

TRAIN FOR SUCCESS INC
PROCEDURES TO DETERMINE INCAPACITY
2Hr

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PURPOSE

The purpose of this course is to educate and reinforce the knowledge of Examining Committee Members, Guardians, Nurses; ARNP, RN, other professionals who are working within various settings and the health care environment; as well as other individuals/ Professionals regarding procedures to determine incapacity, duties of the Examining Committee Member, Guardians and training requirements, dismissal of Petition, adjudicatory Hearing, order determining Incapacity, fees, rights of individuals determined incapacitated and the availability of resources to aid the ward. The course includes current resources from the Florida Statutes Chapter 744.

Objectives

At the end of this course the participants will be able to:

1. Describe the procedures to determine incapacity
2. Discuss the duties of the Examining Committee Member
3. Discuss dismissal of Petition
4. Describe adjudicatory Hearing procedures
5. Discuss order determining incapacity
6. Identify the rights of persons determined incapacitated
7. Discuss the Examining Committee member and the Guardian education requirements and responsibilities
8. Discuss the availability of resources to aid the ward.

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EXAMINING COMMITTEE

According to Florida Statutes 744.331 (3) (a), within 5 days after a petition for determination of incapacity has been filed, the court shall appoint an examining committee consisting of 3 members.

One member must be a psychiatrist or other physician. The remaining members must be either a psychologist, gerontologist, another psychiatrist, or other physician, a registered nurse, nurse practitioner, licensed social worker, a person with an advanced degree in gerontology from an accredited institution of higher education, or other person who by knowledge, skill, experience, training, or education may, in the court's discretion, advise the court in the form of an expert opinion.



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According to Florida Statutes 744.331:

One of three members of the committee must have knowledge of the type of incapacity alleged in the petition. Unless good cause is shown, the attending or family physician may not be appointed to the committee.



If the attending or family physician is available for consultation, the committee must consult with the physician. Members of the examining committee may not be related to or associated with one another, with the petitioner, with counsel for the petitioner or the proposed guardian, or with the person alleged to be totally or partially incapacitated.

A member may not be employed by any private or governmental agency that has custody of, or furnishes, services or subsidies, directly or indirectly, to the person or the family of the person alleged to be incapacitated or for whom a guardianship is sought. A petitioner may not serve as a member of the examining committee.

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Florida Statutes 744.331:

Members of the examining committee must be able to communicate, either directly or through an interpreter, in the language that the alleged incapacitated person speaks or to communicate in a medium understandable to the alleged incapacitated person if she or he is able to communicate. The clerk of the court shall send notice of the appointment to each person appointed no later than 3 days after the court's appointment.

According to Florida Statutes 744.331 (3) (b) A person who has been appointed to serve as a member of an examining committee to examine an alleged incapacitated person ***may not thereafter be appointed as a guardian*** for the person who was the subject of the examination.

Each person appointed to an examining committee must file an affidavit with the court stating that he or she has completed the required courses or will do so no later than 4 months after his or her initial appointment. Each year, the chief judge of the circuit must prepare a list of persons qualified to be members of an examining committee. 744.331 (3) (c).

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COMPLETE A MINIMUM OF 4 HOURS OF INITIAL TRAINING

According to Florida Statutes 744.331:

744.331 (3)(d) A member of an examining committee must complete a minimum of 4 hours of initial training. The person must complete 2 hours of continuing education during each 2-year period after the initial training.

The initial training and continuing education program must be developed under the supervision of the Office of Public and Professional Guardians, in consultation with the Florida Conference of Circuit Court Judges; the Elder Law and the Real Property, Probate and Trust Law sections of The Florida Bar; and the Florida State Guardianship Association. The court may waive the initial training requirement for a person who has served for not less than 5 years on examining committees. If a person wishes to obtain his or her continuing education on the Internet or by watching a video course, ***the person must first obtain the approval of the chief judge before taking an Internet or video course.***



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According to Florida Statutes 744.331(3):

(e) ***Each member of the examining committee shall examine the person.*** Each examining committee member must determine the alleged incapacitated person's ability to exercise those rights specified in s. 744.3215. In addition to the examination, each examining committee member must have access to, and may consider, previous examinations of the person, including, but not limited to, habilitation plans, school records, and psychological and psychosocial reports voluntarily offered for use by the alleged incapacitated person. Each member of the examining committee must submit a report within 15 days after appointment.

