

# **Discovering a Person's Goals, Needs and Preferences**

National Guardianship Association  
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## **Abstract**

Guardians are directed to give first priority to a person's needs, goals and preferences in their decision making. They are directed to gather that information, but not told how to do that. The presenter will review strategies, tactics, and obstacles to communication based on his experience as a professional mediator and peacemaker.

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## **OUTLINE**

- Why we need to know about Goals, Needs and Preferences
- Strategies
- Obstacles
- Tactics

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## **Why**

- Actions need to be driven by the Standards
- Multiple Standards apply

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## **NGA Standard 7 – Decision Making**

The guardian shall identify and advocate for the person's goals, needs, and preferences.

- Person's expressed wishes
- Help the person
- Get help from others
- Only then Best Interest

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## **Substituted Judgment**

- Used when GNP are not established
- Decision the person would have made
- Not used when it would result in substantial harm

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## **Best Interest**

- Used only when
  - Never had capacity
  - GNP not established
  - Substantial harm
- Requires guardian to consider past practice and likely choices

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**This is  
Bill**



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## Bill's Situation



- Bill is 82 years old. He was living alone until he suffered a stroke.
- Bill was adjudicated totally incapacitated. He now resides in a nursing home.

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## Challenge



- Bill has been a smoker most of his life.
- Bill insists that he wants his cigarettes.
- Should the guardian buy cigarettes for Bill even though smoking increases the likelihood of another stroke?

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## **Strategy**

- Ask
- Document
- Act (advocate)

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## **Obstacles and Challenges**

- High impact/Low trust (Risk Communication)
  - You're a stranger
  - Your authority or role is uncertain
  - Scope of what you need to know is broad
    - Residence, people, religion, food, medical and end-of-life, pets...

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## **Obstacles and Challenges**

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## **Obstacles and Challenges**

- Person may not have articulated their GNP before
- Person may not know how to articulate GNP
- Person may not grasp scope of what you need to know

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# **SO, WHAT DO YOU DO?**

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## **Make a Plan**

- Location and time
- Your appearance
- How you will introduce yourself
- Scope of your information gathering
  - Your role
  - What's most important
  - What's timely

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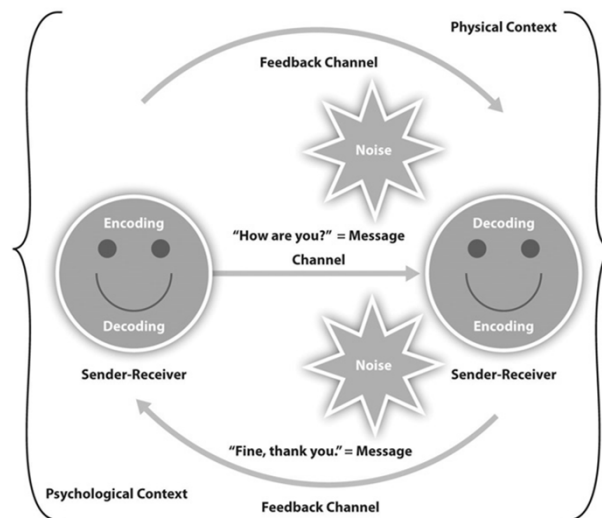


# Communication Process

What should you anticipate about your communications?

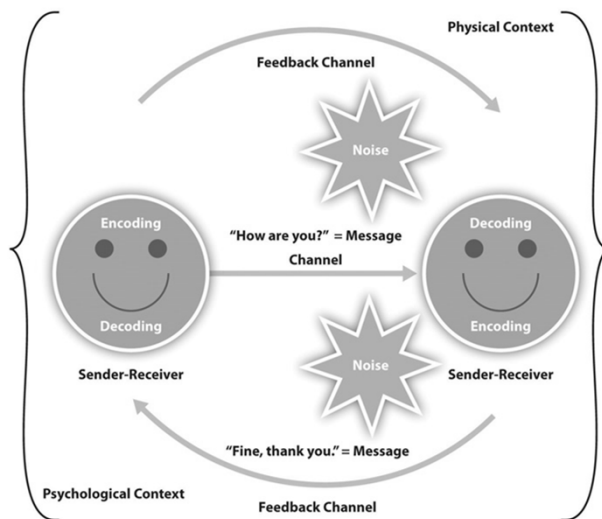
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# Communication Model



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# Communication Model



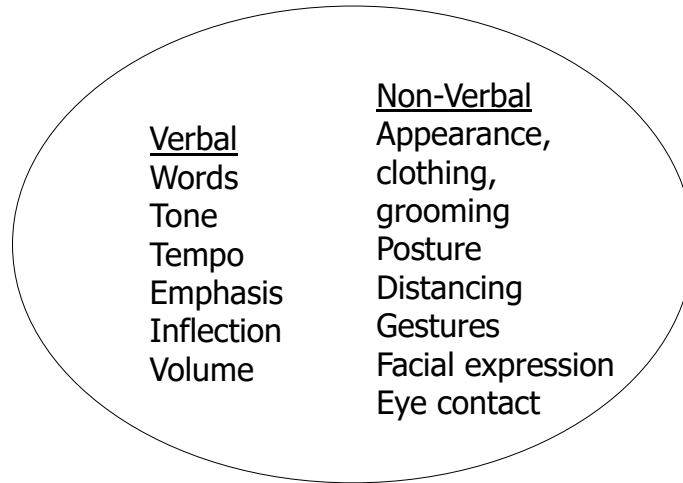
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## Obstacles and Challenges

- Your attempt to gather information may feel like an interrogation
  - Your need to document can make this worse
- The concept of guardianship, its formality, and terms may be foreign.

