



Certified Professional Guardianship Board

Monday, May 14, 2018

Teleconference

8:00 am – 9:00 am

Meeting Minutes

Members Present

Judge James Lawler, Chair
Commissioner Rachelle Anderson
Ms. Rosslyn Bethmann
Dr. Barbara Cochrane
Ms. Annette Cook
Judge Gayle Harthcock
Mr. William Jaback
Ms. Victoria Kesala
Commissioner Diana Kiesel
Dr. K. Penney Sanders
Ms. Barbara West
Ms. Amanda Witthauer

Members Absent

Mr. Jerald Fireman

Staff

Ms. Stacey Johnson
Ms. Kathy Bowman
Ms. Carla Montejo
Ms. Kim Rood
Ms. Eileen Schock

Online Guests – see list on last page.

1. Meeting Called to Order

Judge James Lawler called the May 14, 2018 teleconference meeting to order at 8:02 am.

2. Welcome, Roll Call and Approval of Minutes

The Minutes of the April 23, 2018 meeting were presented for approval. It was noted that Dr. Cochrane was not present at the meeting. A motion was made and seconded to approve the minutes as corrected. Dr. Cochrane and Ms. Witthauer abstained. The motion passed.

Members of the Board asked for information regarding Board member Jerry Fireman, who was recently involved in an accident. Mr. Fireman is expected to be absent from the Board for an indeterminate length of time as he recovers. Judge Lawler said he will wait before deciding whether it is necessary to replace Mr. Fireman on the Board.

3. DSHS Updated Information regarding Certified Professional Guardian payments

Staff provided an update on anticipated changes to DSHS fees, and the amount awarded to CPGs of Medicaid recipients living in a residential facility. The monthly amount payable to CPGs has been increased from \$175 to \$235, effective June 1, 2018. Historically, the courts have approved extraordinary fees to guardians, and the new DSHS fee schedule states that no fees in excess \$235 will be awarded by DSHS unless a DSHS panel has given its approval. Commissioner Anderson asked to confirm the annual amount is still capped at \$1,850 for a 3 year period. The new cap is not to exceed \$1200 a year for a 3 year period. A Board member questioned whether this rule affects the final fees and costs to be paid from an IP's estate. Staff answered that once a person is deceased DSHS will no longer provide income.

4. Memo re: Utilizing Community Partners to Assist with Financial Audits

Staff presented a Memorandum to the Board responding to questions raised at the Annual Planning Meeting regarding utilizing financial partners in the investigation of backlogged grievances. One question raised was whether the use of an outside source was appropriate for conducting financial reviews. This partnership has been found to be beneficial in the investigation of backlogged grievances requiring financial review. Staff assured all information is shared via the State's password-protected secure email portal. The persons conducting the reviews are Washington State University, Carson School of Business graduate students who have completed a background check (including fingerprinting), signed a Confidentiality Agreement and are under the supervision of a professor. At the completion of review, a Declaration of Document Destruction is returned to the Administrative Office of the Courts (AOC). The suggested alternative to this free resource would be for CPGs to assume the cost of an outside audit. It was therefore recommended that AOC staff continue to utilize this resource.

Judge Lawler commented his belief that a graduate student in accounting would be competent to complete a financial audit. Commissioner Anderson agreed as long as a Memorandum of Understanding well states the safeguards that are in place. A Board member also agreed as long as it is clearly presented that this is a delegation of a discrete task and that the Standards of Practice Committee (SOPC) will ultimately review any work product and make their own recommendations to the Board. Staff was directed to prepare a Memorandum of Understanding detailing this discussion and submit it to Judge Lawler and the SOPC for review and approval prior to dissemination to WAPG and via the AOC website.

5. Grievance Status Update

Staff reported there were seven new grievances received and three resolved during the month of April, bringing the total number of grievances requiring investigation to 147. Of the three grievances that were resolved in April, two were dismissed for no jurisdiction, and one was resolved by an Agreement Regarding Discipline (ARD) with Admonishment. Judge Lawler recognized the highest number of grievances alleging SOP violations are Regulation 409 financial management issues, such as making late payments to a facility. Judge Lawler questioned Staff if it were true financial reviews always go back a period of 5 years and if that was overreaching. As a method to reduce the current backlog, a Board member suggested that Staff focus only on the discrete issue(s) in a grievance rather than looking deeper. Staff answered that investigations depend on the complaint received. While a discussion with a facility can establish a pattern of late payments, other cases may require greater review of records to determine or disprove wrongdoing. Judge Lawler agreed, as long as the facts or questions raised in the grievance suggest a deeper investigation.

6 Executive Session (Closed to Public)

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

Applications:

On behalf of the Applications Committee, Amanda Witthauer presented the following applications for Certified Professional Guardian Certification. Members of the Applications Committee abstained.

Motion: *A motion was made and seconded to conditionally approve Elizabeth Gilpin's application for certification, with documented financial and legal experience, upon completion of the UW Certification Program. The motion passed.*

Motion: *A motion was made and seconded to conditionally approve Stephanie Spurgetis' application for certification, with documented legal experience, upon completion of the UW Certification Program. The motion passed.*

Motion: *A motion was made and seconded to conditionally approve Amber Miller's application for certification, with documented financial and healthcare experience, upon completion of the UW Certification Program. The motion passed.*

Possible New CPG Board Member

Judge Lawler announced that Judge Grant E. Blinn, Pierce County Superior Court, has expressed interest in joining the CPG Board. Judge Lawler has submitted a recommendation for this appointment to the Supreme Court.

8. Wrap Up/Adjourn

Judge Lawler will complete his term as CPG Board Chair in October 2018 and he will make a recommendation for his replacement to the Supreme Court for appointment. Interested individuals are invited to contact him directly.

The next CPG Board meeting will be held at the SeaTac Office facility on Monday, June 11, 2018. As there was no other business to discuss, the meeting was adjourned at 8:50 am.

Recap of Motions from May 14, 2018 Teleconference

Motion Summary	Status
Motion: <i>A motion was made and seconded to approve the April 23, 2018 meeting minutes as corrected. Dr. Cochrane and Ms. Witthauer abstained.</i>	Passed
Motion: <i>A motion was made and seconded to conditionally approve Elizabeth Gilpin's application for certification, upon completion of the UW Certification Program. The motion passed.</i>	Passed
Motion: <i>A motion was made and seconded to conditionally approve Stephanie Spurgetis' application for certification, upon completion of the UW Certification Program. The motion passed.</i>	Passed
Motion: <i>A motion was made and seconded to conditionally approve Amber Miller's application for certification, upon completion of the UW Certification Program. The motion passed.</i>	Passed

Online Guests:

Tom Goldsmith
Sue Ramsaur