

Meeting Materials

Minutes



Certified Professional Guardianship Board

Monday, March 11, 2019

Teleconference

8:00 am – 9:00 am

Proposed Meeting Minutes

Members Present

Judge Rachelle Anderson
Ms. Rosslyn Bethmann
Judge Grant Blinn
Ms. Rita Forster
Ms. Amanda Froh
Mr. William Jaback
Ms. Victoria Kesala
Commissioner Diana Kiesel
Judge Robert Lewis
Dr. K. Penney Sanders
Ms. Susan (Susie) Starrfield
Ms. Amanda Witthauer
Dr. Rachel Wrenn

Members Absent

Staff

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

Online Guests – see list on last page.

1. Meeting Called to Order

Judge Rachelle Anderson called the March 11, 2019 Teleconference to order at 8:03 am.

2. Welcome, Roll Call and Approval of Minutes

Roll was taken and Board members were welcomed. New Senior Program Analyst and Guardian Grievance Investigator Christopher Fournier was introduced and welcomed by the Board. Chris is familiar to many Board Members as he completed an Externship with the Administrative Office of the Courts in 2017. A 2017 Seattle University School of Law graduate, Chris was also admitted to the Washington State Bar in 2017.

There were no changes or additions suggested to the January 14, 2019 CPG Board meeting minutes. Bill Jaback moved to approve the minutes as drafted. Judge Lewis seconded. The motion passed. There were no abstentions.

Motion: *A motion was made and seconded to approve the minutes as drafted. The motion passed. There were no abstentions.*

3. Chair's Report

Judge Anderson reported on the status of the Second Substitute Senate Bill 5604, also known as the Uniform Guardianship Act, which will repeal RCW 11.88 and RCW 11.92 and have sweeping effects on RCW 26. The bill has passed through the House and has now moved to the Senate. The Superior Court Judges' Association has opposed the bill, feeling strongly that the UGA is no real improvement over the existing Code governing Title 11 Guardianships. The SCJA Guardianship and Probate Committee is working on pointing out suggestions rather than criticisms of the bill, although proposed changes have not yet been developed. Judge Anderson

asked for comments and/or suggestions and also invited Board members to attend Legislative hearings on this bill. The passage of this bill will require all new Regulations. The UW Certification program would also be impacted, and the UW has put the Board on notice that they will require a hiatus while their program is updated after court rule changes have been made over minor guardianships, protective arrangements and other GR23 updates.

A Board member asked if it was known how much it cost for all the time and work spent on ratifying GR23, bringing us to where we are, and what additional costs would be associated with the proposed UGA. Staff answered that a new Judicial Impact note was posted on Friday, March 8. Judge Anderson noted that there is a Legislative call every Friday, and there are changes each week. Judge Anderson asked if any Board members knew a bill sponsor and would be willing to speak with them. Rachel Wrenn mentioned that she knows Representative Laurie Jenkins and offered to speak with her and report back to the Board.

Staff reported on other current Legislation:

- ESHB1329, sponsored by Representative Christine Kilduff, expanding the authority of the Office of Public Guardianship to contract with guardians to provide least restrictive alternatives, and to implement a case weighting system for Office of Public Guardianship caseloads is still alive and well.
- 2SHB1422, sponsored by Representative Javier Valdez, concerning the protection of vulnerable adults, has not moved forward.
- SB5114, sponsored by Senator Steve O'Ban, creating a pilot program to provide the gravely disabled with individualized treatment, supervision and appropriate placement to support successful transition to the community, has not moved forward.

4. Guardian Grievance Report

Staff presented the Guardian Grievance status report. Judge Anderson warned members of the SOPC that while they may not have yet felt the impact of a third investigator on staff, they can anticipate becoming busier in the future, and to reach out to her if it is felt additional members are needed on that committee.

5. Executive Session (Closed to Public)

Judge Blinn excused himself from the Board meeting at 8:45 am

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

Decertifications

Rosslyn Bethmann made a motion to Administratively Decertify Certified Professional Guardian Meghn Glass for failure to complete the annual Certification Renewal process. Rachel Wrenn seconded. The motion passed. There were no abstentions.

Motion *A motion was made and seconded to Administrative Decertify Meghn Glass for failure to complete the annual CPG Certification Renewal process. The motion passed. No abstentions.*

Continuing Education Regulation 208.2.1

On behalf of the Education Committee, Bill Jaback presented a request to revise Continuing Education Regulation 208.2.1 as follows:

All continuing education activities submitted on the Late Compliance Report must have transpired either (a) during the two-year reporting cycle or (b) by March 31st immediately following the reporting cycle, with the exception of earned carry-forward credits as described in 202.3. Credits reported on the Late Compliance Report form under 208.2.1(b) may not be used to comply with the minimum education requirement for any other reporting period.

Bill Jaback made a motion to post the proposed revision for public comment, review at the April 2019 CPG Board meeting and ratify by vote at the May 2019 meeting. Judge Lewis seconded the motion. The motion passed. There were no abstentions. Staff will post the proposed change to Continuing Education Regulation 208.2.1 for public comment.

Motion: *A motion was made and seconded to post proposed revised Continuing Education Regulation 208.2.1 for public comment, review at the April 2019 CPG Board meeting and ratify by vote at the May 2019 meeting. The motion passed. No abstentions.*

Conflicts of Interest/Recusal Process

Judge Anderson reminded Board members that a Conflict of Interest and Recusal Process was drafted in 2014-2015 and is posted online. All members were asked to review this document, which clarifies specific issues. No new suggestions for updating the process were given. Judge Anderson requested that all Board members should have a copy of this document included in their handbooks.

7. Wrap Up/Adjourn

The next Certified Professional Guardianship Board meeting will be held in person at the SeaTac office on Monday, April 8, 2019. As there was no other business to discuss, the meeting was adjourned at 8:47 am.

Recap of Motions from March 11, 2019

Motion Summary		Status
Motion:	<i>A motion was made and seconded to approve the January 14, 2019 meeting minutes as presented. The motion passed. No abstentions.</i>	Passed
Motion:	<i>A motion was made and seconded to Administratively Decertify Meghn Glass for failure to complete the annual CPG recertification process. The motion passed. No abstentions.</i>	Passed
Motion:	<i>A motion was made and seconded to post the proposed revised Continuing Education Regulation 208.2.1 for public comment, review comments at the April 2019 CPG Board</i>	Passed

<i>meeting and ratify by vote at the May 2019 meeting. The motion passed. No abstentions.</i>	
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Guests Telephonically

Ana Kemmerer

Caroline Wood, DSHS

Karen Newland

Lori Weeks

Tom Goldsmith

DRAFT

Public Comment



Mindi R. Blanchard, M. Ed., CPG
President

April 1, 2019

To: Stacey Johnson
Certified Professional Guardian Board

From: Mindi R. Blanchard, M.Ed. CPG
President, Bridge Builders, Ltd a Certified Professional Guardian Agency
President of the Board, Guardian Institute, 501(c)3 Non-profit

RE: Uniform Guardianship Act

I have been encouraged to write my opinion about the Uniform Guardian Act. However, I just do not have the time to go through the Act line-by-line and comment on it. Therefore, I have decided to make a statement on my opinion of the Certified Professional Guardianship Program in Washington State.

I received my certification as a professional guardian in 2002 and founded Bridge Builders, Ltd, a certified professional guardian agency, in 2003. I started providing continuing education through conferences and seminars in 2004. I took the UW Certification Program during 2009-2010. Because I saw a need for support, educational information and resources for lay (family, friends and other third party lay guardians), professional guardians and for low income guardianship clients, I founded the Guardian Institute, a 501(c)3 non-profit, in 2013, which now provides the continuing education events and other support to lay and professional guardians, as well as provides some financial assistance to low income guardianships through their guardians. I have presented at the 3rd World Congress on Adult Guardianship; at several National Guardianship Association Annual Conferences and at local guardianship events as well as community events. I have a broad understanding of guardianship and how it is addressed in different states and countries.

Because I am in contact with so many other CPGs, I can comfortably say that most CPGs in Washington State are passionate about improving the lives of their guardianship clients. They do great work, are tenacious when getting resources for their clients, and use a lot of creative problem-solving to benefit their clients.

I want to state that, in my opinion, the professional guardianship program is superior to any other State in the country. We professional guardians are highly regulated and, unique to us, there is a grievance process that makes bringing complaints about professional guardians to the certified professional guardian board's attention very user friendly to those with complaints. As with any program, there can always be improvement. There is an emphasis on transparency that I believe is not typical in other states. I would hate to see what we have in Washington State upended by a lot of new laws and regulations.

P.O. Box 610 • Sequim • WA • 98382
Phone: 360-683-8334 • Fax: 360-683-8358 • www.bridgebuilders.com

I would love to see more consistency in guardianship laws between states. I have transferred clients to other states and received clients from other states. With some states the process goes smoothly and with other states, the process is extremely cumbersome.

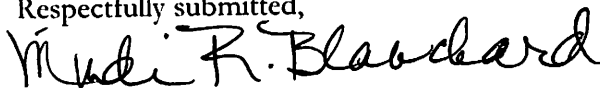
I believe that there is a crisis in the guardianship industry. Certified Professional Guardians are increasingly less able to accept low-income guardianships, whether they are Pro Bono, Medicaid or through the Public Guardianship Program. You see, before the certification program was developed, professional guardians could self-petition by representing themselves in court in order to grow their businesses. I want to point out that I think it is a good thing that this now is considered a conflict of interest but, as with so many changes with good intentions, there are unintended consequences. When in business, having to wait until someone calls and asks if a CPG could take a guardianship makes financial business planning difficult.