Comprehensive Examination

Florida Statutes 744.331(3) states:

(f) The examination of the alleged incapacitated person must include a comprehensive examination, a report of which shall be filed by each examining committee member as part of his or her written report.

The comprehensive examination report should be an essential element, but not necessarily the only element, used in making a capacity and guardianship decision.

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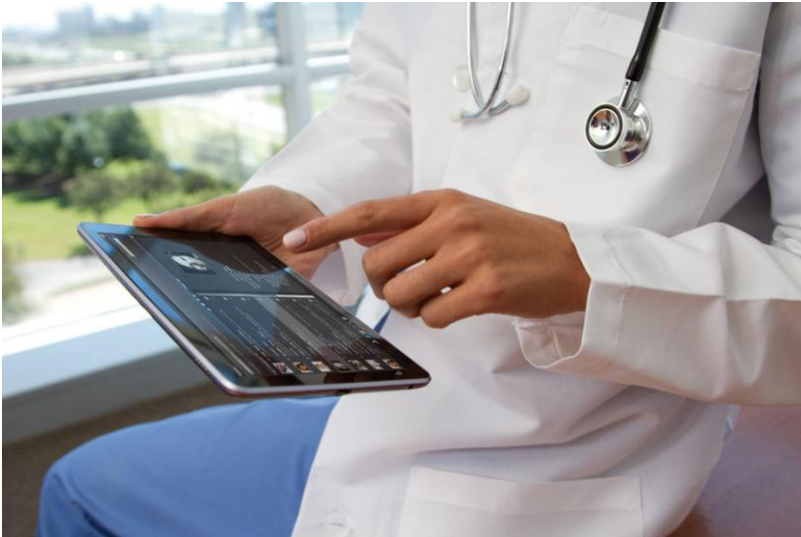
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According to Florida Statutes 744.331(3):

The comprehensive examination must include, if indicated:

1. A physical examination;
2. A mental health examination; and
3. A functional assessment.



If any of these three aspects of the examination is not indicated or cannot be accomplished for any reason, the written report must explain the reasons for its omission.

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Florida Statutes 744.331(3):

(g) Each committee member's written report must include:

1. To the extent possible, a diagnosis, prognosis, and recommended course of treatment.
2. An evaluation of the alleged incapacitated person's ability to retain her or his rights, including, without limitation, the rights to marry; vote; contract; manage or dispose of property; have a driver license; determine her or his residence; consent to medical treatment; and make decisions affecting her or his social environment.
3. The results of the comprehensive examination and the committee member's assessment of information provided by the attending or family physician, if any.
4. A description of any matters with respect to which the person lacks the capacity to exercise rights, the extent of that incapacity, and the factual basis for the determination that the person lacks that capacity.
5. The names of all persons present during the time the committee member conducted his or her examination. If a person other than the person who is the subject of the examination supplies answers posed to the alleged incapacitated person, the report must include the response and the name of the person supplying the answer.
6. The signature of the committee member and the date and time the member conducted his or her examination.

(h) A copy of each committee member's report must be served on the petitioner and on the attorney for the alleged incapacitated person within 3 days after the report is filed and at least 5 days before the hearing on the petition.

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NOTICE OF PETITION TO DETERMINE INCAPACITY

According to the Florida Statutes 744.33:

Notice of the filing of a petition to determine incapacity and a petition for the appointment of a guardian if any and copies of the petitions must be served on and read to the alleged incapacitated person. 744.331(1).

The notice and copies of the petitions must also be given to the attorney for the alleged incapacitated person, and served upon all next of kin identified in the petition.

The notice must state the time and place of the hearing to inquire into the capacity of the alleged incapacitated person and that an attorney has been appointed to represent the person and that, if she or he is determined to be incapable of exercising certain rights, a guardian will be appointed to exercise those rights on her or his behalf.

