

English Translation of *Guardianship (Hmong) Brochure*

1. BEFORE YOU DECIDE TO PURSUE GUARDIANSHIP ON YOUR PERSON

Before you decide to pursue guardianship on your person, it is highly suggested by the state that the following options are looked at or discussed about first so that your person can still remain their own person, but with your support:

SDM – this is a document that you and the individual both sign. The individual chooses whoever they feel would be their best supporter in making their decisions. This document allows you to assist the individual in making decisions; it does not allow you to MAKE decisions for them.

POA H & F – the POA of Healthcare document gives you the authority to make decisions for your person when they can no longer make decisions on their own behalf. This will allow you to make decisions for them in regards to their healthcare, their medication, and if they need to be transferred to a facility due to their health. The POA of Finances document gives you the authority to take care of your person’s finances when they are no longer able to make their own decisions.

REPRESENTATIVE PAYEE SERVICES – the rep payee is appointed by the social security administration to manage an individual’s SSI and SSDI income only, not the money earned if the incompetent person is working. (If the person is working and receives a check for it, a rep payee does not manage that money.)

RELEASE OF INFORMATION – this document allows you to review and discuss an individual’s medical records (diagnoses, medications, procedures, etc). Both you and the individual will need to sign this form.

2. WHAT IS GUARDIANSHIP- Guardianship is a process; it is when a person will be appointed as a guardian to assist, protect, and make decisions for an individual that is deemed incompetent.

3. WHAT IS A GUARDIAN – a guardian is court appointed for an individual who is deemed incompetent. An incompetent person will become a person of the state and they are called a “ward.” The state will have a hearing to appoint a guardian because the ward is deemed incompetent. Before a guardian is appointed, at the hearing, there must be enough proof and evidence that the individual is truly incompetent and can no longer make decisions on their own behalf.

4. TWO TYPES OF GUARDIANS

Guardian of Person – this guardian makes decision for the ward’s healthcare, has a say in their medication(s), has the authority to determine where the ward should be protectively placed or lives, and also has the authority to assist the ward to apply for Medicare and or Medicaid. (not sure how to say “other public assistance programs in Hmong”)

Guardian of the Estate – if the ward owns a home, land, car, or has a bank account, then the court will appoint this type of guardian to help manage the ward’s estate.

5. WHO CAN BE A GUARDIAN – who can be a guardian? If the person whom is deemed incompetent has family, anyone from that family over the age of 18 can be a guardian. If they have a spouse, most likely the court may appoint/ask the spouse to be come the guardian. If the spouse objects or if they are not married, then the court will look to see if the incompetent individual has children over the age of 18, parents, sisters, brothers, cousins, friends, and lastly if there is truly no one, they will seek a Corporate Guardian. A Corporate Guardian is a corporation or individual established to provide services to the incompetent individual when they have no close family or other support systems.

6. Questions please call us: La Crosse County Human Services – Adult Protective Services – 300 4th St N., La Crosse, WI 54601 – 608-785-5700 – Monday-Friday, 8:00 am-4:30 pm