The current emphasis on “least restrictive”, again a great thing when properly used, means that if a CPG agrees to be power of attorney for an individual who has assets at the time of being designated; years later when the client runs out of money and needs to go on Medicaid, the CPG ends up with a Pro Bono client because there is no provision in the law to allow a third party power of attorney to get paid when an individual is on Medicaid. Back in the day, the CPG would petition the court to turn the power of attorney into a guardianship but that is self-petitioning and no longer allowed. Low income individuals who need third-party powers of attorney are just out of luck. So, there is a down-side to everything.

Now, CPGs need to hire attorneys to represent them for their required reports. If a CPG business is a corporation, the law requires it. Many CPGs choose to incorporate due to the high liability in this industry and for tax reasons. Attorneys have businesses, too, and while they are required to do a certain amount of pro bono work, they can get overwhelmed with representing too many low income clients, too. CPGs need to keep this in mind when they accept new low-income guardianships. In the rural counties I work in, there are fewer and fewer attorneys willing to represent CPGs, which makes it difficult to spread the low-income guardianships among several attorneys. A CPG cannot stay in business if the CPG cannot make enough money to run the business. A business major would be shocked at the high number of receivables I have, most for which I will never receive payment. And I am not alone.

I don't know if the Uniform Guardian Act will be good or bad for the guardianship industry in Washington State but I want the Board to be aware of these major challenges that CPGs are currently facing. In the meantime, vulnerable adults who are in need of guardians are left to muddle along as best they can. Hospitals all over the State are housing incapacitated individuals for months, and sometimes years because no guardian can be found who can work for free. The Public Guardianship Program is only funded for 75 guardianships. That is appalling. But there isn't enough money to pay professional guardians to accept all the low income guardianships, either. All of us need to work together to develop solutions so that these vulnerable adult can be supported properly and have a voice in how they live their lives.

Respectfully submitted,



Mindi R. Blanchard, M.Ed., CPG

Education Committee Report

2019 CEU Waiver Requests- For March 18, 2019 Education Committee Meeting

	County	General Credits Earned/ Required	Ethics Credits Earned/ Required	Emerging Issues Credits Earned/ Required	Short CEUs	Waiver Requested	Staff Recommendation	Explanation	Committee Action
Recommendation- Grant Time extension & Deny Fee Waiver									
1	Clark	10/8	2/2	1.5/2	.50 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	CPG is requesting an extension of time to complete her required CEUs and a waiver of the \$300 late fee. On January 30, 2019 the AOC received CPG's CEU affidavit which indicated that CPG was missing 0.5 emerging issues credits. CPG was licensed as a CPG during the first year of the reporting period, as a result was only required to complete 8 general credits, 2 ethics credits, and 2 emerging issues credits. CPG has stated at the time she submitted her affidavit that she is not a practicing CPG and that she has been unable to find a training that will satisfy her outstanding emerging issue requirement. CPG has also stated that paying the \$300 late fee would be a hardship for her but did not provide further detail.	Grant time extension & Reject fee waiver
2	Pierce	22.75/16	4.75/4	2/4	2 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	CPG is requesting an extension of time and waiver of the \$300 late fee. CPG is two emerging issues credits. CPG is planning to complete her credits by attending the Guardian Institute conference in Bremerton. CPG states that uncertainty in what courses are CPG approved and the fact that conferences are often posted on the guardian portal after the "early registration" period has ended, which forces CPG to pay higher registration fees, are barriers that prevented her from completing her credits by the reporting deadline. CPG did provide explanation of why the late fee is a hardship.	Grant time extension & Reject fee waiver
3	King	14.5/16	2.5/4	3.5/4	1.5 G, 1.5 E, .5 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	CPG is requesting both an extension of and waiver of the \$300 late fee. CPG is short 1.5 general credits, 2 ethics credits and 0.5 emerging issues credits. CPG plans to make up these credits by attending the Guardian Institute's Spring 2019 Conference. CPG told the AOC that she was planning to give up her CPG certification until another CPG persuaded her to re-think her decision and remain a CPG. CPG does not provide explanation of hardship pertaining to the late fee.	Grant time extension & Reject fee waiver
4	Pierce	18/16	3.25/4	2.75/4	.75 E, 1.25 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	CPG is requesting an extension of time and waiver of the \$300 late fee. CPG is short 0.5 ethics credits and 1.25 emerging issues credits. CPG is planning to complete her credits through online courses. CPG states that uncertainty in what courses are CPG approved and the fact that conferences are often posted on the guardian portal after the "early registration" period has ended, which forces CPG to pay higher registration fees, are barriers that prevented her from completing her credits by the reporting deadline. CPG did provide explanation of why the late fee is a hardship.	Grant time extension & Reject fee waiver
5	King	29/16	5.25/4	2.75/4	1.25 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	CPG is requesting an extension of time and a waiver of the \$300 late fee. One January 22, 2019 the AOC received CPG's CEU affidavit which indicated that Ms. Phillips was short 1.25 emerging issues credits. CPG states that this shortage is due to her being late to a guardianship seminar because of a client relocation. CPG remedied the shortage by taking an online course on January 17, after the December deadline had passed. CPG did not provide explanation on why the late should be waived.	Grant time extension & Reject fee waiver

2019 CEU Waiver Requests- For March 18, 2019 Education Committee Meeting

6	Pierce	24.5/16	3.5/4	2.75/4	.5 E, 1.25 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	CPG is requesting an extension of time and a waiver of the \$300 late fee. CPG is short 0.5 ethics credits and 1.25 emerging issues credits. CPG states that she is short credits because she did not pay close enough attention to the types of credits she was earning. She also claims hardship because she currently works a full time job, other than being a CPG, that requires her to commute three hours to seattle daily. She also says that is can only attend the CEU seminars by using unpaid time off from work. She is currently not active as a CPG, but plans to be become active once she quits working her current job.	Grant time extension & Reject fee waiver
7	Skagit	22/16	6/4	3/4	1 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	CPG is requesting an extension of time and a waiver of the \$300 late fee. On January 7, 2019 the AOC received the CPG's CEU affidavit which indicated that she was short one emerging issues credit. The CPG earned this credit and submitted a certificate of completion to the AOC on January 30, after the December 31 deadline had passed. The CPG has not provided an explanation of why the late fee should be waived.	Grant time extension & Reject fee waiver
8	King	18/16	4/4	2/4	2 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	The CPG is requesting an extension of time and a waiver of the \$300 late fee. The CPG submitted her CEU affidavit to the AOC on January 29, 2019. Her affidavit indicated that CPG was short 0.5 emerging issues credits. CPG states that she mistakenly believe that her excess general credits could over her shortage of emerging issues credits. CPG told the AOC that she will earn the missing credit before the April deadline. The CPG is requesting the waiver of the \$300 late fee because she assumed she had more than enough credits and in the past general credits could meet the needs of missing credits. Staff could not find any previous waiver requests where the committee allowed the CPG to use general credits as emerging issues credits.	Grant time extension & Reject fee waiver
9	Pierce	0/8	0/2	0/2	8 G, 2E, 2 EI	Waiver Late Fee & Extension of Time	Grant time extension & deny fee waiver	The CPG is requesting an extension of time and a waiver of the \$300 late fee. The CPG was licensed as a CPG in 2017 and says that she thought she did not need to start earning CEUs until 2019. She did earn any of CEU credits in the 2017-2018 reporting period. CPG has informed the AOC that she will be attending the Guardian Institute conference in Bremerton, which will allow her to earn all of her required CEUs. The CPG did not provide an explanation of why the \$300 late fee is a hardship.	Grant time extension & Reject fee waiver
Recommendation- Grant Time Extension, No Other Waiver Requested									
10	Pierce	39.5/16	4.25/4	0.75/4	3.25 EI	Time Extension	Grant time extension	The CPG is requesting an extension of time to complete his CEU requirements. The CPG is short 3.25 emerging issues credits. The CPG said that he was unable to finish his credit requirements by the deadline because his daughter got married and there were several graduations in the family.	Grant Time extension
11	Snohomish	17/16	4/4	3/4	1 EI	Time Extension	Grant time extension	The CPG is requesting an extension of time to complete her CEU requirements. On January 23, 2019 the AOC received CPG's CEU affidavit which indicated that she was short one emerging issues credit. The CPG stated that she would complete the missing credit online. The CPG also stated that she should be given CEU credit for grading assignments for Guardianship 102 and 103 classes. However, the CPG did not report these classes to the AOC and does not provide explanation for how these classes would meet her emerging issues requirement.	Grant Time extension

2019 CEU Waiver Requests- For March 18, 2019 Education Committee Meeting

12	King	18.5/16	4.25/4	2/4	2 EI	Time Extension	Grant time extension	The CPG is requesting an extension of time to complete her CEU requirements. On January 29, 2019 the AOC received the CPG's CEU affidavit which indicated that she was short two emerging issues credits. The CPG states that she was unaware she was short credits until early December. Also in early December her partner of 35 years became ill with a low back spinal stenosis and severe back pain. Her partner was admitted to the hospital and spent several weeks in the ICU and nursing homes and also suffered double pneumonia. At the time the CPG sent her response to the AOC, her partner was still in a nursing home recovering. The CPG says that the illness of her partner, along with her three different job commitments, kept the CPG from being able to earn her missing credits before the December 31 deadline.	Grant Time extension	
13	Clark	21.5/16	3.75/4	2/4	.25 E, 2 EI	Time Extension	Grant time extension	The CPG is requesting an extension of time to complete her CEU requirements. CPG is short two emerging issues credits and 0.25 ethics credits. The CPG reports that she thought she had earned more ethics and emerging issues credits than she actually had.	Grant Time extension	
14	Pierce	32/16	5.5/4	3.25/4	.75 EI	Time Extension	Grant time extension	The CPG is requesting an extension of time to complete her required CEUs. The CPG has already paid her \$300 late fee. On January 28, 2019 the AOC received the CPG's CEU affidavit which indicated that the CPG was missing 0.75 emerging issues credits. The CPG states that she attempted to gain the missing credits by completing an approved online CEU. However, the CPG had already taken the CEU during a previous reporting period and did not receive a certificate of completion. The CPG has informed staff that she will be attending the Guardian Institute CEU in March in order to satisfy her emerging issue requirement.	Grant Time extension	
15	Snohomish	23/16	3.5/4	2.5/4	.5 E & 1.5EI	Time Extension	Grant time extension	The CPG is requesting an extension of time to complete her required CEUS. The CPG has already paid her \$300 late fee. On January 30, 2019 the AOC received CPG's CEU affidavit which indicated that the CPG was missing 1.5 emerging issues credits and 0.5 ethics credits. The CPG is in the process of obtaining a certificate of completion for a CEU she took in December 2018 which, once received, will satisfy her ethics requirement. The CPG has indicated that she will be participating in a CEU in Bremerton which will satisfy her emerging issues requirements. The CPG states that she was unable to find any online classes to satisfy her requirements when she looked in December. She also states that she has two new grandchildren and that her husband has health issues that make it difficult for her to attend CEUs which are out of her town.	Grant Time extension	
Recommendation- Grant Time Extension & Fee Waiver										

