

Virginia Public Guardian and Conservator Advisory Board



2025 Biennial Report



COMMONWEALTH OF VIRGINIA
PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

October 1, 2025

Dear Commissioner Hayfield,

Pursuant to § 51.5-149.2(5) of the Code of Virginia, the Public Guardian and Conservator Advisory Board (Board) shall submit to the Department for Aging and Rehabilitative Services (DARS), a report regarding the Board's activities and recommendations by October of each odd-numbered year, to be posted on the DARS website.

Following six new appointments in 2024, 14 of the Board's 15 seats are now full. This has resolved a serious challenge and allowed the Board to resume conducting business with active participation. The Board has continued to meet both virtually and in person over the past two years, which has allowed for consistent member attendance. We have been fortunate to welcome a number of staff from Local Public Guardian Programs (Local PGPs) to share their successes and challenges.

Many of the Board's prior legislative and policy recommendations have been adopted, and two that came to fruition in this reporting period were the appropriation of funding for a study on unmet need for public guardianship and the creation of a statewide training for all guardians. The Board adopted a policy platform for the 2025 General Assembly Session that consisted of three items: (1) develop training for Local PGP multi-disciplinary panels, (2) develop training on public guardianship for circuit court judges, and (3) provide funding for a case management database system for the PGP.

This year, the Board has adopted a slate of two recommendations for the 2026 General Assembly Session: (1) increase funding for all PGP client slots to \$7,000 annually (total cost of \$2,502,000), and (2) provide funding for a case management database system for the PGP (consisting of \$400,000 in startup costs and \$60,000 annually for ongoing costs), which is a renewal of the Board's previous recommendation.

A brief overview of the PGP and significant Board accomplishments are also presented in this report. The Board is grateful for this opportunity to submit this report to you for your review and posting to the agency website at <https://vda.virginia.gov/boardsandcouncils.htm>.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "L. Pickral".

Lindsay Pickral, Chair

Public Guardian and Conservator Advisory Board Biennial Report (July 1, 2023–June 30, 2025)

The Public Guardian and Conservator Advisory Board (Board) is established in the executive branch by Code of Virginia § 51.5-149.1, as amended. The Board's purpose is to report to and advise the Commissioner of the Department for Aging and Rehabilitative Services (DARS) on the Virginia Public Guardian and Conservator Program (PGP), and to assist in the coordination and management of the local and regional programs appointed to act as public guardians and conservators.

The Board consists of up to 15 members representing a comprehensive and diverse stakeholder base. Two members are representatives of agency heads, and thirteen are appointed by the Governor. Members include representatives of the Virginia Area Agencies on Aging, the Virginia Bar Association, The Arc of Virginia, the National Alliance on Mental Illness (NAMI) Virginia, the Virginia Association of Community Services Boards, the Virginia League of Social Services Executives, and a retired circuit court judge. A list of current members appears on page 7.

Overview of the Virginia Public Guardian and Conservator Program

The PGP was established in 1998 after a successful demonstration pilot project. As part of Virginia's public safety net, the program protects adults who are indigent, incapacitated, and in need of someone to help them make medical, financial, or daily living decisions and who do not have a suitable family member or friend to serve as a guardian. Historically, a locality's sheriff served as the guardian of last resort. Now a public guardian can be appointed by the circuit court to assist with legal and medical decision-making, protect the adult from financial exploitation, abuse, or neglect, and promote independence. Once appointed by the circuit court, a public guardian usually serves for the life of the client but will support a client who is no longer incapacitated in pursuing the restoration of their rights.

DARS administers the PGP through competitively negotiated contracts with 11 local public guardian programs (Local PGPs). The PGP operates statewide and can serve up to 1,349 incapacitated adults. Within DARS, the PGP is fully staffed, with a director and two program specialists, who also attend all Board meetings. The PGP is a highly cost-effective system-level response to protect some of the most vulnerable residents of Virginia.

Board Activities & Accomplishments

During the reporting period, Laura Koch, PGP Director, updated the Board at each meeting on the number of individuals served, available slots, waiting lists, and other issues affecting the PGP, including the staffing challenges faced by Local PGPs. The Board had the opportunity to review and provide feedback on revisions to the PGP's complaint form and process. The Board was kept informed of plans for the annual statewide trainings for staff of

Local PGPs, and a number of Board members also attended and participated in each of these events, which were held in Charlottesville (May 2024) and Glen Allen (May 2025).