744.331 (1)

ATTORNEY FOR THE ALLEGED INCAPACITATED PERSON

According to the Florida Statutes 744.331 (2) (a), when a court appoints an attorney for an alleged incapacitated person, the court must appoint the office of criminal conflict and civil regional counsel or a private attorney as prescribed in s. 27.511(6). A private attorney must be one who is included in the attorney registry compiled pursuant to s. 27.40. Appointments of private attorneys must be made on a rotating basis, taking into consideration conflicts arising under this chapter.

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(b) The court shall appoint an attorney for each person alleged to be incapacitated in all cases involving a petition for adjudication of incapacity. The alleged incapacitated person may substitute her or his own attorney for the attorney appointed by the court.

(c) Any attorney representing an alleged incapacitated person **may not serve as** guardian of the alleged incapacitated person or as counsel for the guardian of the alleged incapacitated person or the petitioner.

Dismissal of Petition

According to Florida Statutes 744.331 (4), ***if a majority*** of the examining committee members conclude that the alleged incapacitated person is not incapacitated in any respect, the court shall dismiss the petition.

ADJUDICATORY HEARING

According to Florida Statutes 744.331 (5):

(a) Upon appointment of the examining committee, the court shall set the date upon which the petition will be heard. The date for the adjudicatory hearing must be set no more than 14 days after the filing of the reports of the examining committee members, unless good cause is shown. The adjudicatory hearing must be conducted at the time and place specified in the notice of hearing and in a manner consistent with due process.

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Florida Statutes 744.331 (5) states:

(b) The alleged incapacitated person must be present at the adjudicatory hearing, unless waived by the alleged incapacitated person or the person's attorney or unless good cause can be shown for her or his absence. Determination of good cause rests in the sound discretion of the court.

(c) In the adjudicatory hearing on a petition alleging incapacity, the partial or total incapacity of the person must be established by clear and convincing evidence.



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Order Determining Incapacity



According to Florida Statutes 744.331 (6),

If, after making findings of fact on the basis of clear and convincing evidence, the court finds that a person is incapacitated with respect to the exercise of a particular right, or all rights, the court shall enter a written order determining such incapacity.

In determining incapacity, the court shall consider the person's unique needs and abilities and may only remove those rights that the court finds the person does not have the capacity to exercise. A person is determined to be incapacitated only with respect to those rights specified in the order.

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Florida Statutes 744.331 (6) states:

(a) The court shall make the following findings:

1. The exact nature and scope of the person's incapacities;
2. The exact areas in which the person lacks capacity to make informed decisions about care and treatment services or to meet the essential requirements for her or his physical or mental health or safety;
3. The specific legal disabilities to which the person is subject; and
4. The specific rights that the person is incapable of exercising.

(b) When an order determines that a person is incapable of exercising delegable rights, the court must consider and find whether there is an alternative to guardianship that will sufficiently address the problems of the incapacitated person.

A guardian may not be appointed if the court finds there is an alternative to guardianship which will sufficiently address the problems of the incapacitated person. If the court finds there is not an alternative to guardianship that sufficiently addresses the problems of the incapacitated person, a guardian must be appointed to exercise the incapacitated person's delegable rights.

(c) In determining that a person is totally incapacitated, the order must contain findings of fact demonstrating that the individual is totally without capacity to care for herself or himself or her or his property.

(d) An order adjudicating a person to be incapacitated constitutes proof of such incapacity until further order of the court.

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(e) After the order determining that the person is incapacitated has been filed with the clerk, it must be served on the incapacitated person. The person is deemed incapacitated only to the extent of the findings of the court. The filing of the order is notice of the incapacity. An incapacitated person retains all rights not specifically removed by the court.

(f) Upon the filing of a verified statement by an interested person stating:

1. That he or she has a good faith belief that the alleged incapacitated person's trust, trust amendment, or durable power of attorney is invalid; and

2. A reasonable factual basis for that belief, the trust, trust amendment, or durable power of attorney shall not be deemed to be an alternative to the appointment of a guardian. The appointment of a guardian does not limit the court's power to determine that certain authority granted by a durable power of attorney is to remain exercisable by the agent.

