Office of Public Guardian



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IOWA Health and Human Services

What the Office of Public Guardian Does

Office of Public Guardian



Guardianship and conservatorship services of last resort



Information and referral about decision-making supports



Training and education for guardians and conservators

State Office of Public Guardian

Part of the Iowa Department of Health and Human Services

Oversees the program and handles state-level policy.

- Reviews applications for services
- Oversees and monitors contracts with the local offices of public guardian
- Information & referral
- Training & education

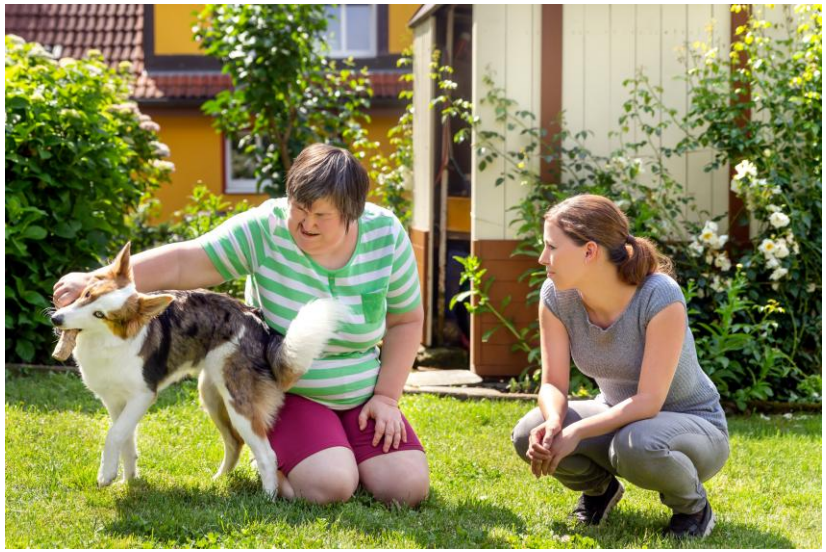


Local Offices of Public Guardian

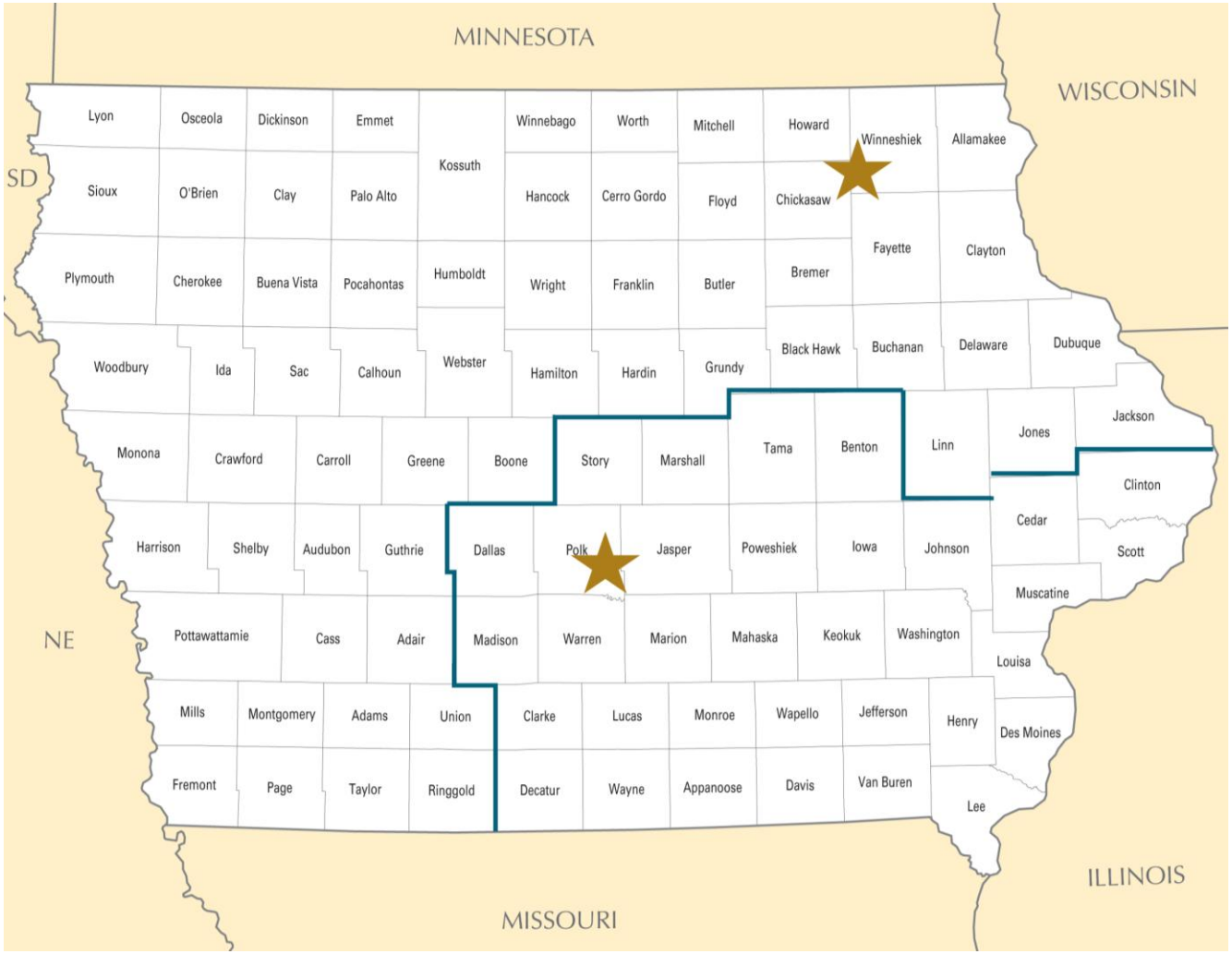
Established by competitive bidding (RFP) process

