



The Judiciary, State of Hawaii

Testimony to the House Committee on Judiciary
Representative Gilbert S.C. Keith-Agaran, Chair
Representative Karl Rhoads, Vice Chair

Tuesday, January 31, 2012, 2:00 PM
State Capitol, Conference Room 325

By
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Bill No. and Title: House Bill No. 2015, Relating to the Public Guardian.

Purpose: Allows the Attorney General to file a petition for guardianship for individuals who are unable to understand or adequately participate in decisions concerning their care, and have no relatives or friends willing and able to act as a guardian, at the request of a county chief of police.

Judiciary's Position: The Office of the Public Guardian (OPG) serves as court-appointed guardian of the person for incapacitated adults as a last resort in the absence of relatives or friends willing and able to serve. For the past few years, there have been a growing number of cases being petitioned by Adult Protective Services of the Department of Human Services for cases of financial exploitation, abuse and self neglect. The second major source of petitions is filed by acute care facilities when a decision maker is needed for medical treatment/care, including the removal of life support, finances and/or for discharge planning purposes.

Any individual or person interested in the welfare of an incapacitated adult, including the county chief of police, may file petition for the appointment of the public guardian. The amendment therefore may not be necessary.

Thank you for the opportunity to testify on House Bill No. 2015.