FEES

According to Florida Statutes 744.331 (7) regarding fee,

(a) The examining committee and any attorney appointed under subsection (2) are entitled to reasonable fees to be determined by the court.

(b) The fees awarded under paragraph (a) shall be paid by the guardian from the property of the ward or, if the ward is indigent, by the state. The state shall have a creditor's claim against the guardianship property for any amounts paid under this section.

The state may file its claim within 90 days after the entry of an order awarding attorney ad litem fees. If the state does not file its claim within the 90-day period, the state is

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thereafter barred from asserting the claim. Upon petition by the state for payment of the claim, the court shall enter an order authorizing immediate payment out of the property of the ward. The state shall keep a record of the payments.

(c) If the petition is dismissed or denied:

1. The fees of the examining committee shall be paid upon court order as expert witness fees under s. 29.004(6).

2. Costs and attorney fees of the proceeding may be assessed against the petitioner if the court finds the petition to have been filed in bad faith. The petitioner shall also reimburse the state courts system for any amounts paid under subparagraph 1. upon such a finding.

Guardian and attorney fees and expenses

According to Florida Statutes 744.108,

(1) A guardian, or an attorney who has rendered services to the ward or to the guardian on the ward's behalf, is entitled to a reasonable fee for services rendered and reimbursement for costs incurred on behalf of the ward.

(2) When fees for a guardian or an attorney are submitted to the court for determination, the court shall consider the following criteria:

(a) The time and labor required;

(b) The novelty and difficulty of the questions involved and the skill required to perform the services properly;

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- (c) The likelihood that the acceptance of the particular employment will preclude other employment of the person;
- (d) The fee customarily charged in the locality for similar services;
- (e) The nature and value of the incapacitated person's property, the amount of income earned by the estate, and the responsibilities and potential liabilities assumed by the person;
- (f) The results obtained;
- (g) The time limits imposed by the circumstances;
- (h) The nature and length of the relationship with the incapacitated person; and
- (i) The experience, reputation, diligence, and ability of the person performing the service.

(3) In awarding fees to attorney guardians, the court must clearly distinguish between fees and expenses for legal services and fees and expenses for guardian services and must have determined that no conflict of interest exists.

(4) Fees for legal services may include customary and reasonable charges for work performed by legal assistants employed by and working under the direction of the attorney.

(5) All petitions for guardian and attorney fees and expenses must be accompanied by an itemized description of the services performed for the fees and expenses sought to be recovered.

(6) A petition for fees or expenses may not be approved without prior notice to the guardian and to the ward, unless the ward is a minor or is totally incapacitated.

(7) A petition for fees shall include the period covered and the total amount of all prior fees paid or costs awarded to the petitioner in the guardianship proceeding currently before the court.

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(8) When court proceedings are instituted to review or determine a guardian's or an attorney's fees under subsection (2), such proceedings are part of the guardianship administration process and the costs, including costs and attorney fees for the guardian's attorney, an attorney appointed under s. 744.331(2), or an attorney who has rendered services to the ward, shall be determined by the court and paid from the assets of the guardianship estate unless the court finds the requested compensation under subsection (2) to be substantially unreasonable.

(9) The court may determine that a request for compensation by the guardian, the guardian's attorney, a person employed by the guardian, an attorney appointed under s. 744.331(2), or an attorney who has rendered services to the ward, is reasonable without receiving expert testimony. A person or party may offer expert testimony for or against a request for compensation after giving notice to interested persons. Reasonable expert witness fees shall be awarded by the court and paid from the assets of the guardianship estate using the standards in subsection (8).

Letters of guardianship

According to Florida Statutes 744.345:

Letters of guardianship shall be issued to the guardian and shall specify whether the guardianship pertains to the person, or the property, or both, of the ward.

The letters must state whether the guardianship is plenary or limited, and, if limited, the letters must state the powers and duties of the guardian.

The letters shall state whether or not and to what extent the guardian is authorized to act on behalf of the ward with regard to any advance directive previously executed by the ward.