2019 CEU Waiver Requests- For March 18, 2019 Education Committee Meeting

16	King	18/16	5/4	1/4	3 EI	Waiver Late Fee & Extension of Time	Grant time extension & fee waiver	The CPG is requesting both a waiver of the \$300 late fee for failing to submit the minimum education requirement by January 31, 2019 and an extension of time to complete her required CEUs. On January 31, 2019 the AOC received the CPG's CEU affidavit which indicated that the CPG was missing three emerging issues credits. The CPG reports that she attended a CEU event in Bremerton in 2018 but had to leave early to address an emergency child death by drowning situation and did not receive the CEU credits for the second day of the event. Then, she reports, in December of 2018, the CPG was unable to attend another planned CEU workshop because she had to undergo urgent abdominal surgery that kept her in the hospital for almost a week and forced her to miss the CEU. The CPG has informed staff that she is planning to attend an Alzheimer's Association Conference on March 8, 2019 and the Guardian Institute conference in March. These two conferences will give the CPG 6.75 emerging issues credits.	Granted both time extension and fee waiver	
17	King	27/16	5/4	3/4	1 EI	Waiver Late Fee & Extension of Time	Grant both extension and fee waiver	The CPG is requesting an extension of time to complete her CEUs and a waiver of the \$300 late fee. The CPG is missing one emerging issues credit. The CPG said that there was not a class available for her to take at the time she discovered her deficiency and that she has frequently been "sidelined" and unable to go complete this last credit because of a recent cancer diagnosis and the related chemotherapy treatments.	Granted both time extension and fee waiver	
Requests Requiring Individual Review										
18	King	28.25/16	5/4	3/4	1 EI	Requests either time extension or waiver of CEU requirement & waiver of late fee	Grant time extension & deny fee waiver	The CPG is requesting the education committee either extend or waive this missing education requirement as well as a waiver of the \$300 late fee. The CPG is short on emerging issues credit. The CPG states that there was no extenuating circumstance to his being short credit other than his own miscalculation. He completed an online course in January to meet the credit requirement, however he had already taken the course in 2014. The CPG cites a number of examples of his knowledge of guardianship to support his request that the requirement be waived. This list is provided in the waiver request materials in the CPG's email to the AOC dates January 16, 2019.	Granted time extension but denied both fee waiver and credit waiver requests	
19	Grays Harbor	32/16	5/4	1.25/4	2.75 EI	Requests Board count online course previously taken as emerging issue credit and count CLEs taught by CPG as emerging issue credit	Deny requests* After the request was denied the CPG informed staff that the CPG's spouse is very ill and that the illness has caused a hardship. Staff plan to present this new information to the committee with a recommendation that either the credits be waived or a longer extension be given	The CPG is requesting the education committee grant the CPG emerging issues credits for his completion of a course he has taken previously and for CLEs he taught concerning the Uniform Power of Attorney Act. The CPG states that although he had taken the class during the 2014-2015 reporting period, he should be allowed to count Exploring Cross-Cultural Communication as an emerging issues credit for this reporting period as well because the subject materials have changed since the first time he reported the class. The CPG also states that the education committee should accept, as emerging issue credit, The CPG's teaching CLEs on the Uniform Power of Attorney Act for the Pierce County Guardianship Section and the Washington Academy of Elder Law Attorneys. The CPG did not provide explanation as to how these CLEs on the Uniform Power of Attorney Act meets any of the categories (communication, cultural diversity, right of association) listed under emerging issues.	Denied request to count CLE class and previously taken course to count as Emerging Issues credit.* Pending reconsideration due to new information provided.	

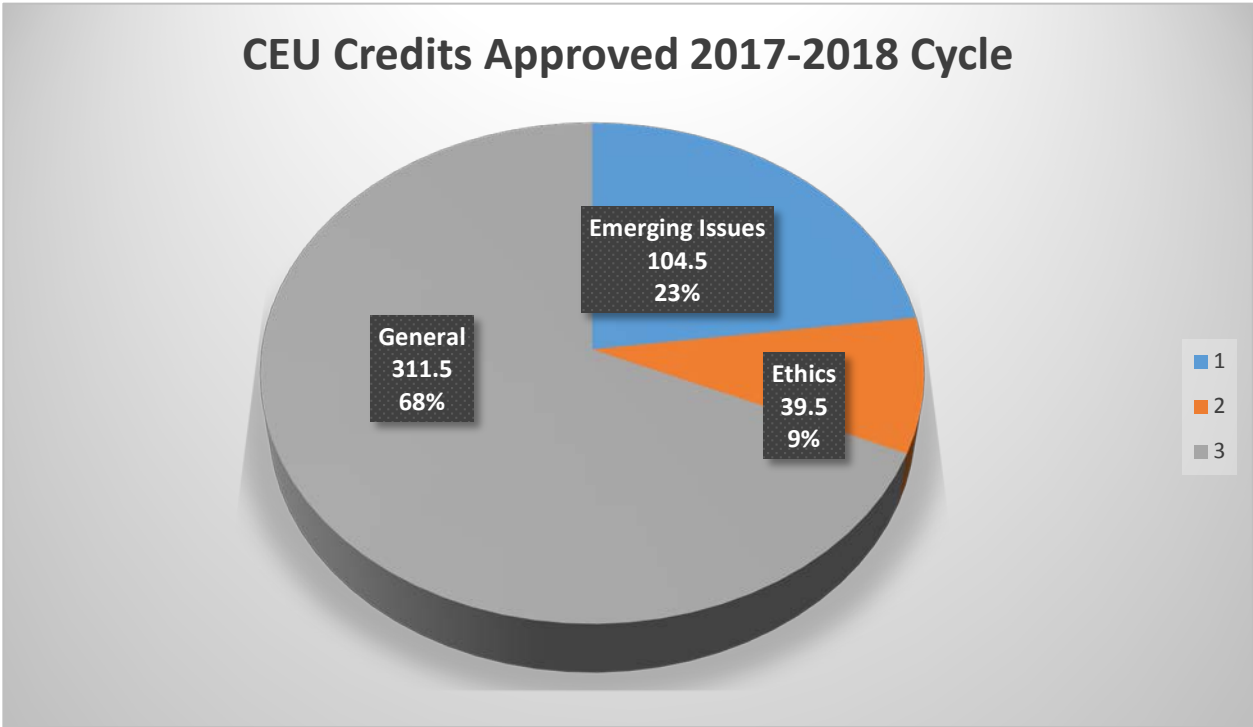
CPGs Short Emerging Issues Credit By County

County	# of CPGs Short Emerging Issues Credit
King	7
Pierce	6
Snohomish	2
Clark	2
Skagit	1
Grays Harbor	1
Total	19

2017-2018 Emerging Issues Credits Approved

Date	Credit Hours	Credit Type	Sponsor	Location
2018.09.04	1	Diversity	Whatcom Co SC	Bellingham
2017.03.28	1	Communication	Guardian Institute	Bremerton
2017.09.28	3.25	Communication	Dispute Resolution Ctr	Bremerton
2017.09.29	6.75	Communication	Dispute Resolution Ctr	Bremerton
2017.09.30	7	Communication	Dispute Resolution Ctr	Bremerton
2017.10.05	2.75	Communication	Dispute Resolution Ctr	Bremerton
2017.10.06	7.25	Communication	Dispute Resolution Ctr	Bremerton
2017.10.07	7.25	Communication	Dispute Resolution Ctr	Bremerton
2018.03.21	1	Communication	Guardian Institute	Bremerton
2017.09.30	0.25	Diversity	Dispute Resolution Ctr	Bremerton
2018.03.21	1	Diversity	Guardian Institute	Bremerton
2018.09.26	3	Diversity	Cowlitz Wahkiakum	Longview
2018.12.05	3.5	Communication	Summit Guardian Svcs	Olympia
2018.10.08	1	Communication	WAPG	SeaTac
2017.05.15	1	Diversity	WAPG	SeaTac
2017.03.08	1	Communication	With a Little Help	Seattle
2018.05.17	2	Communication	Leesa Arthur	Seattle
2018.08.10	2.5	Communication	Gender Odyssey	Seattle
2018.08.11	1.25	Communication	Gender Odyssey	Seattle
2018.09.13	2	Communication	With a Little Help	Seattle
2018.09.14	1	Communication	With a Little Help	Seattle
2017.03.09	2	Diversity	With a Little Help	Seattle
2017.08.23	6.5	Diversity	Gender Odyssey	Seattle
2017.08.24	6.5	Diversity	Gender Odyssey	Seattle
2018.08.09	4.5	Diversity	Gender Odyssey	Seattle
2018.08.10	3.75	Diversity	Gender Odyssey	Seattle
2018.08.11	5	Diversity	Gender Odyssey	Seattle
2018.09.14	1	Diversity	With a Little Help	Seattle
2017.09.12	2	Communication	Bridge Builders	Spokane
2017.09.13	2	Communication	Bridge Builders	Spokane
2018.09.18	1	Diversity	Guardian Institute	Spokane
2018.09.19	2	Diversity	Guardian Institute	Spokane
2017.11.16	0.75	Communication	Tacoma Pierce Co. Bar	Tacoma
2017.07.13	3	Communication	Kesala	Vancouver
2017.07.14	2.25	Communication	Kesala	Vancouver
2018.09.25	1	Communication	Kesala	Vancouver
2018.01.01	1.5	Diversity	Public Health Training Ctr	Webinar
2018.09.28	0.5	Right of Assoc.	Holderman	Webinar
2018.12.12	0.5	Right of Assoc.	Holderman	Webinar
2017.05.12	1	Communication	Aging & Adult Care	Wenatchee
2017.05.12	1	Diversity	Aging & Adult Care	Wenatchee

