

FIDUCIARY MANAGEMENT BRANCH Resignation of an individual under guardianship	DAIL-DOS-FID-16
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Policy Statement: Upon resignation the Cabinet relinquishes financial responsibilities to the individual or successor conservator.

Legal Authority: [KRS 210.290 Cabinet may act as fiduciary – Duties – Powers](#)
[KRS 387.680 – 700 Guardianship and Conservatorship for disabled persons](#)
[910 KAR 2:030 Accounting provisions for adult guardianship](#)

Procedure:

- (1) Field services branch identifies individuals under guardianship that have been resigned in KYGFIS by updating the face sheet and attaching the court order to an event.
- (2) Fiduciary staff submit resignation order or notification to Family Support and the Social Security Administration that the Cabinet is no longer conservator within one week if proper documentation is reported and available in database.
- (3) Pay any outstanding facility bills that are the responsibility of the individual under guardianship prior to resignation and during the Cabinet's appointment or refund due to Social Security or Family Support.
- (4) Assets, other than funds and important documents are mailed or arrangements made for the individual under guardianship or successor conservator to obtain the assets.
- (5) During the transition when funds are available, one month of income will be issued to the individual under guardianship or successor conservator.
- (6) Transfer account balance to the individual under guardianship or successor guardian within 60 days of reported resignation date
- (7) Assist individual under guardianship or new guardian, if requested, with information to change representative payee for benefits and income.
- (8) If account has not been transferred within sixty (60) days, funds will be returned to issuing agency signs paperwork to transfer the Trust to the Successor Trustee. Assist successor in transferring this account to their bank where the trust will be established.
- (9) Complete final accounting report to the court of jurisdiction, along with approval letter and document in KYGFIS and attach documents to an event.

(10) If the court does not return the approval letter after ninety (90) days, the court report is considered approved unless a rejection notice is received.

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- (11) Run monthly reports of resigned individuals under guardianship with account balances and transfer any funds to appropriate designee.
- (12) Forward any mail received after resignation of the individual under guardianship to appropriate designee along with a letter notifying the individual under guardianship, successor guardian, or provider of their responsibility to submit notice of new address to each entity.
- (13) Mail received after thirty (30) days of resignation will be forwarded to the individual under guardianship or appropriate designee along with a second notice letter instructing the individual under guardianship or designee to submit the new mailing address to each entity and informing them that any additional mail received will be discarded.
- (14) Mail received after sixty (60) days will be discarded/shredded.