


Name of Policy:	<u>Guardianship</u>	 THE UNIVERSITY OF TOLEDO <small>1872</small>	
Policy Number:	3364-131-35		
Department:	Outcome Management		
Approving Officer:	Director of Nursing/Chief Nursing Officer		
Responsible Agent:	Manager, Outcome Management		
Scope:	The University of Toledo Medical Center		
		Effective Date 9/1/20 Initial Effective Date: 4/1/2009	
<input type="checkbox"/>	New policy proposal	<input type="checkbox"/>	Minor/technical revision of existing policy
<input checked="" type="checkbox"/>	Major revision of existing policy	<input type="checkbox"/>	Reaffirmation of existing policy

(A) Policy Statement

Outcome Management will assist patients who are found by a physician to lack capacity to make informed decisions related to his or her healthcare needs by requesting that a guardian be appointed by the probate court.

(B) Purpose of Policy

To provide guidance for obtaining guardianship when a physician has determined a patient lacks capacity and requires assistance making informed decisions about his or her health and safety.

(C) Scope

Please add.

(D) Procedure

1. A physician will determine if the patient lacks capacity and the ability to give informed consent for health care decisions.
2. The physician will prepare a report (Statement of Expert Evaluation) for the probate court, documenting the need for guardianship, nature and degree of alleged incapacity, and brief mental status examination.
3. A social worker from the Outcome Management Department will contact persons in order of priority to serve as guardian. Persons having next priority for appointment as guardian are as follows:
 - a. Healthcare power of attorney.
 - b. Spouse of the incapacitated person (includes common law marriages if established prior to October 10, 1991).
 - c. Adult children of the incapacitated person.
 - d. Parent(s) of the incapacitated person.

- e. Sibling(s) of the incapacitated person.
 - f. If affiliated, the Developmental Disability and/or Mental Health and Recovery Services Board(s).
 - g. A participant in the guardianship program through Lucas County Probate Court.
4. The social worker will gather the original Statement of Expert Evaluation and supporting medical documentation to provide to the prospective guardian to apply for guardianship.

<p>Approved by:</p> <p>/s/ _____ Date _____ Monecca Smith MSN, RN Chief Nursing Officer</p> <p>/s/ _____ Date _____ Megan Naparstek MSW, LISW-S, ACSW Manager of Outcome Management</p>	<p>Review/Revision Date: 6/25/2015 08/07/2020</p>
<p>Next Review Date: 08/2023</p>	
<p>Policies Superseded by This Policy: None</p>	

It is the responsibility of the reader to verify with the responsible agent that this is the most current version of the policy.