



Certified Professional Guardian Board Meeting

Monday, July 9, 2012 (8:00 am – 9:30 pm)

SeaTac Office Center, 18000 International Blvd. Ste 1106,
SeaTac, WA

Meeting Minutes

Chair

Judge James Lawler

Members Absent

Judge Robert Swisher, Vice-Chair

Members Present

Ms. Robin Balsam
Mr. Gary Beagle
Dr. Barbara Cochrane
Ms. Nancy Dapper
Mr. William Jaback
Mr. Chris Neil
Judge Sally Olsen
Ms. Emily Rogers
Prof. Winsor Schmidt
Ms. Carol Sloan
Comm. Joseph Valente

Staff

Ms. Shirley Bondon
Ms. Katrin Johnson
Ms. Kim Rood

1. Call to Order

Judge Lawler called the meeting to order at 8:05 a.m.

2. Board Business

Approval of Minutes

Judge Lawler asked for changes or corrections to the June 25, 2012 minutes.

Motion: *A motion was made and seconded to approve the June meeting minutes as prepared. The motion passed.*

Chair Report: No Chair report

3. Applications Committee

Applications Regulation 100

Mr. Jaback said no public comments were received regarding changes to Applications Regulation 100. Two public comments were received regarding changes to Certification Regulation 700. These comments are included in the meeting materials on pages 28 and 29.

Motion: *A motion was made and seconded to approve the changes to Applications Regulation 100.*

Commissioner Valente asked about the wording in Section 102.3. Under the definition of conditional approval, conditional approval is granted to applicants that meet all initial application requirements. If all requirements are met, why is the approval conditional? Ms. Bondon clarified that it meant that all the application requirements had been met but not the certification requirements. Commissioner Valente suggested removing the word "initial".

Motion: *A friendly amendment was made and seconded to remove the word "initial" from the definition of Conditional approval in 102.3.*

Commissioner Valente asked if the phrase "Fee determined by the CPG board" in 103.3.9 was a typographical error. Ms. Bondon said that phrase should be removed.

Motion: *A friendly amendment was made and seconded to remove the phrase "Fee determined by the CPG board" in 103.3.9.*

There was a discussion about the fees and requirements schedule. The intent behind the fees and requirements schedule was to provide the Board with flexibility to change fees without changing regulations at the same time. There would not be a formal public comment process on the changes, but the public would have an opportunity to comment at a Board meeting.

Motion: *A motion was made and seconded to approve the changes to Applications Regulation 100 with two friendly amendments. The motion passed.*

Certification Regulation 700

The two public comments that were received on Certification Regulation 700 were discussed. There was also a discussion on the application and recertification deadlines.

The Board discussed the proposed two tiers of fees based on the requirement for errors and omission insurance which is based on the number of cases and the total value of estates managed. There was a suggestion that the wording in 704.3.2 be revisited.

Commissioner Valente proposed that both guardians and agencies should be exempt to be in the lower fee tier. He proposed moving to approve Regulation 700 in its entirety, and include in the motion that the Applications Committee reconsider the language in 704.3 regarding the duty of an individual guardian employed by an agency to provide proof of E and O insurance.

There was a suggestion to move definitions to the Fees and Filing Requirements Table and vote on Regulation 700.

Motion: *A motion was made and seconded to approve the changes to Applications Regulation 700 after removing the definition reference in 702.3 and correcting the numbering. The motion passed.*

Ms. Johnson asked if the Board wanted the changes to the appeals process and limited material on appeals to apply to appeals filed after today or new applications filed after today. The Board requested that it apply to applications filed after July 9, 2012.

Fees and Filing Requirements Table

The plan is to approve the Fees and Filing Requirements Table with an effective date of August 1, 2012 for new applications and a January 1, 2013 effective date for recertification fees. The table would be approved with the understanding that the Applications Committee will review the definitions and concerns about hearings, and will table this discussion until next month.

Motion: *A motion was made and seconded to approve the Fees and Filing Requirements Table with the current rates taking effect on August 1, 2012 for new applications and January 1, 2013 for certification maintenance. The motion passed.*

Credit Reports

Mr. Jaback would like to have a substantive discussion on credit reports in the Executive Session. There are some questions to discuss:

1. Should the Board and the Applications Committee rely on the applicants credit scores or credit report? The consensus is that if the credit score is under 700, the credit report will be reviewed in more detail.
2. Can the Board or Applications Committee deny an applicant with bad credit? If so, what is the threshold that would determine the applicant should be denied?
3. Should the Applications Committee and AOC staff require proof of bondability?

