



## **Reducing Conflicts for Delegated Conservatorships Policy**

Harbor is committed to reducing conflicts that may arise when we are the delegated conservator for an individual we are serving. To meet this goal, the following provides guidance to Harbor about the process of serving an individual, while at the same time, acting as their day-to-day conservator. It also provides information about the process a conservatee or their legal representative may use if they are dissatisfied with the way Harbor is carrying out its delegated conservatorship responsibilities.

### **DEFINITION:**

Delegated conservatorships are authorized by Health and Safety (H&S) Code Section 416.19 and occur when the Department of Developmental Services (DDS) is appointed by a court as an individual's conservator. In these cases, DDS delegates the day-to-day conservatorship authority to the Executive Director of the regional center serving the conservatee.

### **POLICY:**

To reduce potential conflicts of interest that may arise when Harbor serves an individual and is also their delegated conservator, the conservatorship duties shall be carried out by the **Manager of Rights and Quality Assurance** and overseen by the **Director of Case Management Support Services**. The day-to-day conservatorship duties will be separate and removed from the service coordination activities conducted by the conservatee's assigned Service Coordinator and the Client Services Manager supporting the individual.

The **Manager of Rights and Quality Assurance (MRQA)**, under the direction and supervision of the **Director of Case Management Support Services**, shall:

- Review the Letters of Conservatorship and learn what powers the court granted to DDS and are thereby, delegated to Harbor.
- Meet at a minimum, quarterly, in person, with the conservatee. This is separate from the quarterly review of the Individual Person-centered Plan (IPP) conducted by the assigned service coordinator, but can occur on the same day. A private meeting should occur between the MRQA and the conservatee.
- Support the conservatee's participation in the IPP review meeting and other meetings.
- Maximize the conservatee's autonomy and support the conservatee in making their own decisions, based on their preferences and choices.
- Timely inform the conservatee about all decisions made by the regional center on their behalf.
- Support the conservatee in raising any concerns they may have.
- Monitor and timely address any concerns about the conservatee's health, safety and well-being, violations of their rights, their satisfaction with current services and living arrangement and the need for additional or different



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services.

- Consult with appropriate internal and external specialists to better understand any identified concerns or needs related to the conservatee.
- Complete the DDS monthly reporting tool in accordance with the Regional Center Contract about any changes which impact the conservatee's health, safety or well-being and changes to their services or service needs.
- Provide information about the conservatee's preferences and needs as part of the development of the comprehensive person-centered biennial assessment.
- Provide recommendations about the need for conservatorship, alternatives to conservatorship, changes to the conservator's powers, and the availability of others who may be able to serve as conservator.
- Assist the conservatee in resolving any concerns they may have about the conservatorship or their regional center services by informing them of the process to request assistance from DDS and/or referring them to other resources who may be able to assist them.

### **Qualifications and Training of the Manager of Rights and Quality Assurance (MRQA):**

At a minimum, the MRQA will hold a Bachelor's degree in social work, psychology, human services or a related field of study and will have not less than two (2) years of experience working with people with developmental disabilities.

In accordance with the roles and responsibilities of the delegated conservatorship duties, the MRQA will be required to receive additional training on the following topics:

- Alternatives to Conservatorships and Supported Decision Making
- Clients Rights
- Futures Planning
- Person Centered Planning Facilitation Skills

### **Process for Requesting Assistance from DDS:**

A conservatee or their legal representative who is dissatisfied with a regional center's performance in carrying out its assigned conservatorship responsibilities may request assistance from DDS in resolving their concerns through:

- The DDS Ombudsperson at: [Ombudsperson@dds.ca.gov](mailto:Ombudsperson@dds.ca.gov) or (877) 658-9731.
- The DDS' conservatorship liaison office at: [ddsconservatorship@dds.ca.gov](mailto:ddsconservatorship@dds.ca.gov) or (833) 421-0061.

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