

**TESTIMONY SB 2345**  
**House Human Services**  
**March 8, 2023**  
**Senator Kathy Hogan**

Chairman Weisz and Members of the Human Services Committee, for the record my name is Kathy Hogan and I represent District 21.

SB 2345 is a bill that was worked on during the interim regarding Guardianship Services particularly increasing both monitoring and funding for these essential services. Over the last 25 years, the need for a more formal Guardianship infrastructure has become increasingly evident. As more vulnerable individuals, general elderly or seriously disabled, need assistance in making critical life decisions (financial and medical) and help in accessing needed services, the demand for private guardianships is increasing as has the amount of time court appointed guardians are expected to serve.

Fifty years ago, this function was primarily assigned to a county court appointed official called a public administrator. At that point in time, they typically spent 1 or 2 hours/month helping people without family in basic items like taxes, paying bills or finding housing. The roles and standards for guardianships have significantly increased without having increased funding.

With the ARC lawsuit settlement, a critical corporate Guardianships structure was established to provide those individuals with intellectual disabilities with this service. Catholic Charities of ND has managed that system for almost 30 years but has consistently had waitlists because funding has been inadequate. Other elderly and disabled individuals have used a range of local/private options. Four years ago, we established a funding structure for those individuals that is coordinated through the NDACO's at no cost, but it also has not been able to meet the demand for service and current reimbursement levels are not adequate to cover costs for the services provided.

Finally, over the last 20 years, there has been discussion regarding the role of the court in monitoring Guardianships regardless of their payment status, private, corporate, or non-profit. This bill supports and funds the Supreme Court to build a formal monitoring structure for all guardianships. Over the decades we have had numerous complaints about abusive or exploitation by guardians and often investigating and addressing these challenges have been very limited.

Originally this bill included funding for both corporate Guardianships and the PASS program. In the Senate, those costs were moved to the DHHS and OMB appropriations.

The Senate passed SB 2224 which revised the basic framework for the Guardianship Monitoring Program. This bill addresses the framework for provision of that service. Thank you for considering this critical bill and I would be more than willing to answer any questions.