Name of Policy: Guardianship **Policy Number**: 3364-131-35 **Approving Officer**: Chief Medical Information Officer **Responsible Agent**: Administrative Director, Outcome Management **Scope**: University of Toledo Medical Center	 **Effective date**: 8/2025 **Original effective date**: 4/1/2009
Key words: Guardianship, Incapacitated, Court, Appointment, Decisions	

☐	New policy proposal	☐	Minor/technical revision of existing policy
☒	Major revision of existing policy	☐	Reaffirmation of existing policy

(A) Policy Statement

Individuals who are determined by a physician to be incapacitated will have a petition filed with the probate court requesting the appointment of a guardian.

(B) Purpose of Policy

To provide guidance for obtaining guardianship when a physician has determined a patient needs assistance making informed decisions about their health and safety.

(C) Procedure

1. The 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 determine who will serve as guardian. Persons having the next priority for appointments as guardian are as follows:
   a. Healthcare power of attorney.
   b. Spouse of the incapacitated person (includes common law before marriage, 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.

Approved by: /s/ _____ Ryan Sadeghian, MD Chief Medical Information Officer 8/18/2025 _____ Date /s/ _____ Angela Ackerman, RN, BSN, MBA Administrative Director, Outcome Management 8/18/2025 _____ Date *Review/Revision Completed by:* *Administrative Director, Outcome Management*	**Policies Superseded by This Policy:** • *None* Initial effective date: 4/1/2009 Review/Revision Date: 6/25/2015 8/7/2020 11/2023 8/2025 Next review date: 8/2028