

**DEVELOPMENTAL DISABILITIES
PLANNING COUNCIL
FY22 BUDGET REQUEST**

Legislative Finance Committee

November 16, 2020

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL (DDPC) BUDGET PROGRAMS

DDPC

- FY20 Actual
 - \$716,300 General Fund
- FY21 Operating
 - \$743,800 General Fund
- FY22 Request*
 - \$710,200 General Fund

Office of Guardianship (OOG)

- FY20 Actual
 - \$4,454,100 General Fund
- FY21 Operating
 - \$4,490,000 General Fund
- FY22 Approved Request*
 - \$4,261,900 General Fund
- FY22 Alternative Adjusted Requests*
 - \$5,586,400 Wait List Reduction
 - \$5,205,400 No Wait List Reduction

GUARDIANSHIP SERVICES

- Professional Legal Services
 - Approximately \$2,200 per guardianship case
 - Contractors
 - Petitioning attorneys
 - Guardians ad litem
 - Court visitors
- Professional Guardian Services
 - Probate Code guardians
 - \$325 per month per case
 - Indefinite appointment
 - 990 cases (October 2020)
 - Treatment guardians
 - \$85 per month per case
 - 6-12 month appointment
 - 435 cases (FY21 Q1 average)

GUARDIANSHIP SERVICES WAIT LIST

Wait List

- Halted new case processing in January 2020
- In FY21, recalled 15 cases already in process (from applications dated 9/26/19 and later)
- 115 on wait list at end of FY20
- 217 on wait list as of November 12, 2020
 - 145 professional guardian cases
 - 72 family guardian cases

The wait list almost doubled in the first quarter of FY21.

FY20 Cases

- 982 total protected persons at end of FY20
- 129 new professional guardian cases
- 86 new family guardian cases

FY21 Cases

- 990 total protected persons as of 10/31/20
- 36 new professional guardian cases
- 13 new family guardian cases

GUARDIANSHIP NEW CASE ASSIGNMENTS

- Emergency cases
- Priority cases
 - Adult Protective Services
 - Military veteran
 - Jackson lawsuit class member
 - Foley lawsuit referral
- Family guardian cases
- Deaths of protected persons
 - FY20 total – 65 deaths
 - FY21 Q1 – 28 deaths
(compared to 12 deaths in
FY20 Q1)
 - Supported Decision Making &
other alternatives to
guardianship

CONSEQUENCES OF FAILING TO MEET GUARDIANSHIP NEEDS

- Harm to the health, safety, and protection of at-risk New Mexicans
- Litigation exposure
- Loss of professional guardian contractors & subsequent inability to provide future services
- Loss of credibility with the courts
- Rapidly growing wait list

GUARDIANSHIP FUNDING CHALLENGES

- OOG Contracts
 - FY20 Actual - \$4,816,489
 - FY21 Operating - \$4,601,000
 - **FY21 shortfall - \$250,000**
 - **FY22 shortfall (wait list reduction) - \$1,062,800**
 - **FY22 shortfall (no wait list reduction) - \$681,800**
- OOG Fund Balance
 - FY20 Revenue - \$564,000
 - FY21 Revenue - \$500,400
 - Current fund balance - less than \$50,000
- State Board of Finance Grant
 - FY20 Revenue - \$204,375

DDPC CONTACTS

- Alice Liu McCoy, Executive Director
 - aliceliu.mccoy2@state.nm.us
- Joe Turk, Chief Operating Officer
 - joe.turk@state.nm.us
- Kathleen Coates, Chief Financial Officer
 - kathleen.coates@state.nm.us