



**Testimony for the
2025 JOINT LEGISLATIVE BUDGET HEARING
Topic: Human Services
February 12, 2025**

**Senate Committee on Aging, Chair Senator Cleare
Assembly Standing Committee on Aging, Chair Rebecca Seawright**

Submitted by Kimberly George, President and CEO, Project Guardianship

According to a recent study published by Nature Medicine, the number of people in the United States who develop dementia each year will double over the next 35 years to about one million annually by 2060. The number of new cases per year among Black Americans will triple. These statistics highlight the urgent need for policies that prioritize the needs of older adults, including comprehensive, person-centered, guardianship services.

New York State, which has the fourth largest population of adults in the nation at 4.6 million, will be disproportionately impacted. Older people in New York account for 25 percent of all people in 33 counties and 30 percent of people in 18 counties. According to the U.S. Department of Health and Human Services, someone turning 65 today has a 70 percent chance of needing some form of long-term care, including adult guardianship.

Unfortunately, for those who do need a guardian due to diminishing or limited cognitive capacity and have no family to serve and no money to pay a private guardian, there is no effective public system in place.

Project Guardianship is deeply disappointed that the Executive Budget for the State Fiscal Year 2026 does not include any funding for the essential guardianship services that so many New Yorkers rely on.

As advocates for the rights and well-being of vulnerable individuals in need of surrogate decision-making, we recognize the critical importance of a well-funded, effective guardianship system that ensures all New Yorkers, particularly older adults and those with disabilities, receive the care and protection they deserve. While we appreciate the Governor's recognition of the state's growing aging population and the need for innovative solutions to address it, the omission of funding for guardianship services directly undermines the ability of nonprofits and community-based organizations to meet the increasing demand for qualified, person-centered care. Without proper financial support, vulnerable individuals continue to face long delays and the risk of being appointed unqualified guardians, jeopardizing their health, safety, and dignity.

Article 81 of New York's Mental Hygiene Law provides that the court, having ruled out all lesser restrictive alternatives, shall appoint a guardian to protect and promote the interests of persons with



limitations that affect their ability to make decisions for themselves. However, there is no public fund to compensate guardians and judges are unable to fulfill this mandate due to a shortage of guardians. Instead, the system relies on family caregivers and the personal wealth of those in need of a guardian to pay for their own services, neither of which reflects the experience of today's older adults who are increasingly aging alone and with limited financial resources.

In some areas, nonprofits have stepped in to fill the gap, raising funds from private and public sources to serve as guardians for those with no other option. In doing so, they have demonstrated their keen ability to deliver the highest quality guardianship services for those in their care. Nonprofits are adaptable and able to handle the constant demands of the job, they reduce costs by keeping individuals out of institutional settings, they are more inclined to assist people in aging with dignity and independence, and their dedication to enrolling individuals in benefits helps strengthen local economies, among other benefits. According to a 10-year study of Project Guardianship's guardianship services, nonprofit guardians save an average of \$67,000 per client per year, mostly in Medicaid savings.

Unfortunately, the absence of a permanent, adequate funding source to fulfill the mandate of Article 81 has prevented nonprofits from meeting the demand for services at scale. Furthermore, the perennial threat of funding cuts puts nonprofit services—and, critically, those in receipt of guardianship services—at risk.

New York needs a publicly funded guardianship program.

Call to Action

An annual \$15 million Executive Budget investment in a Statewide Initiative of Nonprofit Guardians (SING) would:

- Ensure that every New Yorker who needs a legal guardian has access to a high-quality, person-centered guardian regardless of their financial or social circumstance.
- Build the capacity of local aging services organizations across New York to serve as guardians in counties where the shortage is greatest.
- Establish a robust database with demographics and outcomes for guardianship clients.
- Create an estimated net savings of \$80 million per year in Medicaid costs by shortening hospital and nursing home stays and helping New Yorkers live and age in their homes and communities.

Unlike other proposed solutions to New York's guardianship crisis, SING is rooted in decades of practical experience and a deep understanding of what it takes to be the guardian of another person. It represents a practical and experienced approach to addressing New York's guardianship crisis.



PROJECT GUARDIANSHIP

Changing the way we care for people.

Project Guardianship applauds Chairs Cleare and Seawright and their respective committee members for their commitment to finding comprehensive ways to meet needs of our state's older and disabled populations. Thank you.