Total Emerging Issues Credits Approved	104.5	23% of all Credits Approved
Total Ethics Credits Approved	39.5	8.7% of all Credits Approved
Total General Credits Approved	311.5	68.3% of all Credits Approved
Total Credits Approved	455.5	



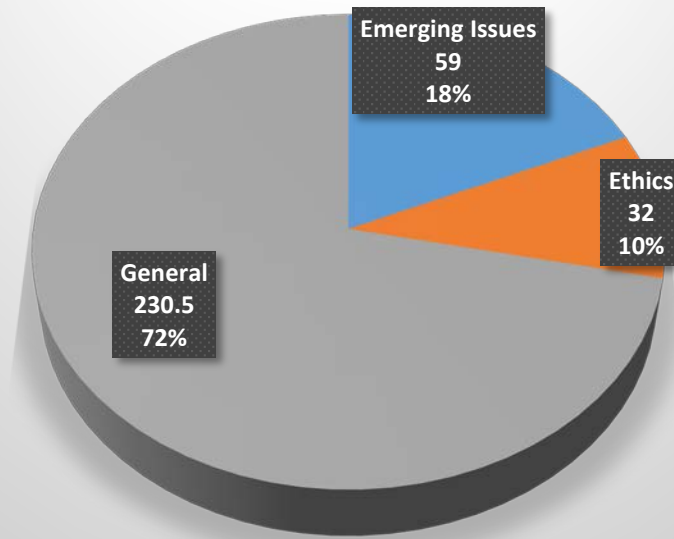
Emerging Issues Credits Approved By Category	
Diversity Credits Approved:	41
Commnications Credits Approved:	62.5
Right of Association Credits Approved:	1

2015-2016 Emerging Issues Credits Approved

Date	Credit Hours	Credit Type	Sponsor	Location
2015.03.25	1	Business	Guardian Inst.	Bremerton
2015.05.18	1	Business	WAPG	Bellevue
2016.03.29	1	Communication	Guardian Institute	Bremerton
2015.03.24	1	Diversity	Guardian Inst.	Bremerton
2016.03.30	1	Diversity	Guardian Institute	Bremerton
2015.09.02	1	Business	Quirk Colloquium	Kelso
2016.12.21	2	Communication	Continuing Education Svcs	Kelso
2016.12.21	1	Diversity	Continuing Education Svcs	Kelso
2016.11.21	1	Communication	WAPG	SeaTac
2016.05.16	1	Diversity	WAPG	SeaTac
2016.03.09	1	Communication	With a Little Help	Seattle
2016.03.17	2.5	Communication	WINGS	Seattle
2016.04.15	1.25	Communication	Alzheimer's Assn	Seattle
2016.06.14	2	Communication	GSS	Seattle
2015.10.12	1	Diversity	WAPG	Seattle
2016.04.15	1.25	Diversity	Alzheimer's Assn	Seattle
2016.08.03	7.25	Diversity	Gender Odyssey	Seattle
2016.08.04	7.25	Diversity	Gender Odyssey	Seattle
2016.09.13	1	Communication	Guardian Institute	Spokane
2015.09.15	3	Diversity	Guardian Institute	Spokane
2015.05.27	1	Business	AVOW Guardian	Vancouver
2016.10.04	6	Communication	Kesala	Vancouver
2016.11.09	1	Communication	AVOW Guardian	Vancouver
2016.11.10	3	Communication	AVOW Guardian	Vancouver
2015.04.01	1.5	Diversity	Clark Co. Bar Assn	Vancouver
2016.04.18	1.25	Diversity	AVOW Guardian	Vancouver
2016.03.29	1.5	Diversity	WSBA	Webcast
2016.09.27	1.5	Diversity	WSBA	Webcast
2016.11.10	3.75	Communication	Chelan Douglas Co.	Wenatchee

Total Emerging Issues Credits Approved	59	18.4% of all Credits Approved
Total Ethics Credits Approved	32	10% of all Credits Approved
Total General Credits Approved	230.5	71.6 % of all Credits Approved
Total Credits Approved	321.5	

CEU Credits Approved 2015-2016 Cycle



Emerging Issues Credits By Category

Diversity Credits Approved: 29.5

Communication Credits Approved: 25.5

Business Credits Approved: 4

Grievance Status Update

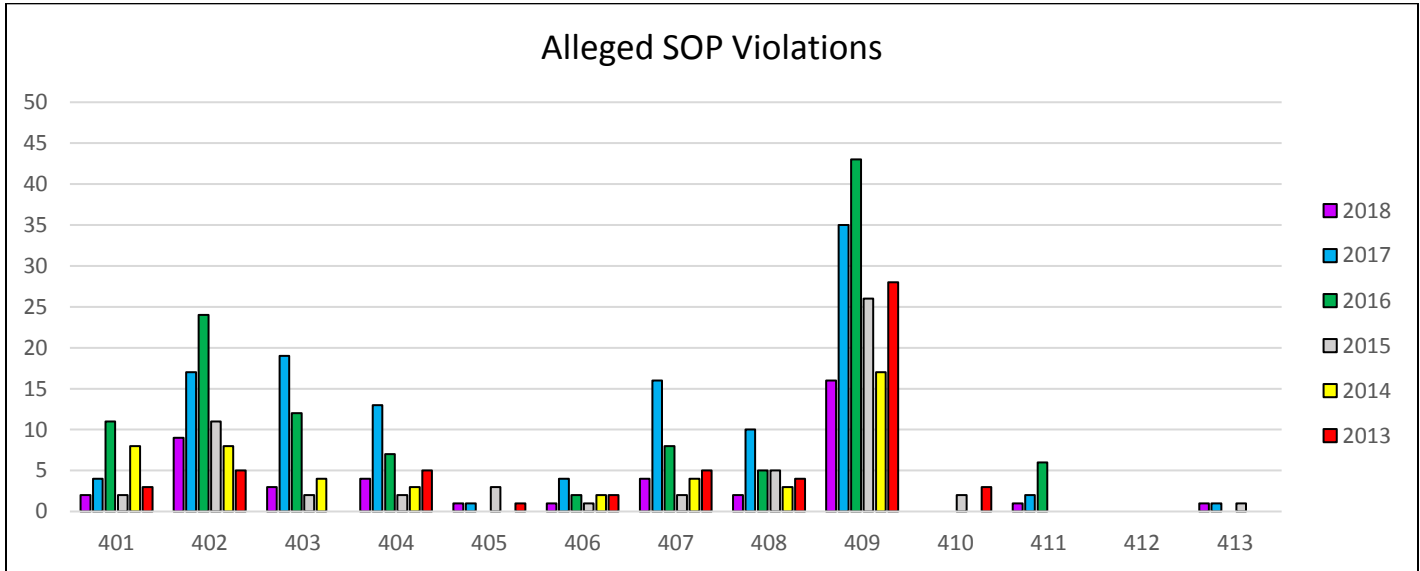
Certified Professional Guardians Grievance Status

March 31, 2019

Grievance Status by Year Received	2019	2018	2017	2016	2015	2014	2013	2012	Total
Grievances Requiring Investigation – 2/28/19	3	46	50	35	12	7	2		155
New Grievances:	7								7
Voluntary Surrender Pending:									
ARD Pending:			1	3					4
Complaint/Hearing Pending:					2		1	1	4
Grievances Resolved This Reporting Period:	[0]	[1]	[5]	[4]	[1]				[11]
Grievances Requiring Investigation – 2/28/19	10	45	45	31	11	7	2		151

Grievance Resolutions:	2019	2018	2017	2016	2015	2014	2013	2012	Total
Dismissal – No Jurisdiction									
Dismissal – No Actionable Conduct		10							10
Dismissal – Insufficient Grievance			1						1
Mediated – Dismissed									
ARD – No Sanction									
ARD - Admonishment									
ARD - Reprimand									
ARD - Suspension									
Terminated – CPG Death									
Terminated – Voluntary Surrender									
Terminated – Administrative Decertification									
Terminated – Decertification									
Total Resolved Grievances – 2/28/19		10	1						11

Grievance Resolutions	2019	2018	2017	2016	2015	2014	2013	Total
Total Grievances Received To Date 3/31/19	14	85	104	104	65	64	57	493
Dismissal – No Jurisdiction	3	21	32	24	14	17	13	124
Dismissal – No Actionable Conduct	1	12	18	27	17	16	22	113
Dismissal – Insufficient Grievance		2	1	1		2	1	7
Mediated – Dismissed					1			1
ARD – No Sanction							1	1
ARD - Admonishment					1			1
ARD – Reprimand				1	2		1	4
ARD - Suspension								
Termination – CPG Death					2			2
Termination – Administrative Decertification			1	2	13	11	3	30
Termination – Voluntary Surrender			6	13	2	11	10	42
Termination – Decertification							3	3
Total Grievances Resolved To Date: 3/31/19	4	35	58	68	52	57	54	328



