

SPECIFIC INSTRUCTIONS TO CONSERVATORS

Upon appointment, a conservator, limited or general, shall act as a fiduciary and observe the standards of care applicable to trustees. Specifically the conservator shall do the following:

- (1) Upon appointment, the conservator shall forthwith qualify by filing bond and by filing an acceptance and consent to jurisdiction (Form II-A-1) unless the conservator has executed paragraph (14) of the Petition for a General Proceedings.
- (2) The Conservator shall develop an individual conservatorship plan, together with the guardian, if any, and to the maximum extent possible, the incapacitated individual in accordance with the provisions of D.C. Code Sec. §21-2065 (b).
- (3) Implicit in the duties of a conservator charged with the responsibility of expending funds for the care and maintenance of the protected individual is the duty to become or remain personally acquainted with the protected individual and maintain sufficient contact with the protected individual to know of his or her capacities, limitations, and needs. This is especially true where no guardian has been appointed. To ensure awareness at all times of the incapacitated individual's needs and condition, the conservator shall personally visit the ward and the ward's place of abode not less than once every thirty (30) days.
- (4) From available funds, the conservator shall ensure that monies are available each month for the personal use and/or needs of the protected individual. If the protected individual resides in a nursing home, the conservator may consider contacting the appropriate nursing home officials with a view toward establishing and funding a 'patient's account' with the home to be utilized for the monthly purchase of incidental needs of the protected individual. If the ward is a Medicaid recipient, the conservator shall utilize such amounts as are allowed by Medicaid regulations for the personal use needs of the ward.
- (5) In expending funds for the care, support, and maintenance of the protected individual, the conservator shall ensure that the funds are timely disbursed to the nursing home or other authorized caretaker at the agreed upon times.
- (6) Whenever it appears to the conservator that the financial resources of the ward are being depleted at a rate where the protected individual will become eligible for Medicaid benefits, the conservator shall make timely application for said benefits to ensure uninterrupted funding for the protected individual's care and maintenance.

The above instructions are in no way to be construed as all inclusive of the conservator's duties and responsibilities. Individuals serving as conservators shall be governed by all applicable statutory provisions, rules of Court and such orders as may be entered by the Court from time to time.