The State OPG contracts with providers to serve as LOPGs.

- Receive approved applications from the State OPG.
- Complete an intake and verify eligibility.
- Appointed by the court to serve as guardian and/or conservator.



Service Areas



Who the Office of Public Guardian Serves

Eligibility Criteria

Eligibility criteria are in Iowa Code chapter 231E

Must be an Iowa resident and 18 years or older.

- Meets the legal standard for appointment of a guardian or conservator.
- Needs cannot be met by less restrictive alternatives.
- No one willing and appropriate to serve as guardian or conservator.



Priority Cases

Priority criteria are in Iowa Admin Code 441-231.7(2)

The following cases shall be given priority:

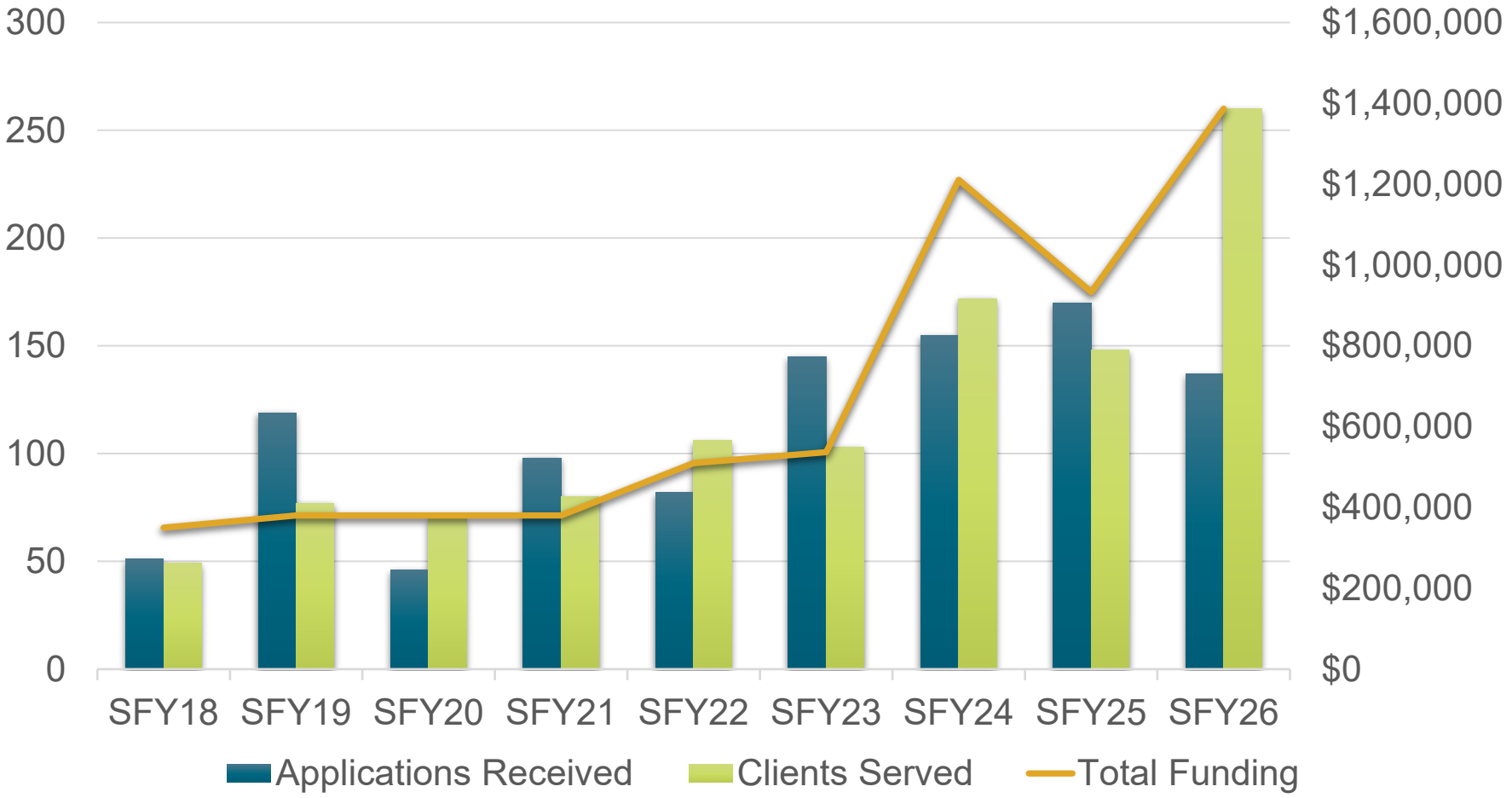
- Those involving abuse, neglect or exploitation.
- Those in which a critical medical decision must be made.
- Any situation which may cause serious or irreparable harm to the person's health or finances