400 Standards of Practice Regulations

- 401 Guardian’s Duty to Court
- 402 Guardian’s Relationship to Family and Friends of Incapacitated Person and to Other Professionals
- 403 Self-Determination of Incapacitated Person
- 404 Contact with the Incapacitated Person
- 405 General Decision Standards
- 406 Conflicts of Interest
- 407 Residential Decisions
- 408 Medical Decisions
- 409 Financial Management
- 410 Guardian Fees and Expenses
- 411 Changes of Circumstances/Limitation/Termination
- 412 Sale or Purchase of Guardianship Practice
- 413 Responsibilities of Certified Public Guardian Agencies

Pending Grievances Involving Guardians with Multiple Grievances
March 31, 2019

CPG ID	Year Cert.	Open Cases	Year(s) Grievances Received	Status
A	2015	2	2016 (1), 2018 (1)	
B	2011	2	2015 (1), 2018 (1)	
C	2011	5	2014 (1), 2016 (2), 2017 (1), 2018 (1)	
D	2002	6	2014 (1), 2016 (1), 2017 (2), 2018 (2)	
E	2007	5	2015 (1), 2016 (1), 2017 (2), 2018 (1)	
F	2014	2	2017 (1), 2019 (1)	
G	2010	2	2017 (1), 2018 (1)	
H	2015	2	2018 (2)	
I	2005	7	2014 (2), 2015 (1), 2016 (1), 2017 (1), 2018 (1), 2019 (1)	
J	2007	2	2016 (1), 2018 (1)	
K	2004	6	2015 (1), 2016 (1), 2017 (2), 2018 (1), 2019 (1)	
L	2001	2	2018 (2)	
M	2001	7	2012 (1), 2013 (1), 2015 (2), 2017 (1), 2018 (1), 2019 (1)	4 Cases in Hearing Status
N	2012	6	2016 (2), 2017 (4)	
O	2017	4	2018 (4)	
P	2010	5	2016 (3), 2017 (1), 2019 (1)	4 Cases in ARD Status
Q	2011	4	2016 (1), 2017 (1), 2018 (2)	
R	2003	3	2015 (1), 2016 (2)	
S	2010	2	2014 (1), 2015 (1)	
T	2009	3	2018 (3)	
U	2003	2	2016 (2)	
V	2001	11	2016 (7), 2017 (1), 2018 (3)	
W	2011	6	2015 (1), 2017 (3), 2018 (2)	
X	2013	4	2018 (3), 2019 (1)	
Y	2009	3	2017 (1), 2018 (1), 2019 (1)	
Z	2014	2	2016 (1), 2017 (1)	
AA	2001	2	2016 (1), 2018 (1)	
AB	2001	3	2016 (2), 2017 (1)	
AC	2009	3	2016 (1), 2017 (1), 2018 (1)	
AD	2015	3	2016 (1), 2017 (2)	
AE	2010	3	2015 (1), 2016 (1), 2017 (1)	
	Total	119		

Of 151 currently open grievances; 119 concern 31 Agencies/CPGs with 2 or more open grievances.

Pending Grievances Involving Guardians with Multiple Grievances
 March 31, 2019

	Year Guardian Certified	# of Guardians
Before UW Certificate Program (56)	2001	6
	2002	1
	2003	2
	2004	2
	2005	1
	2006	
	2007	3
	2008	
	Total	15
<hr/>		
UW Certificate Program (79)	2009	3
	2010	5
	2011	4
	2012	1
	2013	2
	2014	3
	2015	3
	2016	
	2017	1
	Total	21

Year	Grievances by Year Certified
2013	1
2014	6
2015	12
2016	42
2017	41
2018	39
2019	

Annual Grievance Report

2018

Certified Professional Guardianship Board



Grievance Report

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CERTIFIED PROFESSIONAL GUARDIANSHIP BOARD GRIEVANCE REPORT 2018

INTRODUCTION

We are pleased to present the 2018 Certified Professional Guardianship Board Grievance Report. We make this report available to all with the goal of increasing public awareness of the grievance process. We hope that the disclosure of these grievances will facilitate understanding of the rules and standards applied and the most common concerns of persons filing grievances.

Pursuant to legislative mandate, the Washington State Supreme Court established a certification process and procedure for professional guardians by promulgating General Rule (GR) 23. GR 23 created a Certified Professional Guardianship Board¹ to implement the activities necessary to develop a process to certify individuals who choose to become professional guardians. The Supreme Court, however, retains primary jurisdiction over the Board and its functions:

- The Supreme Courts retains jurisdiction over all professional guardians who practice in the state of Washington. GR 23(b).
- The Supreme Court appoints all members to the Board. GR 23(c)(1)(i).
- The Supreme Court designates the Chair of the Board. GR 23(c)(1)(iii).
- The Supreme Court enters the order certifying an individual or agency as a certified professional guardian. GR 23(c)(2)(v).
- The Board may seek Supreme Court enforcement of an order or subpoena that it issued. GR 23(c)(2)(x)(c).
- The Supreme Court approves the Board's expense budget. GR 23(c)(3).
- The Supreme Court, pursuant to its statutory authority to direct the Administrative Office of the Courts, instructs the Administrative Office of the Courts (AOC) to provide administrative support to the Board and authorizes AOC to contract with other agencies or organizations on behalf of the Board. GR 23(c)(8).
- The Supreme Court extends quasi-judicial immunity to the Board where the Supreme Court would have immunity in performing the same functions. GR 23(c)(5).

The Board is charged with all the substantive duties of certification:

- Processing applications,
- Implementing standards of practice,
- Establishing a training program,
- Adopting regulations for continuing education,
- Approving or denying certification,
- Investigating grievances and issuing disciplinary sanctions.

In any certification program, a grievance process is requisite to maintaining the standards and integrity of the process. The role of the professional guardian is to protect the incapacitated person. By definition, the incapacitated person may not be able to understand or execute the

¹ The Board is a board of the judicial branch and is therefore exempt from compliance with the Washington Administrative Procedures Act. RCW 34.05.010.

actions needed to protect himself or herself. It is vital to protecting the public that a professional guardian's actions be open to review:

The guardian shall recognize that his or her decisions are open to the scrutiny, criticism, and challenge of others. Subject to orders of the court, the guardian alone is ultimately responsible for decisions made by the guardian on behalf of the incapacitated person. (SOP 402.4)

This report summarizes the Board's efforts to investigate grievances received from the public regarding certified professional guardians or certified professional guardian agencies.

THE GRIEVANCE PROCESS

Purpose and Scope

GR 23(a) recites its purpose and scope as:

This rule establishes the standards and criteria for the certification of professional guardians as defined by RCW 11.88.008 and prescribes the conditions of and limitations upon their activities. This rule does not duplicate the statutory process by which the courts supervise guardians nor is it a mechanism to appeal a court decision regarding the appointment or conduct of a guardian.

GR 23(c)(2) outlines in greater detail the duties assigned to the Board in receiving and reviewing grievances:

(viii) Grievances and Disciplinary Sanctions. The Board shall adopt and implement procedures to review any allegation that a professional guardian has violated an applicable statute, fiduciary duty, standard of practice, rule, regulation, or other requirement governing the conduct of professional guardians. The Board may take disciplinary action and impose disciplinary sanctions based on findings that establish a violation of an applicable statute, duty, standard of practice, rule, regulation or other requirement governing the conduct of professional guardians. Sanctions may include decertification or lesser remedies or actions designed to ensure compliance with duties, standards, and requirements for professional guardians.

Structure and Funding

The Supreme Court delegated primary responsibility to the Board to investigate and sanction professional guardians regarding continued certification. The Supreme Court retains primary jurisdiction over professional guardians practicing in the state of Washington. Any Board recommendation of suspension or decertification resulting from a disciplinary proceeding must be filed with the Supreme Court. The Supreme Court must review such a recommendation after consideration of the transmitted record. By written order, the Court may adopt, modify, or reverse the Board's recommendation.

Funds from application fees, annual recertification fees, and any other revenue are used to defray Board expenses. Board members do not receive any compensation for service. Board members are only reimbursed for actual and necessary expenses incurred in the performance of their duties.

The Supreme Court has instructed the Administrative Office of the Courts (AOC) to provide administrative support to the Board. Staff members who provide support to the Board are AOC employees and receive compensation and benefits according to the human resources policies of AOC at large.

How the Grievance Process Works

Knowing how the Board defines a grievance and a complaint is key to understanding the grievance process. Among the many regulations governing the certified professional guardians are the Disciplinary Regulations 500 et seq. These regulations detail the grounds for disciplinary action and the procedures for investigation, review, settlement and hearing.

A “grievance” is a written document filed by any person with the Board, or filed by the Board itself, for the purpose of commencing a review of the professional guardian’s conduct under the rules and disciplinary regulations applicable to professional guardians.

A “complaint” is the document filed by the Board during a disciplinary proceeding for the purpose of bringing the matter before a hearing officer for a factual hearing on the issue of whether or not the professional guardian’s conduct provides grounds for the imposition of disciplinary sanctions by the Board.

If a grievance is not dismissed or resolved without a formal proceeding, it will become a complaint.

Any person may file a grievance with the Administrative Office of the Courts (AOC) regarding a certified professional guardian or a certified professional guardian agency. Grievances may be completed on-line on the Washington Courts website at www.courts.wa.gov, or by submitting a written grievance to AOC.

AOC staff reviews the grievance and makes an initial determination if the Board has jurisdiction over the issues raised. AOC provides the professional guardian or agency identified with a copy of the grievance and requests a response.