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Oath of guardian

According to Florida Statutes 744.347:

Before exercising his or her authority as guardian, every guardian shall take an oath that he or she will faithfully perform his or her duties as guardian. This oath is not jurisdictional.

Bond of guardian

Florida Statutes 744.351:

(1) Before exercising his or her authority as guardian, every person appointed a guardian of the property of a ward in this state shall file a bond with surety as prescribed in s. 45.011 to be approved by the clerk.

The bond shall be payable to the Governor of the state and the Governor's successors in office, conditioned on the faithful performance of all duties by the guardian. In form the bond shall be joint and several. When the petitioner or guardian presents compelling reasons, the court may waive a bond or require the use of a designated financial institution as defined in s. 655.005(1).

(2) When the sureties on a bond are natural persons, the guardian shall be required to file with the annual guardianship report proof satisfactory to the court that the sureties are alive and solvent.

(3) The penal sum of a guardian's bond shall be fixed by the court, and it must be in an amount not less than the full amount of the cash on hand and on deposit belonging to the ward and subject to the control of the guardian, plus the value of the notes and bonds owned by the ward that are payable to bearer, and plus the value of all other

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intangible personal property, in whatever form, owned by the ward which has a market value which readily can be fixed and which intangible personal property readily can be traded for cash or its equivalent.

(4) For good cause, the court may require, or increase or reduce the amount of, bond or change or release the surety.

(5) Financial institutions as defined in s. 744.309(4), other than a trust company operating under chapter 662 which is not a licensed family trust company or foreign licensed family trust company, and public guardians authorized by law to be guardians are not required to file bonds.

(6) When it is expedient in the judgment of any court having jurisdiction of any guardianship property, because the size of the bond required of the guardian is burdensome, or for other cause, the court may order, in lieu of a bond or in addition to a lesser bond, that the guardian place all or part of the property of the ward in a designated financial institution under the same conditions and limitations as are contained in s. 69.031.

A designated financial institution shall also include a dealer, as defined in s. 517.021(6), if the dealer is a member of the Security Investment Protection Corporation and is doing business in the state.

Validity of bond

According to Florida Statutes 744.354:

No bond executed by any guardian shall be invalid because of an informality in it or because of an informality or illegality in the appointment of the guardian. The bond shall

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have the same force and effect as if the bond had been executed in proper form and the appointment had been legally made.

Liability of surety

According to Florida Statutes 744.357:

No surety for a guardian shall be charged beyond the property of the ward.

Liability of a guardian

Florida Statutes 744.358:

(1) A guardian is not liable, solely because of the guardianship, for the debts, contracts, or torts of her or his ward.

(2) In dealing with the ward's property, a guardian is subject to the standards set forth in s. 518.11.

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POWERS AND DUTIES OF GUARDIAN

According to Florida Statutes 744.361:

(1) The guardian of an incapacitated person is a fiduciary and may exercise only those rights that have been removed from the ward and delegated to the guardian. The guardian of a minor shall exercise the powers of a plenary guardian.

(2) The guardian shall act within the scope of the authority granted by the court and as provided by law.

(3) The guardian shall act in good faith.

(4) A guardian may not act in a manner that is contrary to the ward's best interests under the circumstances.

(5) A guardian who has special skills or expertise, or is appointed in reliance upon the guardian's representation that the guardian has special skills or expertise, shall use those special skills or expertise when acting on behalf of the ward.

(6) The guardian shall file an initial guardianship report in accordance with s. 744.362.

(7) The guardian shall file a guardianship report annually in accordance with s. 744.367.

(8) The guardian of the person shall implement the guardianship plan.

(9) When two or more guardians have been appointed, the guardians shall consult with each other.

(10) A guardian who is given authority over any property of the ward shall:

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(a) Protect and preserve the property and invest it prudently as provided in chapter 518, apply it as provided in s. 744.397, and keep clear, distinct, and accurate records of the administration of the ward's property.

(b) Perform all other duties required of him or her by law.

(c) At the termination of the guardianship, deliver the property of the ward to the person lawfully entitled to it.

(11) The guardian shall observe the standards in dealing with the guardianship property that would be observed by a prudent person dealing with the property of another.

