

Living Longer Growing Stronger

from the Alaska Commission on Aging

The mission of the Alaska Commission on Aging is to ensure dignity and independence for Alaska's seniors and to assist them, through programs and services funded by the Commission, to lead useful and meaningful lives.



Alaskan Seniors: Living Longer, Growing Stronger is a monthly publication of the Alaska Commission on Aging (ACoA)

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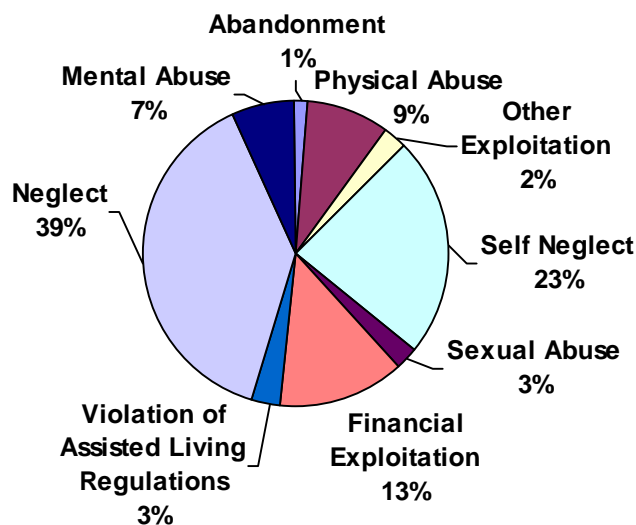
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Protecting Alaska's Vulnerable Adults

The second of a two-part profile of guardianship in Alaska

Aging is sometimes accompanied by mental or physical changes that prevent one from caring for oneself. This reality requires us to address the possibility of seeking help and protection for our loved ones or needing protection ourselves. In this and the previous issue of *Alaskan Seniors: Living Longer, Growing Stronger*, we explore guardianship in Alaska.



Types of Allegations Investigated by Adult Protective Services in Alaska (Total of 813 allegations investigated between July 1, 1998 and June 30, 1999).

Adult Protective Services in Alaska

Adult Protective Services (APS) investigates reports of harm to vulnerable adults and arranges for necessary services for their protection statewide. APS is a unit in the Division of Senior Services, Alaska State Department of Administration. APS serves all adults 18 and over. Seventy-seven percent of those served from July 1998 to June 1999 were 50 and over.

Primarily, Adult Protective Services staff perform the following functions:

- interview the vulnerable adult, family members, guardians, and other pertinent persons and agencies
- determine the needs of a vulnerable adult and how they may best be met
- take emergency action if appropriate
- assess clients' mental capacity
- file guardianship and conservatorship petitions if appropriate
- provide for immediate needs of the client until a care coordinator can provide services

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Alaska's Guardianship System is Good, But Strives To Be Better

Alaska's guardianship system strives to ensure that the individual's rights are protected. Because guardianship limits a person's civil rights, many senior advocacy organizations are working to improve the guardianship system.

The Office of Public Advocacy and the Division of Senior Services are exploring the concept of a new statute that would allow for a third type of guardianship petition that falls between regular and emergency. This type of petition would have to be heard by the court sooner than a regular petition, but not in as short a time as an emergency petition is required to be heard.

Currently, the forms used to petition the courts for a guardianship or conservatorship are not standardized in Alaska. The Alaska State Association for Guardianship and Advocacy has developed a new set of forms designed to be more consistent and user friendly. Alaska's two largest courts, Fairbanks and Anchorage, are now trying out the forms. If they're found to be helpful, it's hoped that the other courts around the state will also adopt them.

It is not necessary to be certified to serve as a guardian or conservator in Alaska. However, many of Alaska's guardians are certified, particularly the public nonprofit guardians. Certification is available through the National Guardianship Foundation (NGF). The NGF provides two levels of certification, Registered Guardian and Master Guardian. Both levels require a half-day written examination. An applicant must qualify for the Master Guardian test by serving at least 5 years as a guardian in a supervisory capacity. For more information, call the Alaska State Association for Guardianship and Advocacy, (907) 333-9480.

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How the Statewide Property Tax Cap Initiative Might Affect Anchorage

The Alaska Commission on Aging opposes the Statewide Property Tax Cap Initiative appearing on the November 2000 Ballot. In each issue of Alaskan Seniors: Living Longer, Growing Stronger through October, we will briefly examine how passage of the Statewide Property Tax Cap Initiative might affect a particular part of Alaska.

The Municipality of Anchorage receives its operating funds solely from property tax and state revenue sharing. State revenue sharing decreases have already caused problems for Anchorage.