About OPG's Clients

- **All ages:** Current clients range in age from 18 to 92.
- **All types of cognitive impairments:** Many clients have multiple diagnoses.
- **Statewide:** We have open cases in 51 of Iowa's 99 counties.
- **Low-income:** Most of our clients have low incomes and limited assets. About 95% qualify for Medicaid.

OPG Program Growth

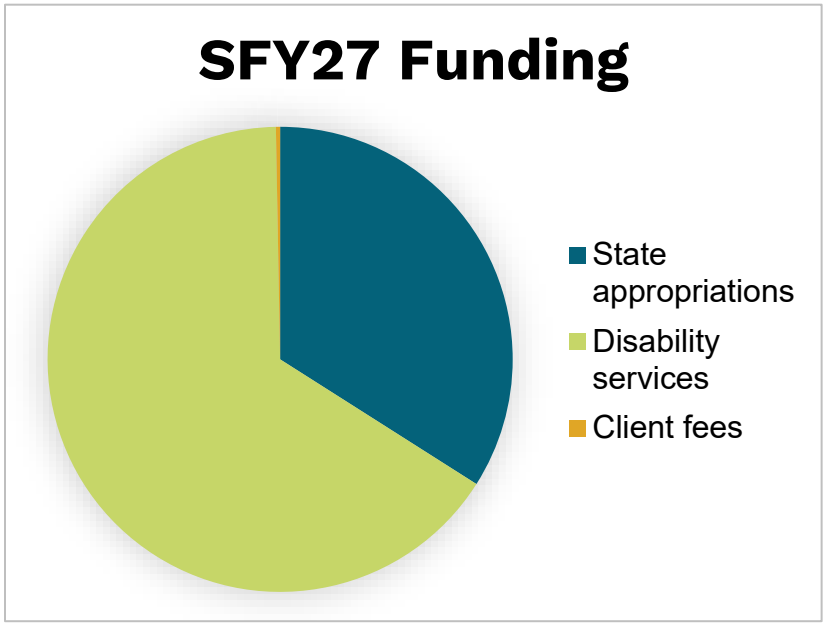


SFY27 Caseload and Funding

Total funding: $2,580,000

Statistics (as of 10/31)

- Serving 288 clients
- Received 51 applications
- Accepted 66 new cases
  - Appointed on 17
- 74 applications on waiting list



Funding source	Amount
State appropriations	$880,000
Disability services funding	$1,700,000
Client fees	$7,550

Alternatives to Guardianship

Before Applying for Public Guardianship

OPG is guardian of last resort, and guardianship itself is a last resort

- Could less restrictive alternatives to guardianship or conservatorship meet the person's needs?
- Will guardianship or conservatorship address the concerns?
- Is there anyone else willing and appropriate to serve as guardian or conservator?



