mail the original physician's statement and the Washoe County Public Guardian referral form to the Washoe County

Public Administrators Office (P.O. Box 40278, Reno, NV 89504).

b. A copy of each form will be placed in the NNAMHS medical record by the social worker.

c. The social worker will document this mailing in a progress note in the EMR.

d. The social worker will verify by telephone call to the Public Administrators Office that the application was received. The documentation must include the name of the person they spoke with and the telephone number.

e. The social worker will make a minimum of weekly contacts with the Washoe County Public Guardian's Office, and document each contact in the medical record on the status of the guardianship with the Washoe County Public Guardian's Office, including whom they spoke with and telephone numbers.

2. When the guardianship process is completed:

a. This will be documented in the EMR in the social worker's progress notes.

b. The guardian's name, address and telephone number will be entered on the MR-100 "Face Sheet" by the social worker or the person completing the MR 100.

c. A copy of the guardianship papers will be placed in the Consents/Legal section of the medical record as well as placed in the alerts by HIS upon receiving guardianship papers.

d. The Problem List will be updated to reflect that the issue is resolved and the treatment plan for the issue resolved.

e. All Treatment Plans, consents, etc. must be signed by the guardian from the date the NNAMHS is apprised of the name, address and telephone number of the appointed guardian.

3. If the consumer is clinically ready for discharge from inpatient status, and the guardianship process has not been completed, the following will be done.

a. The social worker will notify the Medical Director or designee and the outpatient service coordinator of the guardianship status. This contact will be documented in the progress note of the inpatient medical record.

b. The outpatient service coordinator will be responsible for weekly follow up with the Washoe County Public Guardian's Office and documentation of this contact in the progress notes in the EMR.

c. The social worker will notify the Washoe County Public Guardian's Office that the consumer is being discharged from inpatient service and provide the name of the consumer's assigned outpatient service coordinator and the address where the consumer will be living. This contact will be documented in the progress notes in the EMR.

D. ALL OUTPATIENTS

1. The attending physician will write the order and document the following in the medical record:

a. Discussion of the guardianship with the Medical Director or designee.

b. Discussion with the consumer and the consumer's service coordinator.

2. The attending physician and service coordinator will enter the topic of guardianship on the Problem List and develop the Treatment Plan.

3. The attending physician will prepare a statement of the consumer's need for assistance with either state or personhood when the physician and service coordinator feel it is indicated. The attending physician and the Medical Director or designee must sign this.

   a. As appropriate, the attending physician's statement will include the facts regarding the family's refusal/inability to serve as the guardian.

E. OUTPATIENTS - GUARDIANSHIP INITIATED BY THE FAMILY

1. The service coordinator will contact the consumer's family (if the consumer has consented on the MR-126 "Authorizations and Assignments for Admission"), to see if they are interested and willing to be guardians for the consumer.

2. If the family is willing to pursue guardianship, they must do so with their own legal counsel.

   a. The service coordinator will provide the families with a referral list of attorneys willing to help the families of mental health consumers establish guardianships of the person at a reasonable cost.

3. The service coordinator will provide the family with a copy of the attending physician's statement of incapacity to the extent the consumer is incapable of effectively managing his/her health care needs.

4. The service coordinator will make a minimum of weekly contacts with the family (and document each contact in the outpatient medical record) on the status of the guardianship with the consumer's family, including who they spoke with and the telephone number.

5. When the guardianship process is completed:

   a. This will be documented in the EMR.

   b. The guardian's name, address and telephone number will be entered on the MR-100 "Face Sheet" by the support staff in service coordination.

   c. A copy of the guardianship papers will be placed in the Consents/Legals section of the medical record as well as placed in alerts by HIS upon receiving guardianship papers.

   d. The Problem List will be updated to reflect that the issue is resolved and the treatment plan for the issue resolved.

   e. All Treatment Plans, consents, etc. must be signed by the guardian from the date the NNAMHS is apprised of the name, address and telephone number of the appointed guardian.

6. If the consumer is clinically ready for admission to inpatient services, and the guardianship process has not been completed, the following will be done.

   a. The physician will notify the Medical Director or designee and document this contact in the progress notes.

   b. The service coordinator will contact the consumer's inpatient social worker and inform them of the status of the guardianship. This contact will be documented in the progress notes in the EMR.

c. The inpatient social worker will be responsible for weekly follow up with the consumer's family on the status of the guardianship and documentation of this contact in the progress notes in the EMR.

d. The service coordinator will notify the Washoe County Public Guardian's Office that the patient is being admitted to inpatient service and provide the name of the consumer's assigned inpatient social worker. This contact will be documented in the progress notes.

F. OUTPATIENTS - GUARDIANSHIP INITIATED BY NNAMHS

1. If the family is not interested in becoming guardian, the service coordinator will:

a. Mail the original physician's statement and the Washoe County Public Guardian referral form to the Washoe County Public Administrators Office (P.O. Box 40278, Reno, NV 89504)

b. A copy of each will be placed in the Northern Nevada Adult Mental Health Services medical record by the service coordinator.

c. The service coordinator will document this mailing in a progress note in the EMR.

d. The service coordinator will verify by telephone call to the Public Administrators Office that the application was received. The documentation must include the name of the person they spoke with and the telephone number.

e. The service coordinator will make a minimum of monthly contacts with the Washoe County Public Guardian's Office,

and document each contact in the EMR on the status of the guardianship with the Washoe County Public Guardian's Office, including whom they spoke with and telephone numbers.

2. When the guardianship process is completed:

   a. This will be documented in the EMR

   b. The service coordinator will enter the guardian's name, address and telephone number on the MR-100 "Face Sheet".

   c. A copy of the guardianship papers will be placed in the Consents/Legal section of the medical record as well as placed in alerts by HIS upon receiving guardianship papers

   d. The Problem List will be updated to reflect that the issue is resolved and the treatment plan for the issue resolved.

   e. All Treatment Plans, consents, etc. must be signed by the guardian from the date that NNAMHS is apprised of the name, address and telephone number of the appointed guardian.