In addition, Marcia DuBois, DARS Deputy Commissioner, kept the Board updated about issues affecting the Division for Community Living and the agency in general, including federal and state budgets, information on newly enacted or pending legislation, proposed regulations, program activities and initiatives, and staff changes.

WINGS Membership

As previously recommended by the Board, DARS has been participating actively in the Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS). Ms. Koch, Ms. DuBois, and Ellie Rest, DARS Guardian Training Coordinator, are appointed members, and Ms. Rest also co-chairs the Monitoring Committee. DARS also has multiple other staff within the agency who attend each quarterly WINGS meeting. Three current Board members are also active members of WINGS.

Board Appointments

The Board's 2023 Biennial Report highlighted challenges in conducting Board business created by the delay in gubernatorial appointments of new members and term renewals of members completing their first term. The Board appreciates DARS' assistance in drawing attention to this issue and thanks Governor Youngkin and Secretary Gee for filling the positions. There were six new appointments in 2024, and two organizational member terms were renewed. One organizational member resigned at the end of 2024 after retiring, and there is no information on the status of a replacement. Nonetheless, as a result of the new appointments, the Board has been able to resume operating as intended, with active participation by members from a range of backgrounds.

Evaluation of Unmet Need

Section 51.5-150.B.9 of the Code of Virginia, as amended, states that DARS shall enter into a contract with an appropriate research entity with expertise in gerontology, disabilities, and public administration to conduct an evaluation of Local PGPs every four years, provided the General Assembly appropriates funds for that purpose. Trends identified in the report, including the need for public guardians, shall be presented to the General Assembly.

The Board had repeated its recommendation in multiple years for a budget amendment to fund the statutorily mandated study, which had not occurred since 2007. Funding appropriated in 2022 allowed DARS to contract with the Center for Gerontology at Virginia Tech to evaluate unmet need and the expected trends, and the [final report](#) was submitted to the General Assembly in June 2024.

Virginia Guardian Training

Another recommendation of the Board in prior reports was for DARS to create training for all Virginia guardians. In 2024, the General Assembly passed legislation and appropriated funding for DARS to hire a coordinator and create the training by July 1, 2025. The new coordinator, Ellie Rest, informed the Board of the status of the training in March 2025 and offered members the opportunity to review and provide feedback on the initial draft. The one-hour online training successfully launched on July 1, 2025, and multiple past and present Board members have conveyed positive feedback about the content and presentation of the information. Governor Youngkin also sent a letter dated August 22, 2025, complimenting Ms. Rest on the successful launch of the Virginia Guardian Training.

Board Bylaws

In September 2024, the Board approved revisions to its bylaws. The Board elected to eliminate the requirement of a Nominating Committee. Instead, nominations will be taken from the floor on the day of the election of the Board Chair and Vice-Chair at the meeting held each June. The Board also made a change to the number of times officers can succeed themselves from once to twice, for a possible total of three consecutive terms. Annual officer elections are required in § 51.5-149.1 of the Code of Virginia, as amended.

Local PGP Presentations

The Board was fortunate that multiple program directors of Local PGPs attended meetings in person or virtually to make presentations. The information they shared benefited members enormously by providing context for the work and purpose of the Board, highlighting successes and challenges faced by Local PGP staff, and offering the opportunity for the exchange of ideas. The Board appreciates that the following Local PGP program directors took the time to share their experience and perspective:

- September 2023: Noelle St. Amant-Aden, The Arc of Northern Virginia
- November 2023: Angela Peters, Mountain Empire Older Citizens
- March 2024: Mirlande Sledge, Catholic Charities of Eastern Virginia
- June 2024: Chris Stone, District Three Governmental Cooperative
- September 2024: Dorothy Salomonsky, JFS of Tidewater
- March 2025: Danah Kaigler, Commonwealth Catholic Charities

Additional Presentations

The Board had the opportunity to hear from several other presenters about issues affecting the PGP. Paul DeLosh, director of Judicial Services in the Office of the Executive Secretary, Supreme Court of Virginia, gave members a comprehensive overview of a grant-funded project to develop a guardianship case management system for the courts, a need

identified in the 2020 JLARC study on guardianship in Virginia. Charlotte Arbogast, DARS Senior Policy Analyst, provided training on the basics of legislative policy and advocacy.