To ensure that the Standards of Practice Committee (SOPC), the committee of Board members responsible for supervising the grievance process, has the information needed to determine if a grievance should be dismissed or action taken, AOC may perform other necessary investigation of the grievance. This may include interviewing the grievant, interviewing the professional guardian, and obtaining relevant records or documentation from any person or entity. AOC then reports the results of its investigation to the Standards of Practice Committee (SOPC).²

The SOPC reviews the report and takes action on the grievance. The SOPC may request further action as designated from AOC staff, dismiss the grievance, request that the Board file a complaint, or request that the Board enter into an Agreement Regarding Discipline.

AOC forwards a grievance involving an active guardianship case that is not dismissed by the Board’s disciplinary committee to the appropriate superior court with a request that the court review the matter, take any action necessary including modification, removal of the guardian, and clarification of rights and duties and report to the Board.

² The Standards of Practice Committee is comprised of at least three (3) members of the Board including at least one judicial officer or attorney and at least one certified professional guardian. DR 502.2.2.

An Agreement Regarding Discipline (ARD) is a conditional settlement agreement negotiated between the SOPC and the certified professional guardian (or agency). Once an agreement has been reached, it is presented to the Board in Executive Session for review. The Board then votes to approve or deny the Agreement in open session. The Board's decision is recorded in the meeting minutes. Approved Agreements are posted on the Washington Courts website for public disclosure.

If a settlement cannot be reached, the SOPC may request that the Board file a complaint regarding disciplinary action against the certified professional guardian. Filing of a complaint commences a hearing process not dissimilar to an administrative hearing. Once filed, the complaint is of public record and is posted on the website. All subsequent proceedings are open to the public.

The Administrative Office of the Courts (AOC) contracts with a hearing officer (administrative law judge) to conduct the remainder of the hearing proceedings. The administrative law judge must prepare a written findings of fact, conclusions of law, and recommendations to the Board regardless of the disposition of the matter. The Board then reviews the findings, conclusions, and recommendation and determines what further action to take.

New Guardianship Complaint Procedure for State Superior Courts

In April, 2015 the Washington State Legislature revised RCW 11.88.120 to establish a guardianship complaint procedure for state superior courts. The law went into effect on July 24, 2015. One of the main goals for the change in the law was to make it easier for the public to file complaints. The Administrative Office of the Courts prepared forms to implement the law, so that a complainant in a guardianship proceeding would have direction on how to submit his or her complaint to a court designee. The statute allows submission of complaints by letter, to make it easier for a pro se individual to submit a complaint.

The statute directs a court designee to have the complaint filed and delivered to the court by the next judicial day after receipt of the complaint. Within fourteen (14) days of being presented with a complaint, the court must enter an order to do one or more of several options. These include evaluation of the complaint for merit where it appears indicated.

The statute also provides for the court to dismiss the complaint without scheduling a hearing if the court feels that the complaint is:

- Without merit on its face,
- Is filed in other than good faith,
- Is filed for an improper purpose,
- Is in regards to issues that have already been adjudicated, or
- Is frivolous.

The statute directs the court to direct the clerk of the court to send a copy of an order entered in any court action which addresses a complaint against a Certified Professional Guardian (CPG) to the Certified Professional Guardianship Board. This gives the Board notice of possible violations of the Standards of Practice by certified professional guardians (CPGs).

Initially, the Board received very few court orders resolving guardianship complaints. However, by 2016 the Board began to receive a significant number of complaints about the conduct of CPGs that had been filed with the court, in addition to those that were filed directly with the Board. As a result, the total number of grievances filed in 2016 climbed to 104 (one hundred and four) from 65 (sixty-five) grievances filed in 2015, a sixty (60) percent increase. It should be noted that the

increase in cases is unlikely to reflect any decline in professional conduct by the CPGs, but rather stems from improved procedures, both in making it easier for the public to file its complaints, and in communication between the courts and the Board.

Public Records Procedures

General Rule 31.1

GR 31.1, the Supreme Court's rule governing access to administrative records, was adopted with an effective date of January 1, 2016.

Per GR 31.1, standards for public access to records of the Certified Professional Guardianship Board have been revised to allow for greater access to records concerning grievances filed against certified professional guardians.

A grievance is now open to public access, along with any response to the grievance submitted by the professional guardian or agency, once the investigation into the grievance has been completed or once a decision has been made that no investigation will be conducted. The name of the professional guardian or agency shall not be redacted from the grievance.

New Posting Rule

The Board adopted the following rule for posting grievances and complaints. According to the proposal, dismissed grievances will not be posted. However, these grievances are available by public records request.

For a grievance or complaint that results in discipline to a professional guardian, the grievance or complaint, any response submitted by the professional guardian, the agreement or order imposing discipline, and any order on appeal by the professional guardian, shall be posted for public access on the website for the Administrative Office of the Court.

New CPGB Disciplinary Regulations

The Board significantly revised and reorganized Disciplinary Regulation 500, which documents the Board's process to address alleged violations of statutes, fiduciary duties, standards of practice, rules, and regulations. The regulation review, revision and reorganization should result in a clearer, more comprehensive regulation. The revisions include the following: 1) significant reorganization to achieve a logical order and flow, 2) additional section headings, 3) additional definitions, 4) comprehensive explanation of roles and responsibilities, 5) expanded explanation of procedural rules, 6) expanded explanation of the investigative process, and 7) thoroughly defined grievance/complaint resolutions and sanctions. It should be noted that the types of sanctions were simplified, and the term "Disciplinary Committee" is now used for what has been called "The Standards and Practice Committee".

Washington Legislative Changes Impacting Guardianship

There were no Legislative changes impacting guardianship in 2018. Numerous Legislative changes made in 2017 continue to impact guardianship:

Uniform Power of Attorney Act

The Washington Legislature adopted the Uniform Power of Attorney Act, RCW 11.125. This creates a comprehensive new chapter in Title 11 RCW. Addresses the execution, acknowledgment, termination, revocation, acceptance, and application of powers of attorney, and the designation, reimbursement, compensation, liability, and actions of agents (attorneys-in-fact). Details the authority of agents with respect to real property, tangible real property, stocks, bonds, and financial instruments; banks and other financial institutions, operation of businesses; personal and family maintenance; benefits from governmental programs; retirement plans; taxes; gifts; health care matters; and care of minor children.

A durable power of attorney can be used as a method of avoiding the filing of guardianship. A person concerned about a potential incapacity can sign a durable power of attorney which can be used by the designated agent to manage the above described types of property on behalf of the signor. A guardianship proceeding can be expensive and complicated, and does not provide for designation of the guardian by the person who is subject to the guardianship. The person subject to the guardianship no longer retains control over decision-making regarding his/her property and person, unlike the situation involving the durable power of attorney.

Guardianship Alternatives

The Legislature added a provision requiring the guardianship court to modify or terminate a guardianship when a less restrictive alternative, such as a power of attorney or a trust, will adequately provide for the needs of the incapacitated person. See RCW 11.88.120 (amended). This provision became effective July 23, 2017.

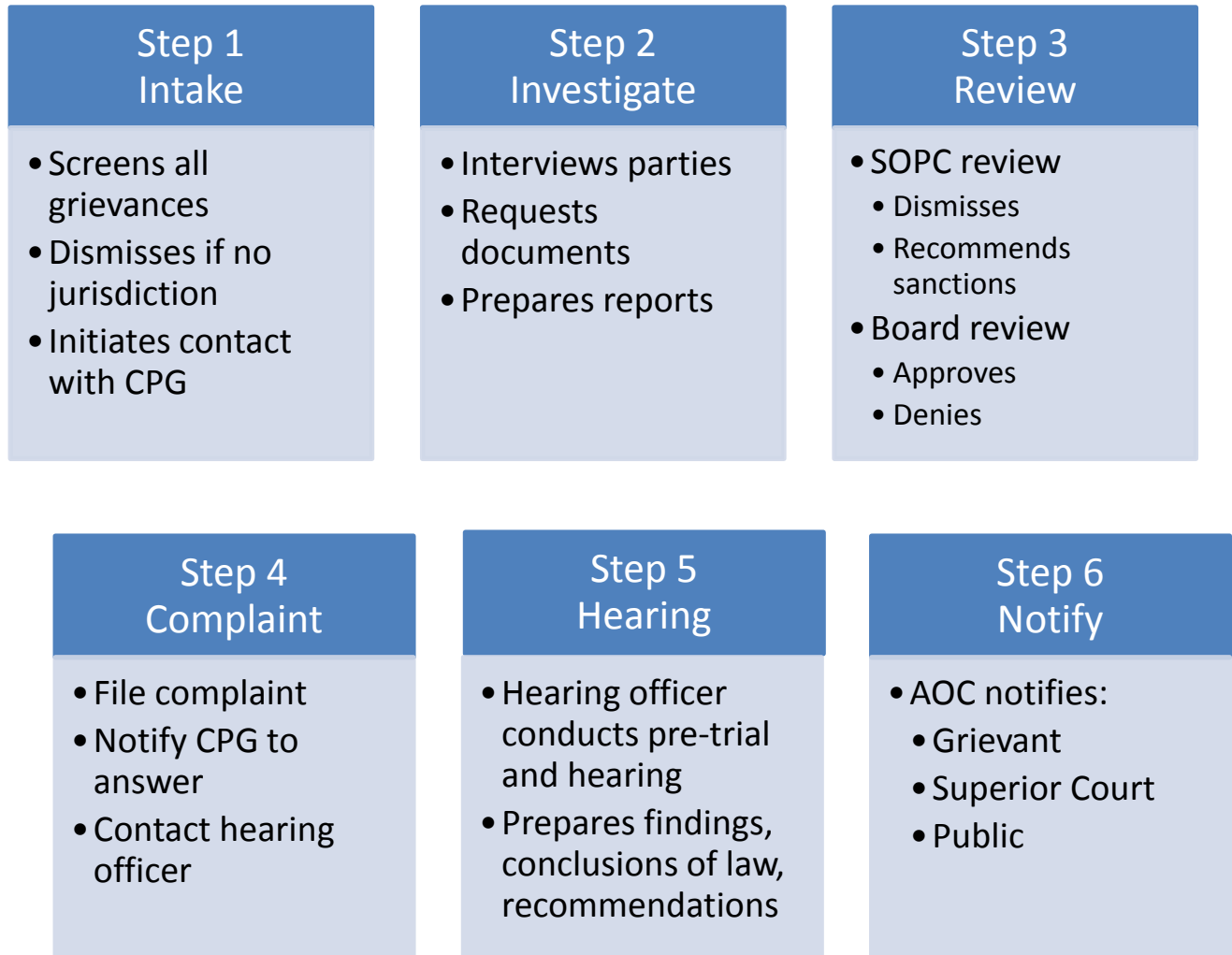
Right of Incapacitated Persons to Associate

Guardians are prohibited from restricting an incapacitated person or other vulnerable adult from exercising their right to communicate, visit, interact, or otherwise associate with persons of the incapacitated person's or vulnerable adult's choosing. RCW 11.92.195 (new section), RCW 74.34.020 (amended).

