KANSAS GUARDIANSHIP PROGRAM *KGP*

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Background Information about the Kansas Guardianship Program
House Committee on Judiciary
February 3, 2026

Chair Humphries and members of the Committee:

Thank you for the opportunity to submit background information about the Kansas Guardianship Program and how the passage of HB 2536 might impact our operations. HB 2536 would require all proposed guardians for certain adults who have cognitive impairment or are diagnosed with a neurological condition to complete training approved by the Secretary for Aging and Disability Services prior to their appointment as a guardian.

Not all guardianships and conservatorships in the state of Kansas are through the Kansas Guardianship Program. We serve merely a fraction of the guardianships and conservatorships in Kansas. **All** guardians and conservators are appointed by the Courts, even those not through the Kansas Guardianship Program. Many guardians are family members of the adult subject to guardianship.

KGP receives referrals from Adult Protective Services and the social workers at the state hospitals. We do not currently take referrals from the community. We receive many calls from the community asking questions about guardianship including how to get a guardian, how to terminate a guardianship, what resources are available for guardians and so many more. We share resources that are available to the caller in their communities, if they share the location they are calling from or where the person they are concerned about lives. The many resources we share include reaching out to the organizations with specialized training and support groups that are available for little to no cost. We encourage guardians to learn more about the condition the adult subject to guardianship has and how to best communicate and advocate for them.

While our volunteers often do not know the adult subject to guardianship prior to court appointment, KGP staff facilitate opportunities for the volunteer and the adult to meet. These opportunities are encouraged prior to appointment if at all possible. KGP volunteers are encouraged and provided support as they get to know the adult subject to guardianship.

It is a conflict of interest for a volunteer who is a guardian through the Kansas Guardianship Program to also provide care for the person they are the guardian for. We train our volunteers to be legal advocates for the adult subject to guardianship when it comes to making health care, living arrangements, and other personal decisions. KGP guardians are trained to make the decision that the adult subject to guardianship would make if they were able to. This means the guardian has to set aside their own beliefs, values and ethics to advocate for what the adult subject to guardianship believes and values. This is not an easy task by any means. Adults subject to guardianship have rights and our volunteers are there to protect those rights and to maintain as much of their independence as possible.

Not all adults subject to guardianship have cognitive impairment or a neurological disorder. Not all adults with cognitive impairment or neurological disorder have a guardian. Many of the adults served by KGP have other conditions or impairments that make it difficult for them to advocate for themselves.

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Our KGP volunteers come from a wide variety of backgrounds. Many have or have had careers in social services or health care. These volunteers have had many years of continual training to work in their chosen professions. When KGP matches a volunteer to an adult subject to guardianship, we intentionally try to find a volunteer who has experience or education in the adult subject to guardianship's needs. This would include their diagnosis, living situation, current treatments, educational needs among other things. An example of this would be a licensed practical nurse with work experience in long-term care with dementia patients who was a guardian for an adult subject to guardianship with a diagnosis of dementia living in a long-term care setting. The volunteer was well aware of the type of care the adult should receive, was familiar with the care plan process and was able to advocate for him to have as much autonomy as possible and be safe. Not only did she have dementia training from her professional background, but she was also very much aware of the nursing facility regulations that must be followed.

KGP plans to update the volunteer training and resources provided to KGP volunteers in conjunction with updating training to reflect the changes from HB 2359. This is currently in process. As the list of resources available to guardians is ever changing we encourage volunteers to go to the source of the resource and ask questions, such as those groups who provide training and support for specific medical diagnosis.

Assuming that KGP guardians do not have any training in the areas that HB 2536 addresses would be a mistake. Often these volunteer guardians have more training in the areas addressed by HB 2536 because of their professions.

While we support the additional training for guardians as required by HB 2536, we feel that a more comprehensive approach should be taken that includes other information that could be valuable and accessible to any guardian in need of it. This could perhaps be in the form of publicly available database that is continuously updated and provided to guardians. We also feel that other stakeholders should be involved in the development of this resource. We will continue to provide support to KGP guardians as the adults subject to guardianship that they are guardian for transition through their medical diagnosis and the aging process.

Thank you for the opportunity to share what KGP does. Education is important for **all** guardians not just those who volunteer for KGP.

Nancy Mayberry
Executive Director