

House Appropriations – Human Resources Division

Testimony on Senate Bill 2012

Representative Jon Nelson – Chairman

March 9th, 2023

Chairman Nelson and members of the House Appropriations Committee – Human Resources Division, my name is Donna Byzewski and I am the Program Director of the corporate guardianship program for individuals with intellectual disabilities at Catholic Charities North Dakota. I have been a guardianship worker and/or director for more than 33 years at Catholic Charities North Dakota. I am testifying in support of SB 2012 as it relates to corporate guardianship for individuals with intellectual disabilities. The funding would have an immediate impact on reducing the waiting list for services and decrease the time that a person must wait for corporate guardianship services.

On any particular day, a guardianship worker may be assisting an individual on their caseload in finding housing after they have been evicted for the 4th time in a year for allowing strangers to stay at their apartment; helping a person work through a diagnosis of a serious or life threatening medical condition which carries the responsibility of being the decision maker for these difficult medical decisions; spending countless hours working with credit card companies after a person has racked up huge credit card bills; accessing and maximizing the benefits that an individual receives – hours are spent on completing applications for housing, Social Security, food stamps, etc.; finding and accessing psychiatric services when a person is experiencing mental health struggles (more than 74% of the individuals on our caseload receive the services of a psychiatrist); monitoring and reporting any incidents of suspected abuse, neglect and/or exploitation; assisting an individual in obtaining restraining orders against abusive boyfriends or girlfriends or sexual predators. We are available 24 hours per day/365 days per year for emergencies or crises through our on-call system.

For more than 35 years, the Developmental Disabilities (DD) Division has contracted with Catholic Charities ND to provide guardianship services on behalf of adults with intellectual disabilities. Since 1987, we have served as guardian for more than 1,000 individuals with intellectual disabilities. It is important to note that many adults with intellectual disabilities are their own decision maker. However, there are critical times when a person may need the

services of a guardian, and if no one else is available or appropriate, a corporate guardianship is a necessity. Corporate guardianship is the guardian of last resort. Our contract with the DD Division specifies that Catholic Charities ND can only accept referrals from Developmental Disabilities Program Managers from the regional human service centers in North Dakota. Most referrals tend to fall into one of three categories: the person is at risk of harm or experiencing a medical crisis and has no family or friends to serve as guardian; families are not wanting to be guardian because the needs of their son, daughter, brother or sister have burned them out and are more than they can manage; or family may be the ones exploiting the person financially or abusing the individual physically or sexually.

We are currently serving as guardian for 500 individuals who live throughout the state of North Dakota. We have 15 guardianship workers who carry an average caseload of 34 people. Our guardianship workers must have a four year degree and be either a licensed social worker or a Qualified Developmental Disabilities Professional (QDDP). They often travel 50 to 140 miles one way to visit each person on their caseload, attend team meetings, court hearings and attend medical appointments. Our guardianship workers' duties and responsibilities typically include the following: determining the individual's living arrangements; assuring that the person's medical needs are met and providing consent for all medical procedures, surgeries, treatments, medications, end of life decisions, etc.; arranging and authorizing educational and vocational opportunities; legal decision making; and making financial decisions as well as overseeing the individual's assets and social security benefits.

In closing, I respectfully ask each of you for your support of funding for corporate guardianship services as outlined in SB 2012. With your help, the good and necessary work of the corporate guardianship program can continue to give individuals with intellectual disabilities opportunities and respect. I would welcome any questions that you may have. Thank you!