There was general agreement that the Board is not prohibited from denying an applicant based on credit information, but it is not a bright line. Credit is a factor to consider with other factors.

The Board preferred applicants submit both a credit score and a credit report. If three credit scores are reported, the scores will be averaged. A credit report from one agency is sufficient. The Board and AOC staff does not need to review a credit report if an applicant's credit score is over 700.

Educational Institution Accreditation

The Board has received an application with a degree and transcript from an institution without standard accreditation. The Board had two questions.

- 1 What entity is responsible for accrediting educational institutions?
- 2 Does GR 23 need to be amended to provide clarity on educational institution accreditation?

The Board discussed stipulating that transcripts and degrees must be from an institution accredited by the Council for Higher Education Accreditation and the U.S. Department of Education. The Board decided to discuss the question at the Applications Committee level and prepare a specifically worded motion for the next meeting. The Board agreed that GR 23 does not require amending. The definition for accrediting institution could be added to the Applications Regulations.

4. Education Committee

The Education Committee's recommendations for two emerging issues credits are

a) cultural diversity and b) how to manage a guardianship business.

Motion: *A motion was made and seconded to accept these two issues as emerging issues credits. The motion passed.*

The Board discussed the University of Washington course consisting of 16 hours of online instruction and eight hours of class time, and if this format violated the requirement of interactive instruction required by regulation 204.6.

Motion: *A motion was made and seconded to accept the University of Washington program as qualifying as a continuing education requirement under Regulation 204.6. The motion passed.*

5. Executive Session

Confidential.

6. Application Committee

Motion: *A motion was made and seconded to approve the application of Amy Fink.*

Motion: *A motion was made and seconded to approve the application of Nancy Gillard. The motion passed.*

Motion: *A motion was made and seconded to approve the application of Amber Zabel. The motion passed.*

Motion: *A motion was made and seconded to approve the application of Nicole Curley. The motion passed.*

Motion: *A motion was made and seconded to deny the application of William Morris. The motion passed.*

Motion: *A motion was made and seconded to table the application for Abacus Guardianship, Inc. pending further review of the questions raised in Executive Session. The motion passed.*

7. Adjourn

The meeting adjourned at 9:26 a.m. The next meeting is scheduled for August 13, 2012.

Recap of Motions from June 11, 2012 Meeting

Motion Summary	Status
Motion: A motion was made and seconded to approve the June meeting minutes as prepared.	Passed
Motion: A motion was made and seconded to approve the changes to Applications Regulation 100.	Passed
Motion: A friendly amendment was made and seconded to remove the word "initial" from the definition of Conditional approval in 102.3.	Passed
Motion: A friendly amendment was made and seconded to remove the phrase "Fee determined by the CPG board" in 103.3.9	Passed
Motion: A motion was made and seconded to approve the changes to Applications Regulation 100 with two friendly amendments.	Passed
Motion: A motion was made and seconded to approve the changes to Applications Regulation 700 after removing the definition reference in 702.3 and correcting the numbering.	Passed
Motion: A motion was made and seconded to approve the Fees and Filing Requirements Table with the current rates taking effect on August 1, 2012 for new applications and January 1, 2013 for certification maintenance.	Passed
Motion: A motion was made and seconded to accept these two issues as emerging issues credits.	Passed
Motion: A motion was made and seconded to accept the University of Washington program as qualifying as a continuing education requirement under Regulation 204.6.	Passed
Motion: A motion was made and seconded to approve the application of Nancy Gillard.	Passed
Motion: A motion was made and seconded to approve the application of Amy Fink.	Passed
Motion: A motion was made and seconded to approve the application of Amber Zabel.	Passed
Motion: A motion was made and seconded to approve the application of Nicole Curley.	Passed

Motion Summary	Status
Motion: A motion was made and seconded to deny the application of William Morris.	Passed
Motion: A motion was made and seconded to table the application for Abacus Guardianship, Inc. pending further review of the questions raised in Executive Session.	Passed

Action Items for Next Meeting

Action Item	Who	Status
Reconsider the language in 704.3 regarding the duty of an individual guardian employed by an agency to provide proof of E and O insurance	Applications Committee	In Process
Define accrediting institution and prepare a specifically worded motion for the next meeting.	Applications Committee	In Process