

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

358



**FROM:** Executive Office

**SUBMITTAL DATE:**  
February 3, 2014

**SUBJECT:** Response to the 2013-14 Grand Jury Report: Riverside County Mental Health Department, Public Guardian

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve with or without modification, the attached response to the Grand Jury's recommendation regarding Riverside County Mental Health Department, Public Guardian.
2. Direct the Clerk of the Board to immediately forward the Board's finalized responses to the Grand Jury, to the Presiding Judge and the County Clerk-Recorder (for mandatory filing with the State).

**BACKGROUND:** On January 7, 2014, the Board directed staff to prepare a draft of the Board's response to the Grand Jury's report regarding Riverside County Mental Health Department, Public Guardian.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to the matters under the control of the Board and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

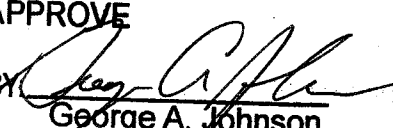
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Departmental Concurrence

| FINANCIAL DATA  | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT<br>(per Exec. Office)                                        |
|-----------------|----------------------|-------------------|-------------|---------------|-----------------------------------------------------------------------------|
| COST            | \$ N/A               | \$ N/A            | \$ N/A      | \$ N/A        | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST | \$                   | \$                | \$          | \$            |                                                                             |

|                         |                           |
|-------------------------|---------------------------|
| <b>SOURCE OF FUNDS:</b> | <b>Budget Adjustment:</b> |
|                         | <b>For Fiscal Year:</b>   |

**C.E.O. RECOMMENDATION:** APPROVE

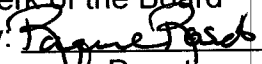
BY:   
George A. Johnson

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
 Nays: None  
 Absent: None  
 Date: February 11, 2014  
 xc: E.O., Grand Jury, Presiding Judge, Mental Health, Recorder

Kecia Harper-Ihem  
 Clerk of the Board  
 By:   
 Deputy

**Prev. Agn. Ref.:** 3-5 - 01/07/14 | **District:** | **Agenda Number:**

**3-5**

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**2013-1014 GRAND JURY REPORT**  
**RIVERSIDE COUNTY MENTAL HEALTH DEPARTMENT**  
**PUBLIC GUARDIAN**

**Findings**

1. After a review of the current policies and procedures the Grand Jury finds that the Public Guardian does not have a policy regarding the maximum number of clients served per Public Guardian Deputy. Documentation provided by the Public Guardian department revealed that current caseloads varied from fifty-nine (59) to one hundred ninety six (196) per Public Guardian Deputy. Sworn testimony obtained from interviewees indicates that caseloads to be reduced so that each patients needs can be managed more efficiently. Public Guardian management needs to make this assessment.

**Response: Respondent disagrees partially with the finding**

The high caseloads were due in part to funded employees on extended leave of absences and reduction in staff due to budget cuts. Effective November 2012, the department has been successful in adding and filling two (2) full time Probate Deputies and two (2) full time LPS Deputy positions. Effective December 2013 another full time LPS Deputy position was added and is under recruitment. Department policies do not address the maximum caseload sizes per Deputy and the department acknowledges that reduced caseloads aid in managing the patients needs more efficiently. Additionally, there is no statewide policy for caseload standards established in California. In comparing Riverside County caseloads with similar counties (Orange, San Bernardino, Ventura, Alameda, and San Joaquin), Riverside County Public Guardian's average caseload is comparable or lower than those counties. The average active caseload for budgeted Public Guardian Deputies is now 69, the active caseload for Probate Deputies is 45.

2. Upon reviewing the policies and procedures of the Public Guardian, the Grand Jury found that the policies and procedures manual have not been updated since 1988. The policy and procedure manual does not contain an index, which would facilitate locating policy topics. In accordance with Policy #407, a review is to be done annually. The Public Guardian does not follow their internal procedure. The laws and programs have changed which include probate and penal codes.

**Response: Respondent disagrees partially with the finding**

Riverside County Department of Mental Health (RCDMH) agrees that timely and clear communication of current policies are essential to effective and efficient operations. The Department has the Public Guardian Policy and Procedures posted on a RCDMH shared folder available to all employees. A table of contents and updated policies were in place at the time of the investigation; however, the table of contents and 30 updated policies were not posted in the shared folder. As a result they were inadvertently not provided to the Grand Jury at the time of their investigation.

3. Sworn testimony indicated that caseloads are unmanageable. It was revealed that there were tasks that additional clerical personnel could do that would free up the Public Guardian Deputies. Public Guardian Deputies stated that they must prioritize tasks, according to importance, and that consequently some tasks are left undone or delayed.

**Response: Respondent agrees with the finding**

In an effort to assist Public Guardian Deputies to manage their work load the department added and filled two (2) full time Office Assistant positions. These Office Assistants were hired by September 2013. Both positions support the Deputies with various tasks.

4. Testimony revealed that equipment such as ergonomic furniture, headphones, computers, software, and printers are outdated or inoperative for long periods of time.

**Response: Respondent disagrees partially with the finding**

Ergonomic equipment has been provided. Headphones are provided to employees with high volume calls. All staff are provided ergonomic task chairs. Computers and printers are updated and maintained by Riverside County Information Technology (RCIT) per County practices. Out of the 36 workstations 27 have functioning ergonomic keyboards and nine (9) are scheduled to have repairs or new keyboard trays installed.

