

ADULT 0507

FILED

SEP 14 2016

Comments for Guardianship Commission Regarding NRS 159-628B

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TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY [Signature]
CHIEF DEPUTY CLERK

As a nationally certified guardian attempting to create a professional guardian business, I would like to provide comments to the recently passed revisions to the Nevada guardianship law. I believe some of the licensing requirements are too restrictive and the fees too high. Ultimately, these requirements and fees will deter those like me who want to become licensed professional guardians and build a practice. Due to this law, several private guardians have left the occupation, leaving less competition and choice for families and wards seeking a private professional guardian. Since only a few licensing applications were filed in Nevada recently, the number of professional guardians will be few and far-between, where only the two or three already-established guardian firms will practice in Nevada.

My hope is that more palatable revisions to the licensing process and fees will occur during the 2017 legislative, expanding the choice for families and wards. I realize that it is likely that those writing the revisions intended not to deter new professional guardians; but to protect the wards.

Below are my comments for NRS 159, Chapter 628B:

1. **628B.090, Section 1:** The definition of a Private Professional Guardian Company in this section is defined as a "Natural Person" or "Business Entity," so why are both natural person and business entity licenses required even when there would only be one guardian practicing in the business? I did not see the two-license requirement in the law, but learned of it through the *Financial Institution Division*. No other professional occupation that I know of needs two licenses to practice. Applying for two licenses (where the applications require virtually identical information) will double the initial cost to \$2,500 (each application requiring a \$500 initial application fee and a \$750 fee for the license). Also, annual renewal fees may be as high as \$3,000 to renew both licenses. (The initial application fee of \$500 is extremely high—I suggest reducing it to a more reasonable \$100, similar to other professional occupations).
2. **628B.310, Section 2:** The non refundable licensing application fee of \$750 is extremely high; and particularly prohibitive for a new guardian trying to build a practice. Most other occupational licenses are far below that amount. For example, Marriage and Family Therapists licenses are \$150; Social Workers pay \$40 for applications and \$100 for licenses; Optometrists pay \$250 for licensing; physicians pay \$600. Why charge the guardian above and beyond most other professional licenses? **The high fees will discourage new guardians; leaving less choice for families when choosing guardians. This eliminates competition and choice. I suggest the license fee be reduced to no more than \$200 annually. Or, at least be reduced for new guardians, to encourage choice in the field.**
3. **628B.310, Section 8(b)** - A \$300 fee to pay for the establishment of each office is unnecessary, and again discourages new professional guardians from entering the field. No other professional occupation that I know of must pay a fee to establish an office.
4. **628B.370, Section 1.** Charging up to \$1,500 to renew a license is above and beyond any other professional licensing board and should be reduced to no more than \$200 annually. Again, this high fee removes competition and deters new professional guardians from entering the occupation. Since two licenses are required, entity and natural person, it at least doubles the cost to \$3,000 to renew annually.

Thank you.

16-28542