



**Testimony for the
2026 JOINT LEGISLATIVE BUDGET HEARING
Topic: Mental Hygiene
February 4, 2026**

Senate Committee on Finance, Chair Liz Krueger
Assembly Committee on Ways & Means, Chair J. Gary Pretlow
Senate Committee on Mental Health, Chair Senator Samra G. Brouk
Assembly Committee on Mental Health, Chair Jo Anne Simon
Senate Committee on Disabilities, Chair Patricia Fahy
Assembly Committee on Disabilities, Chair Angelo Santabarbara

Submitted by Kimberly George, President and CEO, Project Guardianship

Older adults are now the fastest-growing population experiencing mental health challenges in the United States. Nearly one in five adults over the age of 60 lives with a diagnosable mental health condition, including serious mental illness, depression, anxiety disorders, or cognitive impairment—yet older adults remain the least likely age group to receive consistent, appropriate mental health care. As our population ages, unmet mental health needs among older adults will continue to rise, placing increasing strain on courts, hospitals, housing systems, and community-based mental health services.

These trends underscore the urgent need for policies that recognize guardianship as essential mental health infrastructure—particularly for older adults and individuals living with serious mental illness or cognitive disabilities who cannot safely make decisions on their own.

New York State, which has the fourth-largest population of older adults in the nation at 4.6 million, will be disproportionately impacted. Older adults account for 25 percent of the population in 33 counties and 30 percent in 18 counties across the state. 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 during their lifetime, often including guardianship due to psychiatric or cognitive decline.

Yet for individuals who require a guardian because of diminished or limited cognitive capacity or serious mental illness—and who lack family support or financial resources to retain a private guardian—there is no effective public guardianship system in New York State to meet their needs.

The consequences of this gap are not theoretical. They are visible every day in our mental health courts, hospitals, housing systems, and neighborhoods. One such example is Ms. D., a retired attorney and former administrative judge who for decades lived independently in a Brooklyn Heights brownstone she owned, renting out several apartments for additional income.



Over time, untreated mental illness—including a severe hoarding disorder—led to increasingly erratic behavior. Her tenants eventually moved out, leaving Ms. D. isolated and alone in a large and deteriorating building. With no family or friends to care for her or help manage her affairs, Ms. D. was at serious risk of exploitation, foreclosure, and homelessness when Project Guardianship was appointed as her legal guardian.

Project Guardianship’s multidisciplinary team—including case managers, attorneys, finance associates, and benefits specialists—moved quickly to stabilize both Ms. D. and her home. Her home had become a serious safety hazard, filled nearly wall-to-wall with possessions accumulated over many years.

Project Guardianship coordinated mental health therapists as part of a treatment plan designed to support her through the trauma of decluttering and relocation. With careful planning, Ms. D. was able to move into a rent-stabilized apartment just one block from her former home, allowing her to remain in the Brooklyn Heights neighborhood where she felt safe and comfortable. With ongoing mental health support and the continued involvement of her guardianship care team, Ms. D. is now housed, stable, and living with dignity.

Her experience illustrates both the life-changing impact of nonprofit guardianship services and the serious risks faced by older adults with untreated mental illness when those services are unavailable.

Project Guardianship is deeply disappointed that the Executive Budget for State Fiscal Year 2027 does not include funding for guardianship services. For individuals who cannot consent to psychiatric treatment, secure housing, or manage benefits due to mental illness or cognitive impairment, guardianship is often the linchpin that makes stability and recovery possible. Without adequate funding, nonprofits and community-based organizations cannot meet the growing demand for qualified, person-centered guardians.

Article 81 of New York’s Mental Hygiene Law provides that, after ruling out all less restrictive alternatives, the court shall appoint a guardian to protect and promote the interests of individuals whose limitations impair their ability to make decisions. However, there is no public fund to compensate guardians, and courts are increasingly unable to fulfill this mandate due to a severe shortage of available and qualified guardians. Instead, the system relies on family caregivers or private wealth—neither of which reflects the reality of many older adults and individuals living with serious mental illness who are aging alone and with limited financial resources.

The Legislature has taken steps to address this crisis by including a \$1 million appropriation in each of the last three adopted budgets. This funding has supported a statewide guardianship hotline and limited direct services in a small number of regions. However, we estimate a statewide gap of at least 1,500 individuals in need of guardianship, including regions with little to no service capacity, such as the Capital District.



We also applaud the introduction of the New York State Good Guardianship Act—Senate Bill S8654, sponsored by Senator Cordell Cleare, and Assembly Bill A09295, sponsored by Assemblymember Charles Lavine. This legislation would establish a statewide initiative of nonprofit guardians, modernize and standardize guardianship practices, set clear expectations for guardian conduct, emphasize person- and family-centered decision-making, require training and accountability, and build the infrastructure needed to serve individuals like Ms. D. across the state.

However, the promise of the New York State Good Guardianship Act cannot be realized without stable and recurring funding. Policy reforms without funding leave courts, guardians, and the individuals the law is designed to protect without the resources necessary to make those reforms meaningful.

In the absence of a publicly funded system, nonprofit organizations have stepped in to fill the gap—raising public and private funds to serve as guardians for individuals with no other options. In doing so, they have demonstrated their ability to deliver high-quality, trauma-informed, and cost-effective guardianship services. Nonprofit guardians reduce costs by preventing unnecessary institutionalization, help individuals age with dignity and independence, and assist clients in enrolling in benefits that stabilize their lives and strengthen local economies. A ten-year study of Project Guardianship’s services found average savings of \$67,000 per client per year, primarily through avoided Medicaid costs.

Despite these proven outcomes, the lack of a permanent and adequate funding source to fulfill the mandate of Article 81—and to implement the reforms envisioned in the New York State Good Guardianship Act—has prevented nonprofits from meeting demand at scale. Continued instability in funding places vulnerable individuals at ongoing risk.

New York needs a publicly funded guardianship program that operationalizes the New York State Good Guardianship Act.

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 financial or social circumstance.
- Build the capacity of local aging and mental health services organizations across the state, particularly in counties facing the greatest shortages.
- Establish a robust statewide database to track guardianship demographics and outcomes.
- Generate an estimated \$80 million in annual Medicaid savings by shortening hospital and nursing home stays and supporting individuals in living and aging in their homes and communities.



- Provide the stable funding necessary to implement the New York State Good Guardianship Act (S8654/A09295), ensuring that its standards for training, accountability, and person-centered practice become reality rather than aspiration.

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 truly means to serve as the guardian of another person. It represents a realistic and effective approach to fulfilling the intent of Article 81 and strengthening New York’s mental health continuum of care. This plan was also adopted in the State Master Plan on Aging as a high-priority, high-feasibility recommendation.

Project Guardianship applauds the Senate and Assembly Chairs and their committee members for their commitment to meeting the needs of New York’s older adults and people with disabilities. Thank you.