

Guardianship and Conservatorship Program Regulations

402 Guardian and Conservator's Relationship to Family and Friends of Individual Subject to Guardianship and/or Conservatorship and to Other Professionals

402.1 When the guardian and conservator has limited authority the guardian and conservator shall work cooperatively with the individual subject to guardianship and/or conservatorship and/or with others who have authority in other areas for the benefit of the individual.

402.1.1 If a power of attorney for health care or finances is in effect, unless there is a court order to the contrary, the decision of the agent takes precedence over the guardian or conservator, and a guardian or conservator shall cooperate with the agent to the extent feasible.

[RCW 11.130.330 \(6\)](#)

[RCW 11.130.335 \(1\)](#)

[RCW 11.130.435 \(4\)](#)

[RCW 11.130.505 \(11\)](#)

402.2 The guardian and conservator, where appropriate, shall consider the views and opinions of professionals, relatives, and friends who are knowledgeable about the individual subject to guardianship and/or conservatorship. In determining the best interest of the individual, the guardian and conservator shall consider information received from professionals and persons who demonstrate sufficient interest in the welfare of the individual.

[RCW 11.130.325 \(5\) \(a\)](#)

402.3 The guardian and conservator shall seek independent professional evaluations, assessments, and opinions when necessary to identify the individual's needs, functional and cognitive abilities, and best interests.

402.4 The guardian and conservator shall recognize that their decisions are open to the scrutiny, criticism, and challenge of others. Subject to orders of the court, the guardian and conservator alone is ultimately responsible for decisions made by the guardian and conservator on behalf of the individual subject to guardianship and/or conservatorship.

402.5 A guardian and conservator shall not disclose personal or other sensitive information about the individual to third parties except: (a) when necessary and relevant to the needs of the individual or (b) as required by these standards or other applicable laws or when directed by the court or the CPGC Board.

402.6 The guardian and conservator must know and acknowledge personal limits of knowledge and expertise and shall engage appropriate professionals to provide services to the individual subject to guardianship and/or conservatorship to the extent reasonable and necessary.

402.7 The guardian and conservator shall develop and maintain a working knowledge of the services, providers, and facilities available in the community. The guardian and conservator shall act to coordinate and monitor services needed by the individual subject to guardianship and/or conservatorship to ensure that the individual is receiving the appropriate care and treatment.

Effective January 1, 2022