Board member Lucy Beadnell, Director of Advocacy for The Arc of Northern Virginia, discussed HB 2746, proposed legislation related to incapacitated persons' right to vote. Finally, George Worthington, DARS Dementia Services Director, gave a helpful overview of the Virginia Alzheimer's Disease and Related Disorders Commission and the Virginia Dementia State Plan 2024-2027. He described plan goals, the role of DARS Dementia Services, and the state's dementia infrastructure.

Legislative Committee

As she was ending her term on the Board, Erica Wood, chair of the Board's Legislative Committee, led a discussion at the June 2024 quarterly meeting about the Committee's future. The Board agreed to retain the Legislative Committee as a standing committee, with membership to be determined at the March 2025 meeting. Ms. Wood also presented three recommendations, which the Board adopted as its policy platform for the 2025 General Assembly Session: (1) develop training for Local PGP multi-disciplinary panels, (2) develop training on public guardianship for circuit court judges, and (3) fund a PGP case management database system.

The Legislative Committee convened in June 2025 and adopted the following two recommendations for the 2026 General Assembly Session.

1. Increase the Rate for PGP Client Slots to \$7,000

The Virginia Public Guardian & Conservator Program ("PGP") was established in 1998, to provide guardianship services for incapacitated, indigent adults who have no one else to serve as their legal decisionmaker. The 1,349 client slots funded by the General Assembly are apportioned among eleven providers that contract with DARS to operate a Local Public Guardian Program.

There are two levels of funding for PGP client slots: 1,251 are funded at \$5,000 per slot annually, and 98 are funded at \$7,000 per slot annually. While the acuity and intensity of client needs has steadily increased, the rates have not changed since SFY 2018. This has resulted in stagnant salaries for the staff responsible for client oversight, decision-making, and advocacy.

Local PGPs are responsible for ensuring coverage 24 hours a day, 365 days a year for their clients, who may be diagnosed with a serious mental illness, traumatic brain injury, dementia, developmental disability, or a combination. Many of these individuals are medically fragile and experience frequent illnesses. Psychiatric hospitalizations, homelessness, and incarceration are also common. It is increasingly difficult for PGP contractors to retain experienced staff or recruit new staff with the necessary skills and commitment.

In order to ensure the PGP's ongoing viability, the PGCAB recommends funding all PGP client slots at a rate of \$7,000/slot annually (a total increase of \$2,502,000).

2. Funding for a Database Management Platform

The PGP is in need of specialized software to track program clients and analyze data. Although the number of clients has doubled over the last ten years, the PGP continues to store current and past client data in an Excel spreadsheet. Information about clients who have been added or removed from the program and changes in client demographic information are reported to the PGP by the eleven providers in the form of complex, Excel-based quarterly reports. DARS PGP staff must manually transfer this information to the centralized client spreadsheet in Excel.

This process is inherently time consuming and error prone. The information perpetually lags behind real-time client information, which may hinder timely decision-making and reporting. As noted by DARS' Internal Audit Division: "The longstanding reliance on Excel spreadsheets for contractor records and data introduces risks to data accuracy, security, and efficiency."

A data management system allowing providers to remotely input client changes as they occur would enable the PGP to monitor the status of clients and provider performance in real time. Transitioning to a relational database would permit the PGP to analyze data with greater accuracy and generate system reports that support critical tasks. This would strengthen data integrity, facilitate real-time provider updates, and improve reporting capabilities. The PGCAB recommends that \$400,000 be allocated for the cost of building and implementing the system and \$60,000 be allocated annually to cover recurring costs.

Current Members of the Public Guardian and Conservator Advisory Board

Lindsay Pickral, Chair Virginia State Bar Member	Donna Smith, Vice-Chair Virginia Association of Area Agencies on Aging
Mary Jane Hall Circuit Court Judge	Lucy Beadnell The Arc of Virginia
Vacant National Alliance on Mental Illness of Virginia	Reynold “Rusty” Jordan Virginia League of Social Services Executives
Cristi Zedd Virginia Association of Community Services Boards	Tara Ragland Virginia Department of Social Services (representing acting Commissioner Erskine)
Kimberly King Department of Behavioral Health and Disability Services (representing Commissioner Smith)	Ellen Nau Member of the Commonwealth Council on Aging
MacKay Boyer At Large/Qualified Person	Saundra Davis At Large/Qualified Person
Susan Elmore At Large/Qualified Person	Susan Jenkins At Large/Qualified Person
Angie Phelon At Large/Qualified Person	

For additional information concerning this report, please e-mail Laura Koch, Public Guardian Program Director, at laura.koch@dars.virginia.gov.



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