



THE SENIOR SOURCE®

The Senior Source as Guardian of the Person A Guide for Families and Friends

Senior Citizens of Greater Dallas, Inc. d/b/a The Senior Source (“The Senior Source”) is the proposed Guardian of the Person or has been legally appointed Guardian of the Person of your loved one, whom the Court determined to be incapacitated. Our Guardianship Program serves as an independent third party guardian whose focus is your loved one’s needs and well-being. The Court provides us with Orders that outline our authority and responsibilities, which we take very seriously. Depending on the instruction from the Court, the information provided in this handout may not apply or may be altered.

Your loved one has been assigned to one of our Guardianship Case Managers. Each case manager is certified by the State of Texas to provide guardianship services. Supervision is provided by the Guardianship Supervisor and the Director of the Guardianship Program. The Guardianship Supervisor serves as a back-up contact person when any case manager is unavailable. Each case manager maintains a caseload of about 30 individuals. Each client is visited and assessed face-to-face at least monthly. A case manager’s daily activities include visiting clients, attending doctor’s appointments and care plan meetings, returning phone calls and emails, completing legal reports, entering case notes, performing administrative duties, and a long list of other tasks.

In addition to appointing The Senior Source as Guardian of the Person, the Court may have also appointed a Guardian of the Estate or established a Trust to manage the person’s finances, property, personal effects, etc. Since another person or entity will be managing the estate, The Senior Source cannot address inquiries related to estate issues. If the person does not have an estate, sometimes The Senior Source serves as representative payee for Social Security Benefits or as a fiduciary for Veteran’s Benefits. The assigned Guardianship Case Manager can help direct you to the proper contact for any questions you may have about this.

Communication with The Senior Source

The Senior Source values the positive involvement of family and friends. The creation of the guardianship can be a scary experience for our clients, as it could involve a tremendous amount of change. Having family and friends to help normalize this new and different arrangement is very beneficial. We rely on family and friends to help us gather medical and social histories, personal preferences, and give input as issues arise. It is the intention of The Senior Source as guardian to work with the family and maintain friendly, open communication.

Unfortunately, there may be circumstances and/or regulations that prohibit the delivery of information. There may be instances where, for example, it is against our client’s wishes, it is protected personal information, or not in our client’s best interest to disclose the information. In those situations, The Senior Source is required to keep such information confidential.

The Health Insurance Portability and Accountability Act (HIPAA) is a federal regulation that protects the privacy and security of health information. One requirement of this regulation dictates that all medical providers, service providers, and facility staff can only communicate with a designated “personal representative.” In this case, The Senior Source will be that designated personal representative. This means The Senior Source will be their primary and only contact. When we receive information, the Guardianship Case Manager will then determine whether the information can and should be shared, and will then contact family. This can be frustrating for family who are used to speaking directly with medical staff, who now find themselves waiting for an update on their loved one.

There may be times, most likely during an emergency, where there could be a delay in notifying family. Although our case managers maintain regular business hours, a case manager is on-call 24/7 to address any client emergencies. Our case managers ensure our clients’ needs are addressed first, which means communicating issues to family, though important, may become secondary at times. Know that in these times The Senior Source is busy working with the other professionals involved in your loved one’s care and may not be at a point where stopping to update every family member is feasible. We are also collecting the best information to provide you with an accurate update and we will contact you at our earliest opportunity. It is never our intention to leave family uninformed as we know our clients are best served when family and the Guardianship Program are working together.

There also may be times when the medical professionals or facility staff mistakenly contact family instead of the Guardian. In those instances, we ask that family remind the individual that The Senior Source is the Guardian and that they should contact the Guardianship Case Manager. We would also appreciate an e-mail or phone call informing us of the contact and conversation so that we can follow up promptly.

The best way to reach the Guardianship Program staff is by e-mail. You may also call the office, but understand the case manager may be involved in other activities and might not get your message until the next business day. If your call is urgent, please call the main number during business hours at (214) 823-5700 and ask to speak to someone in the Guardianship Program. Any of our staff can assist you and will relay your message promptly. After hours, our Guardianship Program staff is not available by phone to anyone other than the individual’s direct care team.

