

SENATE BILL REPORT

SB 6399

As of January 22, 2004

Title: An act relating to guardianship fees and compensation in superior courts.

Brief Description: Modifying provisions concerning guardianship fees and compensation in superior courts.

Sponsors: Senators Esser and Rasmussen.

Brief History:

Committee Activity: Judiciary: 1/22/04.

SENATE COMMITTEE ON JUDICIARY

Staff: Lidia Mori (786-7755)

Background: The Department of Social and Health Services (DSHS) is allowed by statute to set maximum fees and administrative costs to be granted by courts in guardianships for DSHS clients. These DSHS clients are residing in a nursing facility, residential, or home setting, and are required by DSHS to contribute a portion of their income towards the cost of residential or supportive services. Washington Administrative Code 388-79-030 states the amount of guardianship fees shall not exceed \$175 per month and the amount of administrative costs shall not exceed a total of \$600 during any three-year period.

Concern exists that the amounts allowed by DSHS are so low that people are refusing to be guardians for these DSHS clients.

Summary of Bill: The amount of fees and costs for guardians of incapacitated people who are clients of the Department of Social and Health Services is not limited to the amount allowed by rule by DSHS.

Appropriation: None.

Fiscal Note: Requested on January 21, 2004.

Effective Date: Ninety days after adjournment of session in which bill is passed.