

REQUEST FOR CLARIFICATION/INTERPRETATION

TO:	Name and Title: Tim Plaska	FROM:	Name and Title: Debbie Heerd
	Organizational Unit: DPHHS/DDP		Organizational Unit: H.I. Case Management
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1. TYPE OF REQUEST: Follow-up to Verbal Request - Date of Verbal Request: _____ Written Request X

2. STATEMENT OF QUESTION OR ISSUE:

In regards to guardianship and the PSP. We all know that the individual's plan of care is directed by choice but when does this choice become overridden by a guardian? In this situation we have divorced parents that no longer get along. The mother gave up her co-guardianship when she wanted to become an adult companion for her son and work for the provider. She later quit her job. When the psp date came around she attended the meeting along with the father (now the sole guardian). The father requested that the mother leave the meeting as he believes he has the responsibility to the invite team members and he didn't want her there. However, the son wanted his mother to attend the meeting. In this situation who gets to say? The individual, by psp policy or the guardian, by legal representation? Does a guardianship override psp rule and policy?

Fortunately, the cm managed the situation by speaking with the father alone and presenting the how the conflict might play out for his son and he took the high road. However, this will not be the last time it comes up as in the future he will request to take her name off the notification list. What's a cm to do?

I guess that brings up a more important question; does the guardian have the right to direct all of the plan of care, thus bypassing the person centered approach?

References:

3. ANSWER:

The language in the actual guardianship order from the court must be reviewed to determine if the guardian has been appointed as a full or a limited guardian. If they have been appointed full guardianship, the guardian can override the person's choice.

References:

Approved and Issued by: *Novelene R Martin*
(Program Director) Date: 5/22/15

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