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May 22, 2003

Honorable Clifford R. Anderson, III
Presiding Judge, Santa Barbara County Superior Court
P.O. Box 21107
Santa Barbara, CA 93121-1107

The following is our response to the Grand Jury's report on the Office of the Public Administrator/Public Guardian, dated April 22, 2003:

FINDING 1:

There are no locked facilities in Santa Barbara County for indigent conservatees. County citizens who require twenty-four hour monitoring in a secured (locked) facility must be transported out of the County, resulting in significant costs to the client served or to the County.

MANAGEMENT RESPONSE TO FINDING 1:

Agree. Our Probate (i.e. elderly) conservatee base has become increasingly comprised of very demented individuals who can require heavy healthcare, exhibit acting out and wandering problems and occasionally have a history of psychiatric problems. There are no facilities in Santa Barbara County to accommodate these clients who are reliant on Medicare/Medi-Cal to pay their skilled nursing bills. Of our current caseload of 62 Probate clients, a total of 37 are living in facilities in other counties. (Breakdown: 28 in L.A., five in Ventura, one in Orange, two in San Luis Obispo and one in Fresno). This comprises a full 60% of our Probate conservatees and the trend continues to slowly, inexorably increase. And, as mentioned in Finding 1, the financial costs to the county and emotional cost to the clients, are inevitably increasing. The costs of transportation and visits by the Deputy Conservators are rising; the clients are miles away from their own county, friends and relatives; and it is obviously much more difficult for the Deputy Conservators to monitor their clients' care from long distances. The remaining 25 conservatees residing in Santa Barbara county facilities don't require a secured setting and/or have the financial resources to afford a private facility.

RECOMMENDATION 1:

A secured (locked) facility should be available in the County. The County should consider options for expanding in-County care of citizens to avoid the expense of transporting and monitoring clients out of the County. Options for consideration include unused hospital space or County buildings.

MANAGEMENT RESPONSE TO RECOMMENDATION 1:

The recommendation requires further analysis by the County Board of Supervisors. While we agree with the recommendation, we fear that in these times of draconian local and state budget cuts, that availability for any funding to support such a facility is probably non-existent. The suggestion of using unused hospital space or County buildings is noteworthy, but even if such property were available rent free, the associated costs of supplying 24 hour care for such high maintenance populations would most likely be out of reach. In light of the glaring problem, we regret this bleak and futile response, but it appears that it would not only require substantial amounts of money but also a tremendous amount of political will to create even a few secured beds in this County.

FINDING 2:

An increase in the indigent conservatorship population will impact the County's funds in the future.

MANAGEMENT RESPONSE TO FINDING 2:

Agree. Though referrals for public conservatorships continue to increase, the number of indigent adults on LPS and Probate conservatorships has remained somewhat steady over the last five years, i.e. approximately 90% of the whole. Yet, this does not underestimate the significant amount of present and future General Fund resources required to maintain the programs. Most clients with substantial resources are being "funneled" to private, for-profit conservatorship companies resulting in a dominant indigent Public Guardian population.

RECOMMENDATION 2:

Every effort should be made to obtain grants to continually assist the indigent population.

MANAGEMENT RESPONSE TO RECOMMENDATION 2:

The recommendation has not yet been implemented, but will be implemented within six months from the date of publication of the Grand Jury report.

FINDING 3:

The Office of the Public Administrator-Guardian is within the Office of the County Tax Collector-Treasurer.

MANAGEMENT RESPONSE TO FINDING 3:

Agree. The Office of the Public Administrator-Guardian is within the Office of the County Tax Collector-Treasurer

RECOMMENDATION 3:

For the purpose of better fiscal control, an outside auditor should be utilized periodically to verify the fiscal integrity of the Office.

MANAGEMENT RESPONSE TO RECOMMENDATION 3:

The recommendation has not been implemented, but will be in the near future when the Auditor-Controller's Department includes this in its audit cycle next year.

We thank the Grand Jury for their genuine and ardent interest, their insight and understanding of these important issues and the respect and courtesy they consistently displayed to Departmental staff.

Respectfully submitted,

Bernice James
Treasurer-Public Administrator-Public Guardian

c: Board of Supervisors
Clerk of the Board
Santa Barbara County Grand Jury