



FLORIDA'S FORGOTTEN VULNERABLE PEOPLE

Recently, Florida Senate Bill 304 was introduced by Senator Mike Fasano (R-District 11) to fund Public Guardianship Programs through a surcharge on non-criminal traffic infractions. If passed by the Florida legislature, this bill would become effective July 1, 2007 and would make a major difference to thousands of our state's neediest people, especially the frail elderly.

According to The Department of Elder Affairs (DOEA) and "Public Guardianship, An Assessment of Need 2004," annually nearly 10,000 people who need guardianship services do not receive them because the State of Florida provides no funding for guardianship services for indigent, incapacitated people who are alone and without family to care for them.

These unfortunate individuals live amongst us. They may be our neighbors, elderly parents, siblings, friends, or spouses. Most incapacitated people are suffering, in crisis, alone, and need immediate guardianship assistance. However, far too many, especially those who are indigent and alone, do not receive the help they desperately need due to the lack of government funding. As a result, many become victims of abuse and exploitation as exemplified by the following:

- Helen, 86-years-old, worked hard all her life to raise her family. She was living in her home and barely surviving on her meager social security check when she developed dementia. One day an unscrupulous man came to her door and offered to repair her home. Unknowingly, she signed a contract to sell her house to him. Although a recent appraisal had valued her house at \$169,000, the contract stated a purchase price of only \$80,000.00. Helen did not remember signing the contract. She had lived in her home for more than 52 years and had no intention of selling, but without the help of a guardian she would have been evicted when her home transferred to the new owner.
- After receiving reports from neighbors that a developmentally delayed, 23 year old woman was the victim of physical and sexual abuse by her stepfather, authorities sent an Adult Protective Investigator to the home where the young woman lived with her mother and stepfather. The Investigator found Rose weighing less than 70 pounds with most of her body covered with bruises and burns. The reports indicated the young woman had been confined to her bedroom and medical exams showed her to be severely malnourished and suffering from muscle atrophy due to a lack of physical exercise. She was in desperate need of medical attention, good nutrition, and a safe place to heal. When asked what she needed, Rose said she wanted a doll and coloring books and crayons.
- Carolyn, a 74-year-old woman with a cardiac condition and severe brain dysfunction, lived in her home with one of her sons who served as her caregiver. When she was found, she was barely conscious, weighed only 75 pounds (at a height of 5' 9"), was dehydrated and malnourished, and so severely infected with lice that her head had to be shaved. Doctors also discovered she was suffering from a hip fracture that was at least two weeks old and had not been treated. Due to dementia, Carolyn was unable to tell the doctors where she lived, how the injury had happened, or anything else. She was in desperate need of medical care and it was imperative that she be placed in a safe and secure environment to ensure she continued to receive proper care and be treated with the dignity she deserves.

Central Services

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Because these individuals are incapacitated, they are vulnerable to abuse, neglect (by themselves or others), and exploitation. Guardianship provides services to adults who have been adjudicated to be incapacitated by the Court due to a diagnosis of mental illness, age-related infirmities, Alzheimer's disease or other forms of dementia, traumatic head injuries or developmental disabilities. For these unfortunate people, funding is available for a variety of services including assistance with housing, medical care, case management, and supportive services; however, funding is not available for Guardianship Services which is so important to indigent, incapacitated people who are incapable of making decisions on their own.

For more than 25 years, Lutheran Services Florida has provided Guardianship Services to thousands of people in need throughout Florida regardless of religious affiliation, age, national origin, or financial ability. More than 70% of the clients in the LSF Guardianship Services programs are indigent and alone. Without the LSF Guardianship Case Managers, these unfortunate, incapacitated people – mainly the frail elderly – would have nowhere to turn for protection against abuse and exploitation. Because there is no state funding, the LSF Guardianship Services programs depend upon contributions from generous individuals and businesses; however, the demand for services has now exceeded funding from donations. As a result, many people in need will not receive care.

Why is the state not funding Guardianship Services for its most vulnerable citizens?

There are 17 Offices of Public Guardian (under the Department of Elder Affairs), as well as several nonprofit corporations, such as Lutheran Services Florida, and individuals providing pro bono guardianship in Florida, but they lack sufficient funding to meet the needs of the thousands of indigent people who require services.

Lutheran Services Florida supports SB 304 and encourages individuals to contact Senator Fasano to show their support. Contact information is listed below:

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Lutheran Services Florida (LSF) is a statewide, nonprofit, human care agency dedicated to helping all people in need regardless of religious affiliation, age, or national origin. During the past 25 years, LSF has provided assistance to more than 850,000 people in need. Headquartered in Tampa, LSF operates 65 programs and services to help at-risk children, the elderly, and families in crisis across Florida.

James A. Wells, President & CEO

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