

COMMUNITY MENTAL HEALTH SERVICES OF MUSKEGON COUNTY

Policy

Prepared by: John North

No. 20-024

Effective: July 1 2003

Approved by:

SUBJECT: Payment for Guardians

James Elwell, Director

I. POLICY

CMH funds may be used to pay court appointed guardians for their services if a relative, spouse or volunteer guardian cannot be found and the individual is unable to pay a guardian.

II. PURPOSE

This policy is intended to authorize the use of CMH funds to pay a guardian. A guardian is not a covered service under the Medicaid plan, nor is CMH payment for a guardian required by any statute, rule or policy of the State of Michigan. This policy therefore is intended only to assist people with mental health needs secure services that will ensure safety and health.

III. APPLICATION

Applies to Community Mental Health Services of Muskegon County

IV. DEFINITIONS

Guardian: a person appointed by the court to exercise specific powers over an individual who is a minor, legally incapacitated, or developmentally disabled.

Minimum Asset Level: The minimum level of cash or savings as used in this policy is set at the amount customarily paid by SSI for a person living independently to cover living expenses for one month (not including the amount for personal allowance).

Minimum Income Level: The minimum amount of income as sued in this policy is set at the amount paid by SSI for the personal allowance.

V. PROCEDURE

A. Guardian payments from CMH funds may only be made when there is a service authorization. The agency will develop and use Service Selection Guidelines to approve payments to a

guardian.

- B. Payment for a guardian shall not be used to reduce the client's payment for room and board below the amount set by SSI. The room and board payment is used in calculating the consumers ability to pay. Using a lower required contribution for room and board can effectively increase a person's available income beyond the amount set for a personal allowance, and thereby shift the costs of a guardian to CMH without specific authorization. The minimum room and board payment is based on one of the following,
 - 1. If a person's income is the standard SSI only, then the room and board payment is the amount set by SSI
 - 2. If a person's income is less than the standard SSI amount, the room and board payment is the amount of the payment less the standard personal allowance or
 - 3. If a person's income is more than the standard SSI amount, the room and board payment is the actual cost of room and board
- C. If a person has assets and/or income, then the person shall first use such assets and income to pay for guardian services. CMH will pay for a guardian for people when their funds fall below the minimum level of assets and minimum level of income specified in this policy. When CMH is the payee, checks may be processed from the person's payee account.
- D. If a consumers assets and income are spent down, and the consumer now is unable to continue payment for a guardian, the Client Service Manager shall ensure that a guardian is still needed and implement one of the following actions:
 - 1. secure an alternate guardian who will not charge for services
 - 2. secure authorization for CMH guardian services

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