



Agenda Date: 1/23/2007  
Agenda Placement: 6E

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

---

**TO:** Board of Supervisors  
**FROM:** Theresa Richmond for Randolph F. Snowden - Director  
Health & Human Services  
**REPORT BY:** Theresa Richmond, Chief Operations Officer, 259-8176  
**SUBJECT:** Amend Departmental Allocation List for Health and Human Services - Public Administrator/Public  
Guardian/Public Conservator

---

### **RECOMMENDATION**

Director of Health and Human Services Agency and Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Public Administrator/Public Guardian/Public Conservatorship Division adding one (.5 FTE) Probate Assistant, effective January 23, 2007.

### **EXECUTIVE SUMMARY**

Approval of the requested action will amend the Departmental Allocation List for the Public Administrator/Public Guardian/Public Conservatorship division of the Health and Human Services Agency, adding one (0.5 FTE) Probate Assistant, effective January 23, 2007. Expected revenues will pay for the cost of this additional support staff.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Public Administrator estate fees
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	This position is discretionary in that there is no mandate for the position. Approval of this request will provide a 0.5 FTE Probate Assistant to assist with: (1) client assessments and the increased workload associated with the Public Administrator functions which have been transferred from the District Attorney's office to the Health and Human Services Agency; (2) new

requirements for the Public Guardian/Public Conservator resulting from the Omnibus Conservatorship and Guardianship Reform Act of 2006; and (3) the additional responsibilities for tracking Lanterman-Petris-Short (LPS) conservatorships of mentally ill adults.

- Is the general fund affected? No
- Future fiscal impact: This is a permanent position and appropriations will be budgeted accordingly in future years.
- Consequences if not approved: If this request is not approved, the Public Administrator/Public Guardian/Public Conservator Office will be unable to effectively carry out all of the required duties of the Public Administrator/Public Guardian/Public Conservator.
- Additional Information: Public Administrator responsibilities were transferred from the District Attorney's office to Health and Human Services on January 8, 2007. Approximately \$21,000 in budgeted revenue was transferred to HHSA for the remainder of Fiscal Year 2006-2007. However, since actual Fiscal Year 2005-2006 revenue exceeded budgeted Fiscal Year 2005-2006 revenue by \$11,435, it is projected that actual Fiscal Year 2006-2007 revenue will exceed \$21,000 for the remainder of the year. This position will cost approximately \$19,350 in Fiscal Year 2006-2007.

The position will cost \$37,084 on an annual basis. The Public Administrator currently has annual budgeted revenue of \$41,000. Based on Fiscal Year 2005-2006 actuals, annual revenue in future years is likely to be somewhat higher.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

Effective January 8, 2007, the Public Administrator title and duties were transferred from the District Attorney to the Director of the Health and Human Services Agency (HHSA). SB 570 (Chesbro) enabled the Board to separate the consolidated office of the District Attorney/Public Administrator. With the end of the elective term last December 31, 2006, the transfer of the separated office of the Public Administrator to HHSA was made possible. The duties of the Public Administrator will henceforth be handled by the Public Guardian/Conservator office of HHSA, which became the Public Administrator/Public Guardian/Public Conservator office (PA/PG/PC). This Office is currently staffed by a 1.0 FTE Assistant Public Guardian/Conservator and a 0.5 FTE Probate Assistant.

Historically, the PA cases have constituted approximately 30% of the sum total PA/PG/PC caseload. Therefore, the addition of the PA caseload to the PG/PC office could realize as much as a 30% increase in the Office's workload. Additionally, the passage of the Omnibus Conservatorship and Guardianship Reform Act of 2006 will significantly impact the Office with its newly added paperwork and accounting requirements for all existing cases. Furthermore, there are new mandates that are expected to increase the number of conservatorships the Office is required to initiate. Moreover, the Office recently assumed responsibility over the LPS conservatorship renewal/recertification process from the HHSA Fiscal Division for the Gero-Psych conservatees.

LPS stands for the Lanterman-Petris-Short Act, which deals with conservatorship for mentally ill adults. The renewal/recertification process consists of tracking LPS conservatorship expiration dates and physician notification. There are currently 32 Gero-Psych LPS cases.

The proposed addition of a 0.5 FTE Probate Assistant will provide the Office support required to take on the additional responsibilities of the PA, as well as the new requirements based on the Omnibus Conservatorship and Guardianship Reform Act of 2006, and the tracking of LPS cases. The revenue for the PA/PG/PC office is expected to increase immediately and over the next fiscal year to cover the costs of this proposed 0.5 FTE position.

### **SUPPORTING DOCUMENTS**

A . Resolution

CEO Recommendation: Approve

Reviewed By: Lorenzo Zialcita