Notice to be Given of Changes in an Incapacitated Person's Circumstances

A guardian is required to inform certain persons within five business days after the incapacitated person; 1) makes a change in residence; 2) has been admitted to a medical facility for acute care; 3) has been treated in an emergency room setting or kept for hospital observations; or 4) dies.

Flow Chart of Grievance Process



Disciplinary Actions/Sanctions

Any disciplinary sanction against a certified professional guardian or agency is undertaken with only the utmost gravity. A sanction is only appropriate upon a finding of a preponderance of the evidence that the guardian has engaged in professional conduct in violation of an applicable statute, duty, standard of practice, rule, regulation or other requirement governing the conduct of professional guardians, and that conduct caused, or potentially could cause, harm to the incapacitated person, the public, or a legal proceeding. Alternatively, any conduct that adversely reflects on the guardian's fitness to serve as a guardian, such as criminal activities or deceit, may result in disciplinary action or sanctions regardless of actual or potential harm.

Disciplinary Regulations (DR) 509 Disciplinary Sanctions authorize seven types of sanctions to be issued against a certified professional guardian:

- Revocation of certification
- Suspension of certification
- Prohibition against taking new cases
- Reprimand
- Probation
- Other Disciplinary Sanctions as described in DR 509.11
- Restitution

All seven sanctions constitute disciplinary action and are open to public disclosure. If the Board approves of a sanction against a certified public guardian, an announcement of disciplinary action is sent to all superior courts in Washington. The disciplinary action is maintained in the guardian's file and posted on the Washington Courts website at:
http://www.courts.wa.gov/programs_orgs/guardian/

Decertification

Revocation of certification is the most severe sanction. If a professional guardian is decertified, RCW 11.88.008 limits the number of guardianship cases for which a guardian may accept compensation to two (2).

The Disciplinary Regulations describe factors to be considered for revocation of certification:

DR 509.3.1 Revocation may be imposed when a professional guardian:

- 509.3.1.a. Fails to comply with the duties, requirements or prohibitions in the Standards of Practice, or Guardianship Program rules or regulations, or Washington statutes, or the guardian's fiduciary duty; and was previously disciplined with a sanction, remedy or other remedial action by the Board, a court, or a judicial officer; or
- 509.3.1.b. Engages in any act of dishonesty, fraud, deception, conflict of interest, selfishness or misrepresentation that adversely reflects on the guardian's fitness to practice; or
- 509.3.1.c. Engages in gross incompetence, including but not limited to, case tracking, a pattern of late filings, accounting errors, delinquent or late payments of an incapacitated person's or estate's financial obligations; or
- 509.3.1.d. Engages in conduct or misconduct that adversely impacts an incapacitated person in a highly significant manner; or

- 509.3.1.e. Engages in conduct that constitutes any Washington felony that occurs either while performing duties as a guardian or outside those duties; or
- 509.3.1.f. Engages in conduct that constitutes a misdemeanor or gross misdemeanor involving moral turpitude that occurs either while performing duties as a guardian or outside those duties.

To warrant the sanction of decertification, the guardian's actions must have intentionally violated one or more Standards of Practice or other specified regulation. As a fiduciary, a guardian has the duty to act primarily for another's benefit, selflessly, and with undivided loyalty. Conduct intended to benefit his/herself or involving dishonesty, fraud, deceit or misrepresentation may result in revocation of certification.

The new Disciplinary regulations clarify that a guardian may be decertified for gross incompetence. DR 509.3(1)(c). The certification process is to establish a baseline of competency among professional guardians. Professional conduct that falls below such a baseline may be deemed "gross incompetence." In considering whether actions constitute gross incompetence, the Board may apply a "reasonableness" standard.

The regulations also now clarify that a guardian who has demonstrated a pattern and practice of a particular behavior that falls below the Standards of Practice (SOP) may also be decertified for gross incompetence. DR 509.3(1)(c). DR 507.1 authorizes the Disciplinary Committee (Committee) to direct a guardian to take corrective actions where an issue is of minor significance or of a nature not potentially harmful to clients or other persons. However, repeated failure to meet a SOP may rise to the level of gross incompetence.

For example, a guardian may not file an annual report on time. A few instances are likely correctible and unlikely to cause a client harm. The Committee may request that the guardian participate in additional training, audit the guardian's cases on a frequent basis, or set up monitoring by an independent third party for a period of time.

However, if the guardian's conduct persists despite these or other attempts to correct the behavior, the pattern and practice of late filing may arise to the level of gross incompetence and warrant decertification.

Administrative Decertification

Guardians are required to renew their certification annually and complete 24 credit hours of continuing education biennially.

Once the renewal deadline has passed, the Administrative Office of the Courts (AOC) provides a notice to the guardian to comply. In addition to completing the renewal process, the guardian may be required to pay a late fee. Failure to timely complete these actions and file the appropriate applications and disclosures with AOC is a basis for disciplinary action against a guardian for noncompliance. If the guardian fails to comply, the guardian may be decertified upon approval of the Board.

DR 515 Administrative Decertification

If the Board decertifies a professional guardian for an administrative reason, including but not limited to the professional guardian's failure to: pay required fees, satisfy the continuing education requirements, provide proof of insurance or waiver of insurance, or file required information with the Board, any pending disciplinary grievance against the professional guardian may be terminated. Information that a grievance was pending at the time of administrative decertification shall be placed in the guardian's licensing records and shall be available to the public.

Prohibition on Taking New Cases/Suspension

In some cases, an appropriate sanction may be to place limits on the professional guardian's on-going practice. These limitations may be temporary pending a change in the guardian's circumstances or an ongoing limitation or suspension of the guardian's practice.

DR 509.4 Prohibition against taking new cases or suspension for a period of time, or both, is generally appropriate when a professional guardian:

- 509.4.a. Fails to comply with the duties, requirements or prohibitions in the Standards of Practice, or Guardianship Program rules or regulations, or Washington statutes, or the guardian's fiduciary duty; or
- 509.4.b. Engages in conduct that occurs either while performing duties as a guardian or outside those duties, that meets the statutory elements of any Washington gross misdemeanor or misdemeanor, and which adversely reflects on the professional guardian's fitness to practice; or
- 509.4.c. Engages in ordinary negligence in the performance of their duties as a guardian. "Ordinary negligence" is defined in this context as a guardian's failure to exercise reasonable care in the performance of their professional duties; or
- 509.4.d. Engages in conduct or misconduct that adversely impacts an incapacitated person in a manner that is not "highly significant" as defined above.
- 509.4.e. Suspension may be imposed for conduct or misconduct that does not rise to the level of Revocation.

Reprimand

A reprimand typically does not disrupt a guardian's practice; however, it indicates a serious error in a guardian's conduct. Repeated actions that warrant multiple reprimands may rise to the level of gross incompetence and subject the guardian to decertification.

DR 509.9 A letter of reprimand may be imposed when a professional guardian:

- 509.9.a. Fails to comply with the duties, requirements or prohibitions in the Standards of Practice, or Guardianship Program rules or regulations, or Washington statutes, or the guardian's fiduciary duty; or
- 509.9.b. The guardian engages in conduct which does not rise to the level of a Revocation, Suspension or Prohibition Against Taking New Cases.

Probation

Probation is a remedy that will be imposed for a period of time that is not less than six months or more than one year in duration when a professional guardian fails to comply with the duties, requirements or prohibitions in the Standards of Practice, or guardian's fiduciary duty. Probation shall consist primarily of a monitoring function that seeks to ensure the guardian fully complies with any sanctions, remedies or other actions imposed by the Board, a court or a judicial officer, and fully complies with the duties, requirements or prohibitions in the Standards of Practice, Guardianship Program Rules and Regulations, Washington statutes, and the guardian's fiduciary duty.

Other Disciplinary Sanctions as described in DR 509.11

The Board may implement various remedies for the purpose of ensuring the guardian complies with the duties, standards, and requirements of a professional guardian. For example, the Board may prohibit the guardian from taking new cases, or require the guardian complete additional training, attend behavior modification classes or undergo alcohol or drug treatment. The Board may also require monitoring on a periodic basis or mentoring with regular reports back. Finally, the Board may review a guardian's caseload through internal audit.

Restitution

Restitution is the payment of the victim's out-of-pocket expenses directly related to the respondent's misconduct. After a finding of misconduct, a respondent Certified Professional Guardian may be ordered to make restitution to persons financially injured by the respondent's misconduct.

Dismissal

All grievances received by the Administrative Office of the Courts (AOC) are investigated as appropriate. AOC may dismiss grievances in limited circumstances: administratively and for lack of jurisdiction.

AOC may dismiss a grievance for administrative reasons. The most common administrative dismissal occurs because the grievant decides not to pursue the grievance. The withdrawal of a grievance does not mandate administrative dismissal; however, circumstances may indicate that dismissal is appropriate.