5. According to Public Guardian management, the economic recession required a freeze on hiring but that has recently been suspended and additional staff are being hired to bring the Public Guardian staffing up to authorized levels. Sworn testimony from Public Guardian deputies indicated that when caseloads exceed sixty (60) patients the quality of service is compromised. Additional Testimony revealed that when Public Guardian Deputies complain about the loss of quality of services due to large caseloads, they are told, by supervisors to "do as much as you can."

**Response: Respondent agrees with the findings**

County budget cuts and the hiring freeze resulted in the reduction of four (4) Deputies, one (1) Investigator and one (1) Office Assistant position. By the end of 2013 all positions had been restored. In addition to the restored positions, due to caseload growth, one more Public Guardian position was added.

6. The Riverside County Public Guardian does not have a policy requiring staff meetings. At the time of this report sworn testimony indicated that there has not been a regular scheduled staff meeting with the Program Manager LPS/Probate staff since April 2013

**Response: The respondent agrees with the finding**

It is department standard of practice to conduct regular staff meetings following established chain-of-command. The Public Guardian Program Administrator's practice was to meet monthly with all Public Guardian staff until meetings were disrupted due to facility move planning activities. These staff meetings resumed after the program moved to their new location.

**Recommendations**

1. Public Guardian management shall develop a policy that will incorporate an acceptable range of caseloads per Public Guardian Deputy that can be handled expeditiously and efficiently. Caseloads shall be monitored by program supervisors.

**Response: The recommendation will not be implemented because it is not warranted or is not reasonable.**

The Public Guardian's office will continue to monitor caseload rates and work toward a manageable range of caseloads. However, Public Guardian and

assigned to the Public Guardian may not be within the department's ability to control. However, RCDMH recognizes that manageable caseload sizes are critical to both staff morale and their ability to discharge their guardian responsibilities. As it has done recently RCDMH will, to the fullest extent possible, continue to work toward providing the Public Guardian Program with the resources needed to discharge its responsibilities effectively and efficiently.

2. The Public Guardian Program Manager shall review and update their policy and procedure manual to reflect current practices and prepare an index.

**Response: The recommendation has not been implemented, but will be implemented in the future**

The policy and procedure manual review has commenced. The policies and procedures with table of contents will be updated on the shared folder by March 14, 2014. The policies identified for possible revision or updates will be completed by May 31, 2014.

3. The Public Guardian shall hire additional clerical staff to do tasks that would free up Public Guardian Deputy Caseworkers.

**Response: The recommendation has been implemented**

The department has hired two (2) Office Assistants to provide adequate support to the investigative and deputy staff.

4. The Public Guardian shall research software programs, used by like organizations that will help save time and facilitate efficiency of case management. Equipment such as scanners, printers, headphones, and ergonomic furniture shall be evaluated for effectiveness and efficiency, and upgraded as required.

**Response: The recommendation has not been implemented, but will be implemented in the future.**

Efforts to upgrade the Public Guardian database commenced in early 2013. A request for vendor selection discussions with County Purchasing is currently in

progress. RCDMH is proceeding with efforts to upgrade software that will add significant workflow, accounting and documentation efficiencies. Printer upgrades are planned with software upgrades to insure functional compatibility. The Public Guardian moved into a new facility in August 2013. As part of the relocation, an assessment of workstations was done to assess for safety and needed upgrades. Final design of workstations replacements for 14 staff has been completed and approved for purchase. Installation of new workstations should be completed in approximately 60 days. Additionally, of the 36 current workstations, 27 have functioning adjustable keyboards while nine (9) are scheduled for keyboard upgrades.

5. The Public Guardian shall continue to pursue supplemental funding to hire and train additional Public Guardian Deputies in order to reduce caseloads and improve overall quality of services.

**Response: The recommendation has been implemented**

The Public Guardian Office has secured additional funding that enabled the addition of staff. Currently, caseloads compare favorably to Public Guardian staff in like counties in the state. The Public Guardian will continue to monitor caseload rates and work related efficiencies. Additional funding will be requested as needed.

6. The Public Guardian shall write a policy requiring monthly staff meetings to inform staff of the developments with the Public Guardian programs. The program manager shall resolve issues and concerns affecting personnel that are addressed in staff meetings.

**Response: The recommendation has been implemented.**

RCDMH's standard of practice for all supervisory and management staff is that they meet regularly with subordinate staff following chain of command. In keeping with RCDMH's standards, the Public Guardian has implemented the practice that the Program Administrator will meet with subordinate supervisors bi-weekly and the supervisors will meet bi-weekly with their subordinate employees. The Program Administrator will attend "all-staff" meetings at least quarterly.

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**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
to Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** GARRY GRANT

**Address:** \_\_\_\_\_  
(only if follow-up mail response requested)

**City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_

**Date:** FEB 11 2014 **Agenda #** 3-5

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

\_\_\_\_\_ **Support**     **Oppose**    \_\_\_\_\_ **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

\_\_\_\_\_ **Support**    \_\_\_\_\_ **Oppose**    \_\_\_\_\_ **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

## **BOARD RULES**

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Requests to Address Board on items that are "NOT" on the Agenda:**

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.