(12) The guardian, if authorized by the court, shall take possession of all of the ward's property and of the rents, income, issues, and profits from it, whether accruing before or after the guardian's appointment, and of the proceeds arising from the sale, lease, or mortgage of the property or of any part. All of the property and the rents, income, issues, and profits from it are assets in the hands of the guardian for the payment of debts, taxes, claims, charges, and expenses of the guardianship and for the care, support, maintenance, and education of the ward or the ward's dependents, as provided for under the terms of the guardianship plan or by law.

(13) Recognizing that every individual has unique needs and abilities, a guardian who is given authority over a ward's person shall, as appropriate under the circumstances:

(a) Consider the expressed desires of the ward as known by the guardian when making decisions that affect the ward.

(b) Allow the ward to maintain contact with family and friends unless the guardian believes that such contact may cause harm to the ward.

(c) Not restrict the physical liberty of the ward more than reasonably necessary to protect the ward or another person from serious physical injury, illness, or disease.

(d) Assist the ward in developing or regaining capacity, if medically possible.

(e) Notify the court if the guardian believes that the ward has regained capacity and that one or more of the rights that have been removed should be restored to the ward.

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- (f) To the extent applicable, make provision for the medical, mental, rehabilitative, or personal care services for the welfare of the ward.
 - (g) To the extent applicable, acquire a clear understanding of the risks and benefits of a recommended course of health care treatment before making a health care decision.
 - (h) Evaluate the ward's medical and health care options, financial resources, and desires when making residential decisions that are best suited for the current needs of the ward.
 - (i) Advocate on behalf of the ward in institutional and other residential settings and regarding access to home and community-based services.
 - (j) When not inconsistent with the person's goals, needs, and preferences, acquire an understanding of the available residential options and give priority to home and other community-based services and settings.
- (14) A professional guardian must ensure that each of the guardian's wards is personally visited by the guardian or one of the guardian's professional staff at least once each calendar quarter. During the personal visit, the guardian or the guardian's professional staff person shall assess:
- (a) The ward's physical appearance and condition.
 - (b) The appropriateness of the ward's current living situation.
 - (c) The need for any additional services and the necessity for continuation of existing services, taking into consideration all aspects of social, psychological, educational, direct service, health, and personal care needs.
 - (d) The nature and extent of visitation and communication with the ward's family and friends.

This subsection does not apply to a professional guardian who has been appointed only as guardian of the property.

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The rights of the ward



Rights of persons determined incapacitated

According to 744.3215,

- (1) A person who has been determined to be incapacitated retains the right:
 - (a) To have an annual review of the guardianship report and plan.
 - (b) To have continuing review of the need for restriction of his or her rights.
 - (c) To be restored to capacity at the earliest possible time.
 - (d) To be treated humanely, with dignity and respect, and to be protected against abuse, neglect, and exploitation.
 - (e) To have a qualified guardian.

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(f) To remain as independent as possible, including having his or her preference as to place and standard of living honored, either as he or she expressed or demonstrated his or her preference prior to the determination of his or her incapacity or as he or she currently expresses his or her preference, insofar as such request is reasonable.

(g) To be properly educated.

(h) To receive prudent financial management for his or her property and to be informed how his or her property is being managed, if he or she has lost the right to manage property.

(i) To receive services and rehabilitation necessary to maximize the quality of life.

(j) To be free from discrimination because of his or her incapacity.

(k) To have access to the courts.

(l) To counsel.

(m) To receive visitors and communicate with others.

(n) To notice of all proceedings related to determination of capacity and guardianship, unless the court finds the incapacitated person lacks the ability to comprehend the notice.

(o) To privacy.

(2) Rights that may be removed from a person by an order determining incapacity but not delegated to a guardian include the right:

(a) To marry. If the right to enter into a contract has been removed, the right to marry is subject to court approval.

(b) To vote.

(c) To personally apply for government benefits.

(d) To have a driver license.

(e) To travel.

(f) To seek or retain employment.

(3) Rights that may be removed from a person by an order determining incapacity and which may be delegated to the guardian include the right:

(a) To contract.

