



Certified Professional Guardianship Board

Monday, August 14, 2017

Teleconference

8:00 am – 9:00 am

Meeting Minutes

Members Present

Judge James Lawler, Chair
Commissioner Rachelle Anderson
Ms. Rosslyn Bethmann
Dr. Barbara Cochran
Mr. Jerald Fireman
Ms. Victoria Kesala
Dr. K. Penney Sanders
Ms. Barbara West
Ms. Amanda Witthauer

Online Guests – see list on last page.

Members Absent

Judge Gayle Harthcock
Mr. William Jaback
Commissioner Diana Kiesel
Ms. Carol Sloan

Staff

Ms. Shirley Bondon
Ms. Kathy Bowman
Ms. Carla Montejo
Ms. Kim Rood
Ms. Eileen Schock

1. Meeting Called to Order

A quorum was reached and Judge Lawler called the August 14, 2017 teleconference to order at 8:03 am.

2. Welcome, Roll Call and Approval of Minutes

Judge Lawler welcomed members of the Board and the public to the teleconference. Judge Lawler entertained a motion for approval of the June 12, 2017 Certified Professional Guardianship Board meeting minutes. A motion was made and seconded to approve the minutes as written. Commissioner Anderson and Ms. Witthauer abstained. The motion passed.

Motion: *A motion was made and seconded to approve the June 12, 2017 minutes. The motion passed. Commissioner Anderson and Ms. Witthauer abstained.*

3. Chair's Report

Judge Lawler invited staff to present a proposed 2018 CPG Board Meeting Schedule. There were no changes or concerns regarding the proposed schedule.

4. Updates

Grievance Status Report

Staff reported 23 new complaints were received since the last reporting period in May, 2017, bringing the total from 118 to 133. During this period, 10 cases were resolved without an Agreement Regarding Discipline (ARD) or a Hearing. Of these cases, five were dismissed for no jurisdiction, two were dismissed for no actionable conduct and three were terminated when the guardian voluntarily surrendered their certification.

Staff also reported that the Standard of Practice Committee (SOPC) will be considering eight grievances involving the conduct of one CPG who is listed on the Multiple Grievances Report. A Board member asked why one of the CPGs with five grievances filed against them had not been assigned to an investigator, when an investigator had been assigned to investigate the conduct of a CPG with four grievances filed against them. Staff explained that investigators attempt to investigate the oldest grievance first. Other factors are also considered.¹ Staff also suggested that the new Diversion program will help address a number of the grievances. Staff noted that because the Board now receives grievances that are submitted to the courts, the number of grievances received on an annual basis is not expected to return to the number (60) received two or three years ago. A Board member expressed concern that the Board was understaffed. More investigators are needed to address the number of grievances received.

5. Disciplinary Regulation 500

Staff reported that Regulation 510 recommending the Board always order a transcript of a hearing was submitted to the attorney general for comment. In the opinion of the attorney general, a transcript is not required unless there is a possibility of appeal, such as a suspension or revocation of certification. However, there is nothing that prohibits the other party from ordering a transcript on their own. The Board will table this recommendation for vote until the next in-person meeting when revised language will be available.

A Board member noted that concerns regarding access to records may require further discussion with the Board. Judge Lawler stated that GR 31.1 dictates access to public records. A table has been included in the meeting packet that charts the comments and concerns recently received with the relevant Regulation. This table will be reformatted and included again in the next meeting packet.

6. Executive Session (*Closed to Public*)

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

On behalf of the Applications Committee, Barbara West presented the following applications for Board approval. Members of the Applications Committee abstained.

Motion: *A motion was made and seconded to conditionally approve Debbie Conklin's application for re-certification upon completion of the UW Guardianship Certificate Program. The motion passed.*

Motion: *A motion was made and seconded to approve without condition Dawna James' application for certification. The motion passed.*

¹ After the teleconference, the staff followed up via e-mail with the following regarding the Multiple Grievances Report:

- CPGs J and S are assigned an investigator because they have the largest number of grievances.
- CPG R is assigned an investigator because he or she has a 2013 grievance.
- CPG T is assigned an investigator because he or she has agreed to voluntarily surrender their certification and this process needs to occur now.
- CPG B was assigned before CPG F because the 5th grievance for CPG B was received April 11, 2017, three months before CPG F received a 5th grievance on July 19, 2017.

Motion: *A motion was made and seconded to conditionally approve David Weigelt's application for certification upon completion of the UW Guardianship Certificate Program. The motion passed.*

8. Wrap Up/Adjourn

As there was no other topics of discussion, Judge Lawler adjourned the meeting at 8:46 am. The next meeting will be held via Teleconference on Monday, September 11, 2017 at 8 a.m.

Recap of Motions from August 14, 2017 Teleconference

Motion Summary	Status
<i>Motion: A motion was made and seconded to conditionally approve Debbie Conklin's application for re-certification upon completion of UW certification program. Ms. Bethmann opposed. Motion passed.</i>	Passed
<i>Motion: A motion was made and seconded to approve without condition Dawna James' application for certification. Motion passed.</i>	Passed
<i>Motion: A motion was made and seconded to conditionally approve David Weigelt's application for certification upon completion of UW certification program. Motion passed.</i>	Passed

Online Guests:

Sara Walker

Tom Goldsmith

Coya Eubank-Kirby

Tina Baldwin