

Fiscal Note

BILL # HB 2492

TITLE: guardianship; court appointments; care placement

SPONSOR: Hernandez C

STATUS: As Introduced

PREPARED BY: Benjamin Beutler

Description

The bill would allow the court to order the alleged incapacitated person, the petitioner, or the county to pay the cost of evaluation if a guardianship petition is denied.

Estimated Impact

We estimate that the bill would have no General Fund impact.

We based our estimate on information provided by the Administrative Office of the Courts (AOC).

Analysis

According to information provided by AOC, there are typically 3 avenues for payment of medical evaluations: The cost of the exam is paid by: (1) the alleged incapacitated person or their insurance (i.e., private, Medicare, or Medicaid), (2) the petitioner, or (3) the county. Anecdotal information from the courts indicates that few guardianship petitions are denied or require the court to address payment for the medical evaluation.

Local Government Impact

Costs to the counties could increase to the extent that they are required to pay for medical evaluations. It is possible that some counties are already the payer of last resort in these instances, in which case there would be no fiscal impact to those counties. The counties have not yet responded to our request for the fiscal impact of this bill.

2/13/25

