

Stabilization and Crisis Unit (SACU)

Guideline:	Role of legal guardian
Effective date:	10/07/2010 (revised 12/27/13)

Chapter 125 under the Oregon Revised Statute provides for appointment of a guardian to promote and protect the well-being of the protected person.

- An adult protected person for whom a guardian has been appointed is NOT presumed to be incompetent. The court has simply determined the appointment of a guardian is necessary as a means of providing continuing care and support to the individual.
- A protected person for whom a guardian has been appointed retains all legal and civil rights provided by law except those that have been expressly limited by court order.

General powers and duties of guardian

- Guardian shall provide for the care, comfort and maintenance of the protected person.
- Guardian may consent, refuse consent or withhold or withdraw consent to health care.
- Guardian may make advance funeral & burial arrangements.
- Guardian may make an anatomical gift of all or any part of the body of the protected person.
- Guardian of a minor has the powers and responsibilities of a parent who has legal custody of a child.
- Guardian may receive money and personal property deliverable to a protected person.
- Guardian may consent to the withholding or withdrawing of artificially administered nutrition and hydration for the protected person.
- In matters of ISP Team decisions, the guardian is one vote on the ISP team (per Oregon Administrative Rule for 24 hour care homes).
- Within 30 days after each anniversary of appointment, the guardian shall file with the court a written report including the person's physical and mental condition, their address, and whether guardianship should be continued or not.

 Print name

 Employee signature

 Date

Employee's signature indicates that the employee reviewed, discussed and understands the contents of this document.