Supported Decision Making

Least restrictive alternative

- Recognizes inherent right to self-determination
- Supports people with disabilities in learning how to make decisions
- All adults use supported decision making – we just don’t call it that!

Tools to help someone make decisions

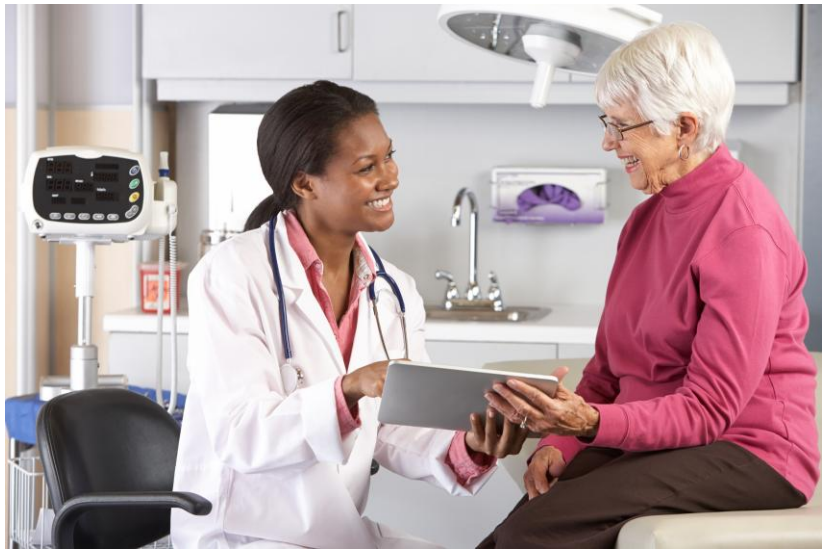
- Natural supports
- Professional supports
- Case management
- Power of attorney
- Written agreement

Release of Information

- Helps address concerns family members and caregivers might have about lack of access to medical, educational or financial information
- Allows people or organizations to share confidential information with a supporter

Power of Attorney

- **Can be used to plan for future incapacity**
- **Can be used when someone can make some (but not all) of their own decisions currently**
  - Early stages of Alzheimer's or other dementias
  - Mild intellectual disability
  - Mental illness
  - Brain injury



Representative Payee

Appointed by Social Security Administration

- Manage Social Security or SSI for a person who can't manage their own benefits
- Similar programs in other federal agencies (e.g. VA Fiduciary)
- Cannot manage other income or property

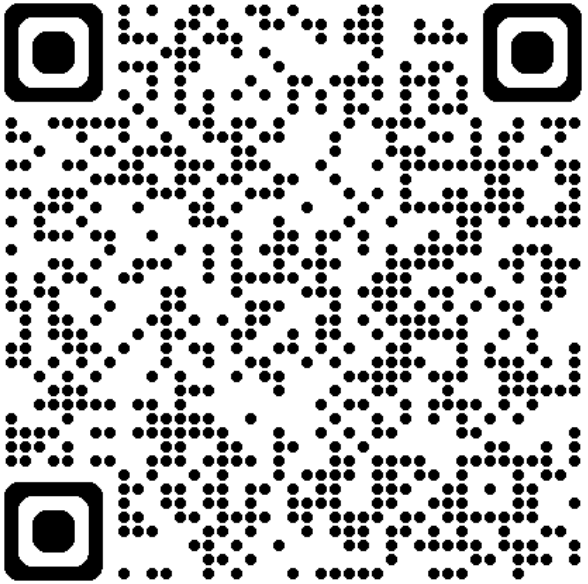


How to Apply for Public Guardianship Services

Application for Public Guardianship Services

Apply online

https://hhs.iowa.gov/family-community/adult-protective-services/office-public-guardian



Report of Decision Making Capacities

REQUIRED!

- Provides medical evidence regarding the specific aspects of decision making capacity relevant to guardianship and conservatorship
- Available to download on our website

Review Process

1. Is application complete?
2. If not, request additional information
3. Review application for eligibility
4. Send out notice

- Denial
- Waiting list
  - Oldest applications are from August 2025
- Acceptance
  - Currently priority cases have little to no wait



Questions

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