Visitation

The Senior Source believes pleasant socialization with family and friends is critical in the well-being of our clients and is strongly encouraged and supported by our guardianship staff. Anyone can call or visit our client at their residence as long as our client approves of the visitor/caller and the visits/calls remain positive. Please be respectful of your loved one’s needs and schedule. Also, be respectful of the day-to-day activity of the facility and its residents; that is their home.

Family/friends requesting visits outside of the facility (or independent of caregiver staff) are required to undergo a Criminal Background Check (CBC) at your own expense. CBC findings may affect visitation. Prior to approval, visitors must meet with the case manager, visit at the client’s residence for a period of observation, undergo the background check, and follow any rules outlined by the facility/caregiver staff and the Guardianship Case Manager. The health and well-being of the client is also taken into consideration. If visitors do not comply with facility staff and Guardianship Case Manager instructions or limitations, visitation may be affected.

Conflict

There may be times when family/friend involvement is disruptive or harmful to our client. The Guardianship Case Manager will address the disruptive or harmful behavior and will develop a plan that protects our client and facilitates positive interactions. If issues escalate, intervention may include, but is not limited to: direction from the case manager (i.e. not discuss upsetting topics), implementation of a visitation schedule, supervised visits, or possible termination of visitation for a period of time.

Acts of disrespect or attempts to intimidate or undermine the authority of the Guardian will not be tolerated. If a conversation is no longer productive, staff will end the conversation. This could happen if the conversation is not reaching a resolution, or the topic is no longer about the care of your loved one. Visitation or communication may be affected, limited, or terminated, depending on what is in the best interest of the client and the safety of our staff.

We understand that your family may be undergoing a lot of stress and perhaps uncertainty. We want to help alleviate some of that stress and uncertainty to the extent our role allows. Our staff will respond professionally and know that we will always put the client's safety and well-being first.

Decision-Making

The Senior Source uses an "informed decision making" process to make decisions about our clients' care. Our Guardianship Case Managers have a lot of experience pertaining to issues of older adults, but we cannot rely on this professional knowledge alone. Our case managers are working behind the scenes to research the issues at hand and possible solutions. They are talking with the appropriate professionals obtaining the best advice available. They are asking the hard questions and advocating for the best care and quality of life. They are assisting their clients to ensure they understand, to the greatest extent possible, what the issues are and any recommended course of care or treatment. They are talking with family and friends to learn about the client's past and help us determine their wishes. They are consulting with the client to ensure their wishes are considered and honored to the greatest extent possible (so long as their wishes do not harm themselves or others). Each case manager is staffing these issues with their supervisor so as not to be in a position to make any decision alone. If appropriate, our attorney is consulted to ensure we have the authority to make the decision and that we have done our due diligence.

When we investigate an issue and want to effectively advocate for change, we must look at facts and protocols. The facilities, state agencies, and the Courts need the facts in order to act, and we must research facts quickly to minimize harm. This requires us to remain professional, and not emotional, while gathering information.

There are instances, such as advanced cognitive impairments, when our client cannot participate in the decision making process. In those instances, we use what is called "substituted judgment," which is a process of determining what the client would have done for themselves if they were given the same information during a time when their cognitive functioning was intact. If those wishes are undeterminable, we are directed to make a decision that is in the "best interest" of our client. The remainder of the decision making process is the same as described above.

The Senior Source, as guardian, is legally responsible for making the final decision. Efforts are made to involve and educate family regarding the issue at hand. Family/friend input is taken into consideration. Professional input and quality of life is weighed. However, we will make a final decision that is in the best

interest of the client. If family and the Guardianship Program are not able to come to some sort of agreement, a hearing may be scheduled to obtain an Order from the Court for direction.

Conclusion

We do our best every day for all our clients, your loved one included. Our hope is we can work together and with your input we can advocate for better care for your loved one.

Questions? Please contact the assigned Guardianship Case Manager or:

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