

## Guardianship and Conservatorship Program Regulations

### 103 Qualifications

103.1 The certification qualifications are set out in General Rule 23, Rule for Certifying Professional Guardian and Conservators. Successful individual applicants must meet or exceed those requirements.

103.2 All individual applicants must complete an approved CPGC training course as described in Section 108.

103.3 Pursuant to the timeline<sup>1</sup> established by the Administrative Office of the Courts (AOC), an individual applicant must submit a complete application packet to the AOC which shall include the following:

103.3.1 A fully completed CPGC online application form. The applicant should keep a copy of the completed application.

103.3.2 A separate official transcript, received in a sealed envelope mailed from every accredited college and university attended. For a high school diploma, a copy of the diploma issued by the school district, private school or community or technical college. For GED Certificates, a copy of the Certificate issued by the GED® Testing Service.

103.3.3 Proof of each relevant professional license or certification currently held.

103.3.4 A fingerprint card that has been processed and obtained by a Board approved process.

103.3.5 A completed, signed Authorization and Release of Information.

<sup>1</sup>The timeline for application submissions and approvals can be found on the Certified Professional Guardianship and Conservatorship Board's web site: [www.courts.wa.gov/programs\\_orgs/guardian/](http://www.courts.wa.gov/programs_orgs/guardian/)

103.3.6 A declaration submitted under penalty of perjury, that the guardian and conservator shall exercise reasonable care, skill, and caution in ensuring a background check is conducted on their own employees, their agents, and any employees of those agents, prior to those persons providing direct services to the individual subject to a guardianship or conservatorship.

When determining the scope of a background check, the guardian or conservator should consider the abilities and vulnerabilities of the protected person and the specific task(s) that the employee or agent are being delegated.

A background must include a criminal history check utilizing public or proprietary databases <sup>2</sup>that are available to the public.

<sup>2</sup> Examples of public or proprietary databases include, but are not limited to, the Washington State Patrol's "Washington Access to Criminal History" (WATCH), Superior Court databases (Odyssey, LINX, ECR Online), Department of Social and Health Services Public Disclosure Office, and the Federal Bureau of Investigations Identity History Summary Check (IdHSC).

Additionally, a background check should include a check of public or proprietary databases that report substantiated findings of abuse, neglect, or exploitation of a vulnerable adult.

When engaging licensed agencies that are required by law or regulation to obtain background checks on their employees, the guardian and conservator may rely on the declaration of the agency that they comply with State background check requirements.

103.3.7 A non-refundable application fee as identified on the Fees and Filing Requirements Table.

103.3.8 A personal credit report obtained from a Board approved credit reporting agency.

103.3.9 If an individual has declared bankruptcy in the seven (7) years prior to his or her application, the applicant must provide copies of the following documents: bankruptcy petition, discharge order, and a copy of the bankruptcy case docket.

103.3.10 A sworn statement that he/she has read and agrees to abide by the continuing disclosure requirements of GR 23 and all other requirements imposed by rule, regulation or statute for CPGCs.

103.4 An agency applicant must provide:

103.4.1 A fully completed CPGC agency on-line application. The applicant should keep a copy of the completed application.

103.4.2 A copy of the formation documents of the legal entity.

103.4.3 A declaration submitted under penalty of perjury that it shall

- (a) exercise reasonable care, skill, and caution in ensuring a background check is conducted on its own employees, its agents, and any employees of those agents, board members, or anyone formally associated with the agency entity, prior to those persons providing direct services to the individual subject to a guardianship or conservatorship, and ensure that all officers and directors meet the qualifications of Chapter 11.130 RCW for guardian and conservators.

When determining the scope of a background check, the CPGC agency should consider the abilities and vulnerabilities of the protected person and the specific task(s) that the employee or agent are being delegated.

A background must include a criminal history check utilizing public or proprietary databases <sup>3</sup>that are available to the public.

<sup>3</sup> Examples of public or proprietary databases include the Washington State Patrol's "Washington Access to Criminal History" (WATCH), Superior Court databases (Odyssey, LINX, ECR Online), Department of Social and Health Services Public Disclosure Office, and the Federal Bureau of Investigations Identity History Summary Check (IdHSC).

Additionally, a background check should include a check of public or proprietary databases that report substantiated findings of abuse, neglect, or exploitation of a vulnerable adult.

When engaging licensed agencies that are required by law or regulation to obtain background checks on their employees, the CPGC agency may rely on the declaration of the licensed agency that they comply with State background check requirements

103.4.4 The names of the agency's current board of directors, members, managers, owners, and/or its officers.

103.4.5 A list identifying all CPGCs at the agency (a minimum of two are required), and a copy of either meeting minutes or a board resolution identifying the designated CPGCs. The designated CPGCs shall submit the Acceptance of Designated CPGC form.

103.4.6 A non-refundable application fee as identified on the Fees and Filing Requirements Table.

103.4.7 A sworn statement that they have read and agree to abide by the continuing disclosure requirements of GR 23 and all other requirements imposed by rule, regulation or statute for CPGCs.