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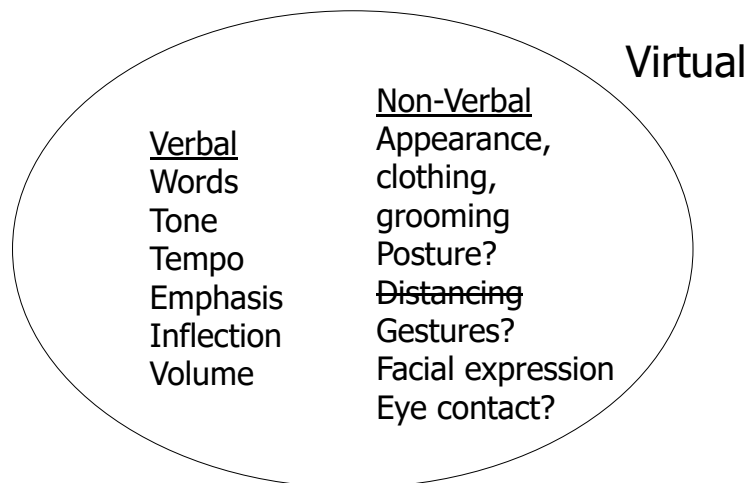
# Communication Modes



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# How We Communicate

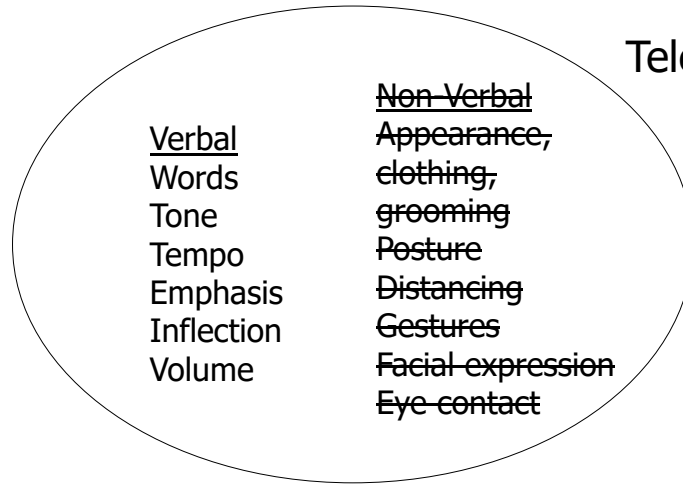


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# Communication Modes

Telephone

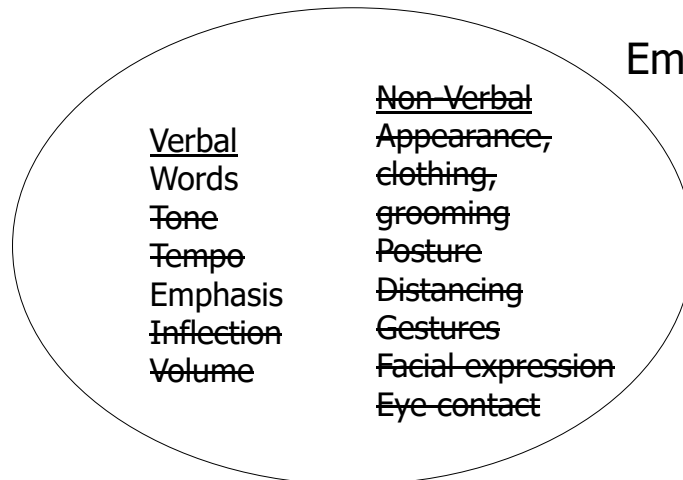


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# Communication Modes

Email



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## **Tactics**

- How you identify yourself
- How you describe your role
- Ask for permission
- Setting
- Avoid jargon and acronyms
- Be patient (multiple conversations?)

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## **Tactics**

- Be aware of how we communicate
  - Words alone play a minor role
- Open-ended questions
- Reflection and summary
- Validation of what you're told

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## **Closure**

- **Validate**
  - Compare to prior actions and decisions
  - Compare to written evidence
  - Check with family and friends
  - Confirm with the person in subsequent visits

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## **Plan**

- **Standards 9 and 18**
  - Plans informed by the person's GNP
  - Person leads or participates in the planning process

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## **Acknowledgements**

- Communicaton Model from  
*Introduction to Professional  
Communications* by Melissa Ashman