



## **Testimony for the NYC Council 2023 Preliminary Budget Hearings**

### **NYC Council Committee on Hospitals**

**Mercedes Narcisse (Chair), Carlina Rivera, Francisco Moya, Selvena N. Brooks-Powers,  
Jennifer Gutiérrez, Rita Joseph, Charles Barron**

**March 21, 2023**

### **Submitted by Kimberly George, President and CEO, Project Guardianship**

Thank you, Chair Narcisse and Committee Members, for the opportunity to testify today. My name is Kimberly George, and I am President and CEO of Project Guardianship, a recent spinoff of the Vera Institute of Justice and an independent non-profit providing comprehensive, court appointed adult guardianship services to hundreds of limited capacity New Yorkers citywide. We serve clients regardless of their ability to pay and provide services for some of the most compelling and complex cases in the city. Our clients include New Yorkers living with serious mental illness, disability, dementia, substance use disorder (SUD), Traumatic Brain Injury, and other conditions that negatively impact their ability to manage their affairs. We also share research and recommendations for building a better guardianship system and advocate for a more equitable service response for people in need of surrogate decision-making supports or protective arrangements.

As this Committee knows, in November 2022, Mayor Adams announced that first responders would be directed to remove and hospitalize people who appeared too mentally ill to care for themselves, regardless of whether those individuals consented to medical treatment. In doing so, the mayor indicated a need for additional resources for hospitals to accommodate the anticipated increase in psychiatric patients throughout the city. This increase will certainly have a ripple effect on a variety of related human services providers, including guardians. This is because, according to data collected by the NYS Office of Court Administration, hospitals account for 25% of guardianship petitions brought in New York State. This occurs largely in cases where a patient cannot consent to services, a patient is unable to navigate Medicaid enrollment to cover their medical bills, and/or the hospital cannot arrange for a safe discharge. In most cases, patients also lack familial and other supports.

According to a recent report by the American Bar Association, mental illness is the reason for guardianship appointments in approximately 20% of cases nationwide. Among our client population, 54% are diagnosed with mental health conditions, such as schizophrenia, bipolar disorder, and post-traumatic stress disorder. Poverty, too, is common among our clients, as 74% of them live below the poverty threshold. Older New Yorkers citywide are growing poorer as they battle inflation and the enduring effects of the COVID pandemic. These effects include increased rates of social isolation (and



related dementias and Alzheimer's diagnoses<sup>1</sup>), homelessness, and substance use disorder<sup>2</sup>, which experts have attributed to a mental health crisis gripping New York<sup>3</sup>.

Adding to the urgency of this issue, the impending expiration of the Public Health Emergency will result in a loss of medical coverage for countless older adults. Hospitals, already struggling to recover from surging pandemic costs and an inability to safely staff, stand to see further overcrowding with patients who are not in need of medical attention, but rather a support system for post-acute care. Considering this data and our own experience serving as a legal guardian over the past 18 years, we know that an increase in psychiatric hospitalizations, compounded with statewide Medicaid disenrollment, will lead to an increase in guardianship petitions and appointments and, just like our hospitals, guardianship providers will also need more resources to meet that imminent need.

We stand ready to respond to the imminent uptick in guardianship petitions and appointments due to Mayor Adams' directive, but we will need additional funding to meet the needs of these clients adequately and in the most person-centered way possible. We have and will continue to fill the gaps in our social safety net and will persist in connecting our clients to the housing, health and mental health care, legal and immigration services, and public benefits they need and deserve to gain stability and reduce their contact with first responders and the hospital system. With additional support from the Council, we can offer our model of interdisciplinary services for more New York City residents who will undoubtedly enter guardianship arrangements as this directive is executed.

We hope to work with you as we strive to serve our fellow New Yorkers who may be impacted by this new directive.

Thank you for your time and consideration

Please contact Kimberly George at [kgeorge@nycourts.gov](mailto:kgeorge@nycourts.gov) with any questions or requests for additional information.

---

<sup>1</sup> <https://www.nyc.gov/assets/doh/downloads/pdf/episrv/2019-older-adult-health.pdf>

<sup>2</sup> <https://www.nyc.gov/assets/doh/downloads/pdf/epi/databrief130.pdf>

<sup>3</sup> <https://www.ny1.com/nyc/all-boroughs/homelessness/2022/03/03/losing-hope-on-the-streets--a-mental-health-crisis-grips-the-city>