(b) To sue and defend lawsuits.

(c) To apply for government benefits.

(d) To manage property or to make any gift or disposition of property.

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- (e) To determine his or her residence.
- (f) To consent to medical and mental health treatment.
- (g) To make decisions about his or her social environment or other social aspects of his or her life.

(4) Without first obtaining specific authority from the court, as described in s. 744.3725, a guardian may not:

(a) Commit the ward to a facility, institution, or licensed service provider without formal placement proceeding, pursuant to chapter 393, chapter 394, or chapter 397.

(b) Consent on behalf of the ward to the performance on the ward of any experimental biomedical or behavioral procedure or to the participation by the ward in any biomedical or behavioral experiment. The court may permit such performance or participation only if:

1. It is of direct benefit to, and is intended to preserve the life of or prevent serious impairment to the mental or physical health of the ward; or

2. It is intended to assist the ward to develop or regain his or her abilities.

(c) Initiate a petition for dissolution of marriage for the ward.

(d) Consent on behalf of the ward to termination of the ward's parental rights.

(e) Consent on behalf of the ward to the performance of a sterilization or abortion procedure on the ward.



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The availability of local resources to aid the ward

RESOURCES:

[Florida Department of Children & Families \(DCF\)](#)

[FLORIDA Department of Education](#)

DOEA Programs and Services:

Home and Community-Based Programs and Services

(click on links)

- [Adult Care Food Program](#)
- [Alzheimer's Disease Initiative](#)
- [Community Care For the Elderly \(CCE\)](#)
- [Comprehensive Assessment & Review for Long-Term Care Services \(CARES\)](#)
- [Congregate Meal and Nutrition Sites](#)
- [Elder Farmers Market Nutrition Program](#)
- [Emergency Home Energy Assistance Program \(EHEAP\)](#)
- [Health & Wellness](#)
- [Home Care for the Elderly \(HCE\)](#)
- [Medicaid Long-Term Care Services](#)
- [Memory Disorder Clinics](#)
- [National Family Caregiver Support Program](#)
- [Nutritional Education for Older Adults](#)
- [Nutrition Programs](#)
- [Nutrition Services Incentive Program](#)
- [Older Americans Act \(OAA\)](#)
- [Program of All-Inclusive Care for the Elderly \(PACE\)](#)
- [Respite for Elders Living in Everyday Families \(RELIEF\)](#)

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- Senior Companion Program
- Statewide Medicaid Managed Care Long-Term Care Program (SMMC LTC)
- Supplemental Nutrition Assistance Program

Other Services

- Adult Protective Services
- Communities For a Lifetime
- Comprehensive Assessment & Review for Long-Term Care Services (CARES)
- Disaster Preparedness
- Elder Abuse Prevention Program
- Elder Helpline
- Hospice and End-of-Life Care
- Insurance, Medicare, and Medicaid
- Intergenerational Connections
- Housing
- Long-Term Care Ombudsman Program
- Nursing Home Services (Agency for Health Care Administration Website)
- Public Guardianship
- Senior Community Service Employment Program (SCSEP)
- Senior Legal Services & Senior Legal Helpline
- Serving Health Insurance Needs of Elders (SHINE)
- Silver Alert and ListServ
- Transportation

DEPARTMENT OF ELDER AFFAIRS:

OFFICE OF PUBLIC AND PROFESSIONAL GUARDIANS (OPPG)

PROGRAMS & HOW TO APPLY FOR SERVICES

TRAIN FOR SUCCESS INC
PROCEDURES TO DETERMINE INCAPACITY
2Hr

OPPG FACT SHEET

FOR MORE INFORMATION

REVIEW THE

FLORIDA STATUTES 744

CONTACT:

Florida Department of Elder Affairs

4040 Esplanade Way
Tallahassee, FL 32399-7000
Phone: 850-414-2000
Fax: 850-414-2004
TDD: 850-414-2001
Email: information@elderaffairs.org

Questions about Programs and How to Apply for Services

Call the Elder Helpline at **1-800-96-ELDER (1-800-963-5337)** to find out information regarding eligibility to receive benefits and services from one or more programs.

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