



OKLAHOMA DEPARTMENT OF HUMAN SERVICES

**Guardianship, Advocacy, and Capacity
Initial Review**



Complete this form the first time a review of guardianship, advocacy, and capacity to give informed consent is needed for a service recipient who does not receive residential services.

Service recipient first, middle, and last name	Date	Case manager
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Per Sections 1-111 and 3-111 of Title 30 of the Oklahoma Statutes, in order to determine guardianship necessary, a court must find the service recipient's ability to receive and evaluate information effectively, or make and communicate decisions, is impaired to such an extent the service recipient lacks capacity to meet essential requirements for his or her physical health or safety. The inability to meet these essential requirements means serious physical injury is more likely than not to occur.

1. What programs or services does service recipient currently receive, or will likely need within the next 30 days? _____

2. Which of these programs or services are currently essential for service recipient's health or safety? _____

3. Does service recipient have capacity to give informed consent to receive each of these programs or services? Yes No
Use Capacity Assessment Worksheet if assistance is needed to answer.

If no, recommend completing Capacity Assessment to determine type of assistance needed. Capacity Assessment is not required when service recipient does not receive residential services. Capacity Assessment is required to apply for guardianship voucher.

4. Does service recipient currently have a guardian? Yes No
If yes, does the guardianship meet service recipient's needs? Yes No

If no, explain and describe plan to remedy the situation: _____

5. Does service recipient currently have a family, friend, or volunteer advocate? This does not include guardians. Yes No
If yes, does advocacy meet service recipient's needs? Yes No

If no, explain and describe plan to remedy the situation: _____

Routing: Original – home record Copy – guardianship coordinator