



# County of Monterey Board of Supervisors

## Response to the

*2022-2023 Monterey County Civil Grand Jury Final Report - "Public Guardian the Final Helping Hand: A Mandate to Care"*

*Elsa Mendoza Jimenez, DIRECTOR HEALTH SERVICES*  
*Lori Medina, DIRECTOR OF SOCIAL SERVICES*

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"Public Guardian the Final Helping Hand: A Mandate to Care"*

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**REPORT TITLE:** 2022 - 2023 Monterey County Civil Grand Jury  
*Topic "Public Guardian the Final Helping Hand: A Mandate to Care"*

**RESPONSE BY:** Contracts & Purchasing

**RESPONSE TO:** *Findings and Response* F1, F2, F3, F4, F5, F6, F7 – F8

**FINDINGS**

*With respect to each finding, the Board shall indicate one of the following: pursuant to Penal Code, section 933 (c), the Department shall indicate one of the following:*

- 1) That the Board agrees with the finding; or
- 2) That the Board disagrees wholly or partially with the finding, in which case the Board must specify the portion of the finding that is disputed and shall include in the response an explanation of the reasons for the disagreement.

F1		Adult Protective Services does not have sufficient access to professional Capacity Determinations for potentially-eligible clients to be referred to the Public Guardian.
F1 Response: The Board agrees with the finding. Adult Protective Services needs a consistent physician or psychologist to provide capacity determinations, particularly in-person and in client homes. Capacity determinations are needed to pursue conservatorships, as a last resort for clients who are no longer able to take care of themselves or arrange for their own care. Finding a licensed professional is critical at this time because the current neuropsychologist will be retiring this year.		
F2		Written policies and procedures exist, but it does not appear that they are fully utilized by staff.
F2 Response: The Board disagrees partially with this finding. Public Guardian Office (PGO) policies and procedures are reviewed and discussed at regular, biweekly staff meetings and as part of new employee onboarding process.		
F3		The Civil Grand Jury was unable to determine whether all staff interacting directly with clients with mental health diagnoses and medication needs were provided specific training to ensure their personal safety and build effective relationships.
F3 Response: The Board disagrees partially with this finding. PGO staff provided documentation to show that several of the deputies attended the State PGPCPA Association’s training on “Home Visits and Safety Awareness.” Additionally, safety concerns and how to best address them are discussed during case reviews with deputies.		
F4		The Civil Grand Jury was unable to determine whether all staff interacting with clients from the criminal justice system or with incarcerated individuals have been provided with training on how best to ensure their safety and build effective relationships.
F4 Response: The Board disagrees partially with this finding. PGO staff provided documentation to show that several of our deputies attended the State PGPCPA Association’s training on “Home Visits and Safety Awareness.” Additionally, safety concerns and how to best address them are discussed during case reviews with deputies.		

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F5		There is a lack of information for the public to assess eligibility for a conservatorship and understand the referral process, confidentiality rules, and the limitations of the Public Guardian Bureau.
F5 Response: The Board agrees with this finding.		
F6		There is no locked Institution for Mental Disease facility in Monterey County, requiring LPS conservatees to be placed out-of-county, resulting in hardship for families, PG staff and for conservatees to re-integrate into their community.
F6 Response: The Board agrees with this finding.		
F7		A preference for Deputy PA/PGs to each specialize in a specific type of case was stated. They currently all do all types of cases.
F7 Response: The Board disagrees partially with this finding. Cross training of Deputy PA/PGs across all types of cases ensures the PGO can support its caseload and properly investigate new referrals, particularly in times of short staffing.		
F8		The Monterey County Health Department is commended for its commitment and work with the LPS, Probate and Representative Payee population.
F8 Response: The Board agrees with this finding.		

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*Topic "Public Guardian the Final Helping Hand: A Mandate to Care"*

**RESPONSE BY:** Contracts & Purchasing

**RESPONSE TO:** *Recommendations and Response R1, R2, R3, R4, R5, R6 – R7*

**RECOMMENDATIONS:**

**Response**

*With respect to each recommendation, pursuant to Penal Code, section 933 (c), the Department shall indicate one of the following:*

- 1) That the recommendation has been implemented, with a summary regarding the implemented action;
- 2) That the recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation; or
- 3) That the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the Board (this timeframe not to exceed six months from the date of publication).
- 4) The recommendations will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

R1		Adult and Aging Services engage a licensed professional to provide all necessary Capacity Declarations for Adult Protective Services’ clients and/or collaborate with existing professional resources in other County Departments to fill this need by December 31, 2023.
R1 Response: The Board agrees with this recommendation. Department of Social Services (DSS)/Adult Protective Services (APS) will pursue engaging with and procuring a qualified licensed provider to provide the necessary and complete Capacity Declarations by December 31, 2023.		
R2		The Public Guardian Bureau adopt an approved and accessible policies and procedures manual to standardize operations and assure that staff is fully aware of and compliant with the stated policies and procedures by December 31, 2023.
R2 Response: The recommendation has been implemented, All PGO policies are accessible. Staff will be reminded where to access policies and that polices must be consistently followed. The review of polices will occur during mandatory, biweekly staff meetings by December 31, 2023.		
R3		The Public Guardian Bureau initiate on-going mandatory training for staff on best practices for working with clients with mental illness by September 30, 2023.
R3 Response: The recommendation will be implemented by September 30, 2023.		
R4		The Public Guardian Bureau initiate on-going mandatory training for staff on best practices for working with criminally charged clients by September 30, 2023.
R4 Response: The recommendation will be implemented. PGO will develop a written policy and seek training resources related to best practices in working with criminally charged clients by September 30, 2023.		

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R5		The Public Guardian Bureau update its website and brochure to include information about Capacity Declarations, referral procedures, self-determination, and family as first option by December 31, 2023.
R5 Response: The recommendation will be implemented by December 31, 2023. The PGO will work with Health Department , Information Technology and Communications staff to update the website and brochure, providing a user-friendly overview of the referral process, legal process and what a conservatorship can or cannot do.		
R6		The Public Guardian Bureau evaluate the benefits of specialized caseload assignments versus mixed caseload assignments by December 31, 2023.
R6 Response: The recommendation has been implemented. It was determined that mixed caseloads are in the best interest of the public. The PGO has a relatively small staff with many senior deputies close to retirement. It is critical that staff are knowledgeable, trained and work a mixed assigned caseload. Lastly, the Class Specifications clearly indicates a deputy shall work a varying caseload.		
R7		The Monterey County Health Department pursue mechanisms and options to have LPS conservatees housed within Monterey County to enable more family support, efficient use of staff time, and easier transition to lower level of care within the County by March 31, 2024.
R7 Response: The recommendation requires further analysis and discussions with Behavioral Health Bureau Placement team members and other stakeholders regarding viability of establishing additional capacity for varying levels of care needed to support our LPS conservatees in Monterey County. Discussions will be held by March 31, 2024.		

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