

POLICY AND PROCEDURE
BETWEEN MENTAL HEALTH AND PUBLIC GUARDIAN/LPS
INVESTIGATOR STAFF REGARDING LPS CONSERVATORSHIPS

Purpose:

This Policy and Procedure sets forth the separate responsibilities of Mental Health and Public Guardian/LPS Investigator staff within the Yolo County Health and Human Services Agency (HHSA) in order to provide Lanterman-Petris-Short (LPS) or potential LPS conservatees with appropriate, timely and independent conservatorship services. A Dispute Resolution Protocol has also been developed in accordance with Welfare & Institutions Code Section 5371 to mitigate potential disputes between staff regarding the provision of services to conservatees. This Policy and Procedure serves as the accompanying document to that protocol in order to list the separate responsibilities of the Mental Health and Public Guardian/LPS Investigator staff.

Responsibilities:

The services provided by Mental Health and Public Guardian/LPS Investigator staff regarding LPS conservatorship clients is as follows:

Task #	Mental Health Staff	Public Guardian/LPS Investigator Staff
1	N/A	Receive referral from statutorily authorized source, log in and review incoming referral (timeliness, complete, etc.) Determine if petition will be filed Forward to County Counsel if accepted Notify referring facility if declined
2	N/A	If accepted, begin Investigation for LPS Conservatorship Prepare report to be submitted to County Counsel 5 days prior to general hearing or notify County Counsel 5 days prior to hearing if PG no longer wishes to pursue conservatorship
3	Receive notification from County Counsel of temporary conservatorship ("t-con") hearing date	Receive notification from County Counsel of t-con hearing date

4	Notify PG of MH Case Manager	Notify MH of assigned PG Deputy
5	Provide all relevant information for completion of LPS investigation report, including allowing LPS investigator access to all necessary documents, information regarding treatment plan, change in placement, appointment of an appropriate relative, mental health needs, unmet needs and fiscal issues	Investigator/Deputy PG initiates discussions with MH clinicians, facility representatives and other necessary persons
6	Staff placement options with PG	Staff placement options with MH Sign consent/admission packets Provide County Counsel with notification of change of address/location of conservatee
7	Transport conservatee to placement Transport conservatee to court	N/A
8	Provide expert witness where available	N/A
9	Provide ongoing services for conservatees utilizing HHSA approved providers	Request assistance in engaging conservatee in services
10	Provide individual treatment plan within ten working days from receiving Letters of Conservatorship	Provide individual treatment plan within ten working days from receiving Letters of Conservatorship
11	Provide intervention and/or evaluation to LPS Conservatees in crisis Facilitate medication management as necessary Coordinate hospital admissions where necessary	Provide general management of food, clothing and shelter
12	Provide PG with a copy of the County Mental Health Plan and a copy of all state reviews, regulations and statistical reports to and from the state regarding the LPS Conservatorship program	Maintain records consistent with Short-Doyle reporting requirements, including quarterly reports
13	Staff cases coming up for renewal (three months prior to expiration) Obtain renewal declarations/affidavits	Notify MH of upcoming expiration of conservatorship (at least three months prior to expiration) or of request for rehearing

		Staff cases coming up for renewal (three months prior to expiration)
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Dispute Resolution:

If a dispute or a conflict of interest arises between Public Guardian staff and staff responsible for mental health treatment regarding any of the services provided to persons considered for conservatorship or conserved pursuant to the LPS Act, the procedure established in the HHSA Dispute Resolution Protocol shall be followed.

Karen Larsen, Director
Health and Human Services Agency