



**Certified Professional Guardian Board Meeting**  
Monday, November 4, 2013 (8:00 a.m. – 9:00 a.m.)  
Telephone Conference

**Proposed Meeting Minutes**

**Members Present**

Judge James Lawler, Chair  
Commissioner Rachelle Anderson  
Mr. Gary Beagle  
Ms. Rosslyn Bethmann  
Dr. Barbara Cochran  
Mr. Andrew Heinz  
Mr. William Jaback  
Judge Sally Olsen  
Ms. Carol Sloan

**Members Absent**

Judge Robert Swisher, Vice-Chair  
Ms. Nancy Dapper  
Mr. Gerald Tarutis

**Staff**

Ms. Shirley Bondon  
Ms. Carla Montejo  
Ms. Sally Rees  
Ms. Kim Rood

**1. Call to Order**

Judge Lawler opened the meeting at 8:04 a.m.

**2. Board Business**

Approval of Minutes

Judge Lawler asked for changes or corrections to the October 14, 2013 proposed minutes. There were no changes or corrections.

**Motion:** *A motion was made and seconded to approve minutes from the October 14, 2013 meeting. The motion passed. Mr. Jabeck abstained from voting.*

**3. Executive Session (Closed to Public)**

**4. Reconvene and Vote on Executive Session Discussion (Open to Public)**

Applications and Certification Review Committee

**Recertification Noncompliance**

Per Regulation 700 Certification Maintenance, every certified professional guardian and agency must pay an annual recertification fee, submit the GR 23 (e) Disclosure, and file an Errors and Omission Insurance Declaration by August 1 of each year. Failure to pay the fee and submit the required documents by August 1 will subject the certified professional guardian or agency to a late fee. Failure to pay the fee and submit the required documents by October 1 shall subject the certified professional guardian or agency to revocation of certification. If the certified professional guardian believes that an administrative error has been made and they should not be decertified, they may file a petition requesting an administrative hearing.

The following motions were made regarding certified professional guardians and one agency that failed to pay the fee and submit the required documents by October 1 and did not file a petition.

**Motion:** *A motion was made and seconded to decertify Kathleen Bournique for non-compliance of annual recertification requirement. The motion passed.*

**Motion:** *A motion was made and seconded to decertify Kim Buer for non-compliance of annual recertification requirements. The motion passed.*

**Motion:** *A motion was made and seconded to decertify Carolyn Edmonds for non-compliance of annual recertification requirements. The motion passed.*

**Motion:** *A motion was made and seconded to decertify Kristen Krohn for non-compliance of annual recertification requirements. The motion passed.*

**Motion:** *A motion was made and seconded to decertify Reliable Guardianship Services for failure to obtain a second designated CPG. The motion passed.*

The following motions were made regarding certified professional guardians who failed to pay the fee and submit the required documents by October 1 and filed a petition for an administrative hearing.

**Motion:** *A motion was made and seconded that Wayne Houston remain certified and receive a Letter of Warning, encouraging him to complete four hours of continuing education, which focuses on planning and reporting, in addition to the twenty-four hours of required continuing education needed for certification. The motion passed. Judge Olsen abstained from voting.*

**Motion:** *A motion was made and seconded that Gloria Muhammad remain certified, if her annual recertification fee was received within two weeks, and she receive a Letter of Warning encouraging her to complete four hours of continuing education, which focuses on planning and reporting, in addition to the twenty-four hours of required continuing education needed for certification. The motion passed.*

**Motion:** *A motion was made and seconded that Stacy Phillips remain certified and receive a Letter of Warning, encouraging her to complete four hours of continuing education, which focuses on planning and reporting, in addition to the twenty-four hours of required continuing education needed for certification. The motion passed.*

**Motion:** *A motion was made and seconded that Bernadine Wilson remain certified and receive a letter reminding her to timely report. The motion passed.*