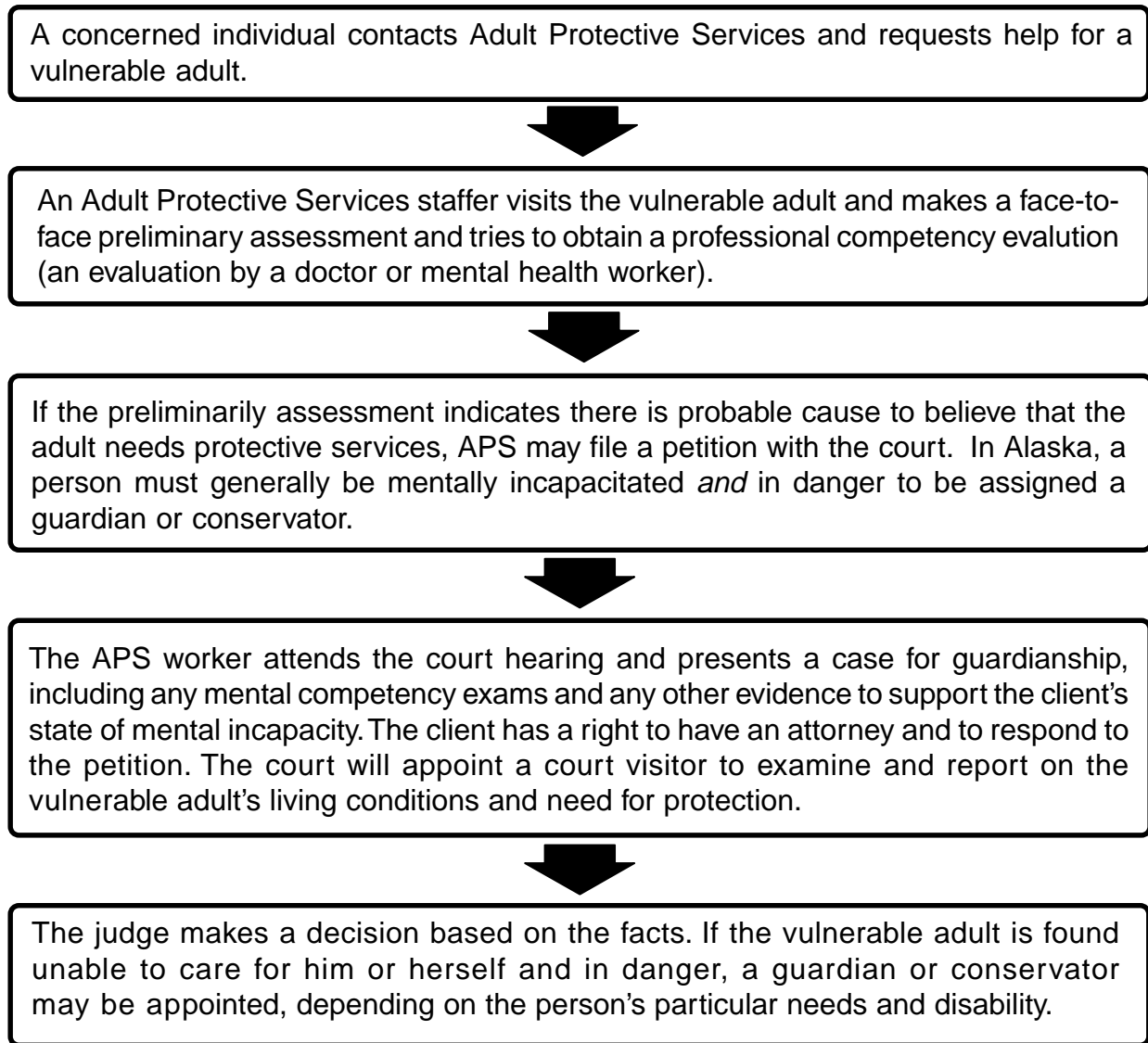
Anchorage's current mill rate ranges from 12 to 18, depending on the service area. The 10-mill tax cap proposed by the Statewide Property Tax Cap Initiative would reduce the city's property tax income by over 55%, or about \$73 million. Anchorage officials estimate that the municipality would lose at least \$80 million a year. This would mean about a 30% decrease in the municipality's total budget for schools, public safety, transportation and social services.

Anchorage may have to implement an 8-10% sales tax to offset losses caused by the cap. Anchorage would no longer be able to sell general assessment bonds to finance capital projects approved by voters. According to Anchorage Chamber of Commerce Board member Tom Wilson, quoted in the Anchorage Chamber of Commerce Newsletter, bonds require a vow that residents will raise the money by any means possible to pay back the debt. With the 10% property tax cap, this vow could not be honored.

According to the Alaska Municipal League, Anchorage is preparing two budgets, dubbed Plan A and Plan B. Plan A is for municipal operations under normal funding, Plan B is for municipal operations limited by the 10-mill cap. Plan B anticipates a \$40 million cut in the city budget and \$33 million cut in the school budget.

How Adult Protective Services Obtains a Guardianship for a Vulnerable Adult

Adult Protective Services staff work cautiously to preserve individuals' rights, privacy, and dignity. The steps below are a very basic overview of the process to obtain a guardianship for a vulnerable adult. The process of obtaining a guardianship when Adult Protective Services is not involved is very similar to this.



Guardianship System Strives To Be Better (continued from page 2.)

In 1998 the Division of Senior Services commissioned a study of the Alaska Guardianship System. The study made a number of recommendations for improvements. Most of these focused on providing more funding for the Office of Public Advocacy and encouraging the development of more private guardianship agencies. The goal of these recommendations is to lighten case loads and provide more support and training to private guardians.

You can become involved in supporting and improving Alaska's guardianship system in a variety of ways. One way is by joining the Elder Law Section of the Alaska Bar Association. Membership is open to anyone, not just attorneys. The group holds monthly meetings that include discussions of elder law changes or new developments, and updates in senior-related Legislation. There is a membership fee. For information, contact the Alaska Bar Association, (907) 272-7469.