### **Grievances—Agreement Regarding Discipline**

**Motion:** *A motion was made and seconded to approve the Agreement Regarding Discipline for Cynthia Winters. The motion passed. Ms. Carol Sloan abstained from voting.*

**Motion:** *A motion was made and seconded to dismiss the grievance against Daniel Smerken. The motion passed.*

## 5. Correspondence

- **Letter from Washington Association of Professional Guardians (WAPG)**

Judge Lawler asked that all Board members read the letter from WAPG regarding follow up from the October 14, 2013 Board meeting. Judge Lawler stated that the Board will continue to work with Certified Professional Guardians, and consider ways to keep the lines of communication open.

- **E-mail from Ken and Sylvia Curry**

Judge Lawler encouraged Board members, who are not judicial officers or CPGs, to take advantage of the offer from CPGs, Ken and Sylvia Curry, to shadow them during visits to their clients, in an effort for Board members to obtain a better understanding of what a CPG does on a daily basis. Due to a potential conflict of interest, judicial officers weren't encouraged to participate.

- **Petersen Motions**

The Association of Elder Law Attorneys (WAELA) filed an amicus brief with the Supreme Court. The appellant requested reconsideration of the Supreme Court Order striking materials submitted to supplement the record. This matter was set for argument November 12, 2013.

## 6. Adjourn

The meeting adjourned at 9:00 a.m. The next scheduled meeting is January 13<sup>th</sup>, 2014 at the SeaTac Office Facility.

### Recap of Motions from November 4, 2013 Meeting

Motion Summary	Status
<b>Motion:</b> <i>A motion was made and seconded to approve minutes from the October 14, 2013 meeting. The motion passed.</i>	Passed
<b>Motion:</b> <i>A motion was made and seconded to decertify Kathleen Bournique. The motion passed.</i>	Passed
<b>Motion:</b> <i>A motion was made and seconded to decertify Kim Buer. The motion passed.</i>	Passed
<b>Motion:</b> <i>A motion was made and seconded to decertify Carolyn Edmonds. The motion passed.</i>	Passed

<p><b>Motion:</b> <i>A motion was made and seconded to decertify Kristen Krohn. The motion passed.</i></p>	<p>Passed</p>
<p><b>Motion:</b> <i>A motion was made and seconded to decertify Reliable Guardianship Services. The motion passed.</i></p>	<p>Passed</p>
<p><b>Motion:</b> <i>A motion was made and seconded that Wayne Houston remain certified and receive a Letter of Warning, encouraging him to complete four hours of continuing education, which focuses on planning and reporting, in addition to the twenty-four hours of required continuing education needed for certification. The motion passed. Judge Olsen abstained from voting.</i></p>	<p>Passed</p>
<p><b>Motion:</b> <i>A motion was made and seconded that Gloria Muhammad remain certified, if her annual recertification fee was received within two weeks, and she should receive a Letter of Warning encouraging her to complete four hours of continuing education, which focuses on planning and reporting, in addition to the twenty-four hours of required continuing education needed for certification. The motion passed.</i></p>	<p>Passed</p>
<p><b>Motion:</b> <i>A motion was made and seconded that Bernadine Wilson remain certified and receive a letter reminding her to timely report. The motion passed.</i></p>	<p>Passed</p>
<p><b>Motion:</b> <i>A motion was made and seconded that Stacy Phillips remain certified and receive a Letter of Warning, encouraging her to complete four hours of continuing education, which focuses on planning and reporting, in addition to the twenty-four hours of required continuing education needed for certification. The motion passed.</i></p>	<p>Passed</p>
<p><b>Motion:</b> <i>A motion was made and seconded to approve the Agreement Regarding Discipline for Cynthia Winters. The motion passed. Ms. Carol Sloan abstained from voting.</i></p>	<p>Passed</p>
<p><b>Motion:</b> <i>A motion was made and seconded to dismiss the grievance against Daniel Smerken. The motion passed.</i></p>	<p>Passed</p>