Second, the Board's jurisdiction is limited to certified professional guardians or agencies acting in the capacity of a guardian.³ For example, grievances may be filed regarding a guardian ad litem investigation and report. Some certified professional guardians also act as trustees for clients for whom they do not also serve as a guardian. The Board has no jurisdiction to investigate a grievance in these circumstances. If the Board clearly has no jurisdiction, AOC will promptly dismiss the grievance and may notify the entity with jurisdiction.

The most common basis for dismissal is that the guardian's conduct does not rise to the level of a violation of a Standard of Practice. Following AOC's investigation and report, the Committee may dismiss any grievance and is not required to obtain Board approval. However, the Committee may

³ The limited exception is if the guardian's conduct indicates a lack of fitness to be a guardian, such as criminal actions or fraud unrelated to their guardian duties.

present a grievance to the Board if there has not been a clear consensus on dismissal, or the SOPC believes that the Board should be consulted for other reasons.

In some grievances, the Committee determines that a guardian's conduct may not clearly violate a Standard of Practice; however, the guardian's conduct or practice may be improved with additional training, counseling, or other remedial steps. If the guardian complies with the Committee's direction, the matter is then reported to the Board for approval of the correction. If the Board approves of the Committee's actions, the grievance may be dismissed with no sanction reported on the guardian's file.

Alternatively, if the guardian does not comply with the Committee's recommendation, the Committee may reconsider the grievance, request additional investigation, and the noncompliance may constitute an additional factor in whether to proceed to the level of a sanction.

Termination

Termination of a grievance is distinguished from dismissal. Termination is not based on an investigation and determination on the merits of a grievance. A termination of an open grievance serves primarily to conserve the Board's efforts when a CPG is no longer acting as a professional guardian and there is no longer a substantial risk of harm to the public.

A CPG may be decertified for either violation of a Standard of Practice or noncompliance with certification maintenance requirements, including annual certification fee and disclosure, continuing education, or Errors and Omissions insurance requirements.

A CPG may request to be placed on inactive status or to voluntarily surrender his/her certification. The CPG must comply with all statutory and court-ordered requirements for discharge as a guardian prior to completing transition to inactive status or surrender of certification. If a CPG has opted to be on inactive status, or has voluntarily surrendered her or his certification, s/he may not accept any new clients or engage in work as a CPG.

A former CPG may petition for reinstatement or return to active status. At that time, AOC may reinstate investigation in any Terminated grievance pursuant to DR 504.1.

Grievances at a Glance 2018

In 2018 the Board opened eighty-five (85) grievances. Twenty-three (23) of these cases were dismissed for lack of jurisdiction. Ten (10) cases involved lay guardians and six (6) cases were complaints about a Guardian Ad Litem. Three (3) cases were dismissed because the complaint involved out of state court matters, two (2) cases failed to provide sufficient factual information, and in two (2) cases the Board was unable to determine that a guardianship existed. None of the cases dismissed for lack of jurisdiction involved a Certified Professional Guardian (CPG).

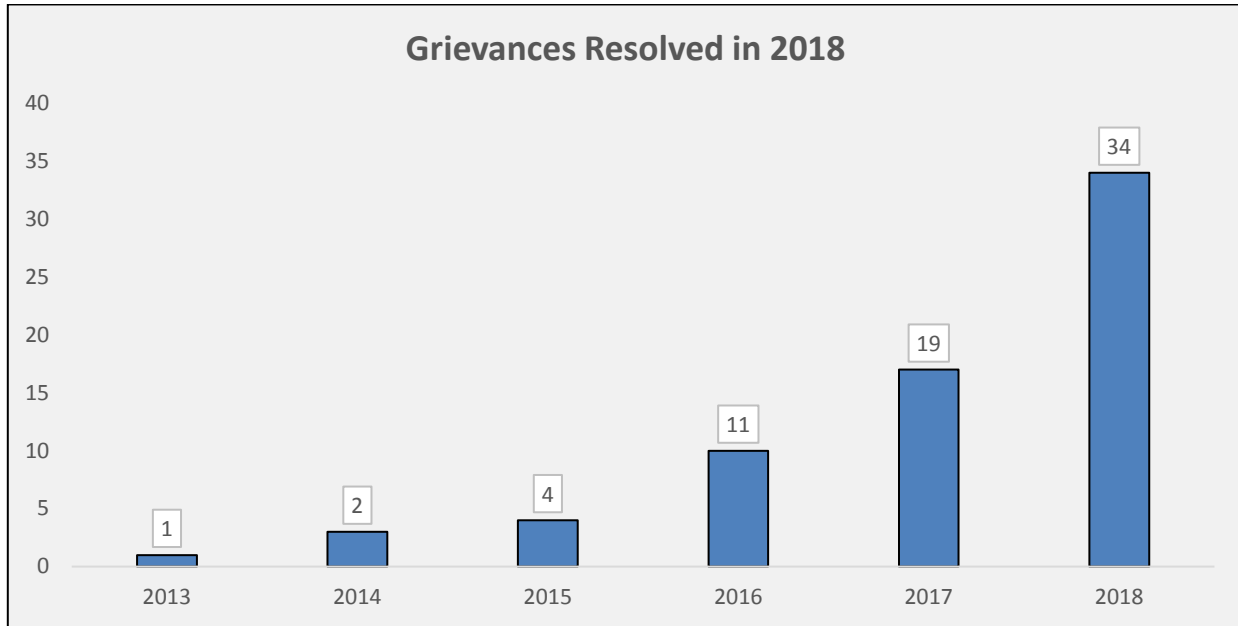
In addition to the cases closed for lack of jurisdiction discussed above, eleven (11) cases were investigated and closed by the end of the year for no actionable conduct. A total of thirty-four (34) grievances opened in 2018 were closed by the end of the year. Fifty-one (51) grievances remain requiring resolution. In 2018 there were two hundred forty-nine (249) active professional guardians in Washington State. Grievances received in 2018 involved thirty-five (35) guardians or guardianship agencies, approximately 14% of the professional guardians in Washington State. Several guardians with multiple grievances in 2018 had additional grievances in other years. ⁴

2018 CERTIFIED PROFESSIONAL GUARDIAN GRIEVANCES

Grievances	2018
Total Opened	85
Total Closed	34
Total Terminated	0
Pending Voluntary Surrender	0
Sanction	0
Total Needing Investigation	51

⁴ A chart showing guardians/guardianship agencies with more than one grievance out of the Board's total pending grievances for 2018 is attached at Appendix B on Page 26.

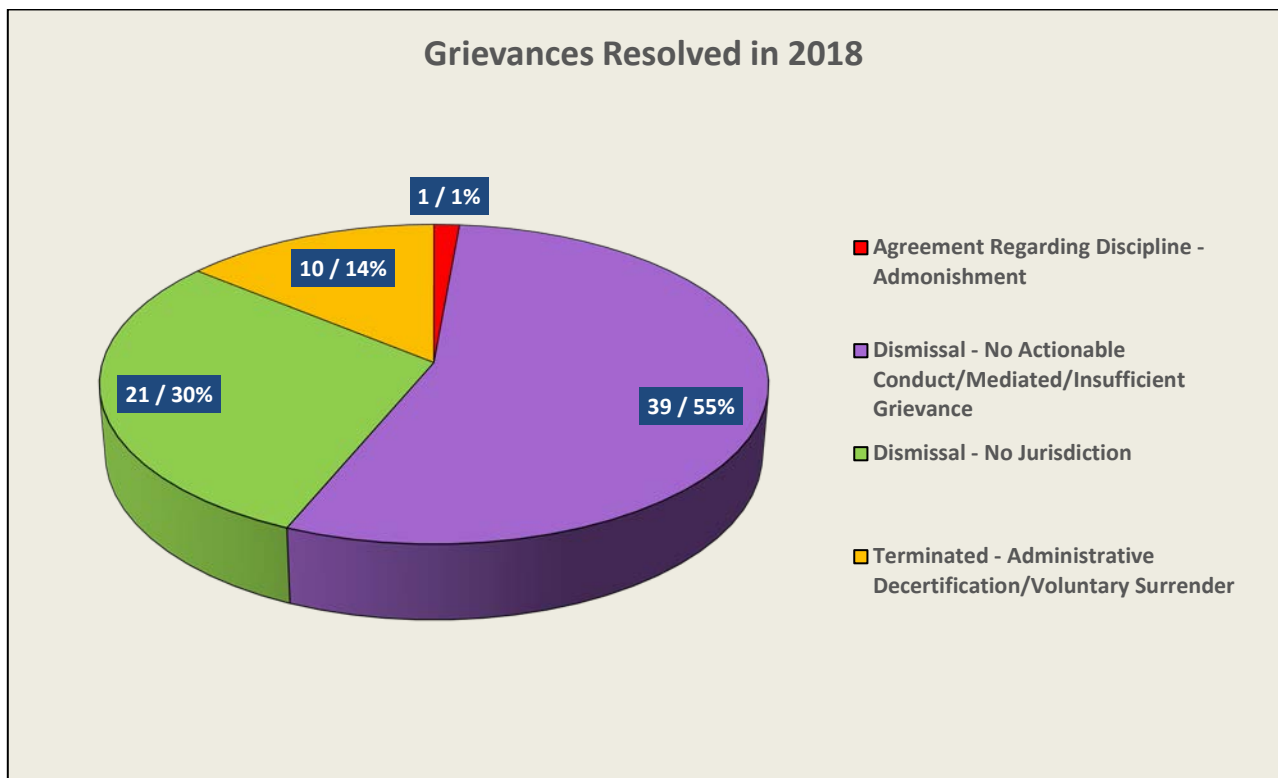
The chart below shows the total number of grievances closed in 2018 by the year opened. Grievances that proceed to hearing require substantially more time to resolve.



Resolution

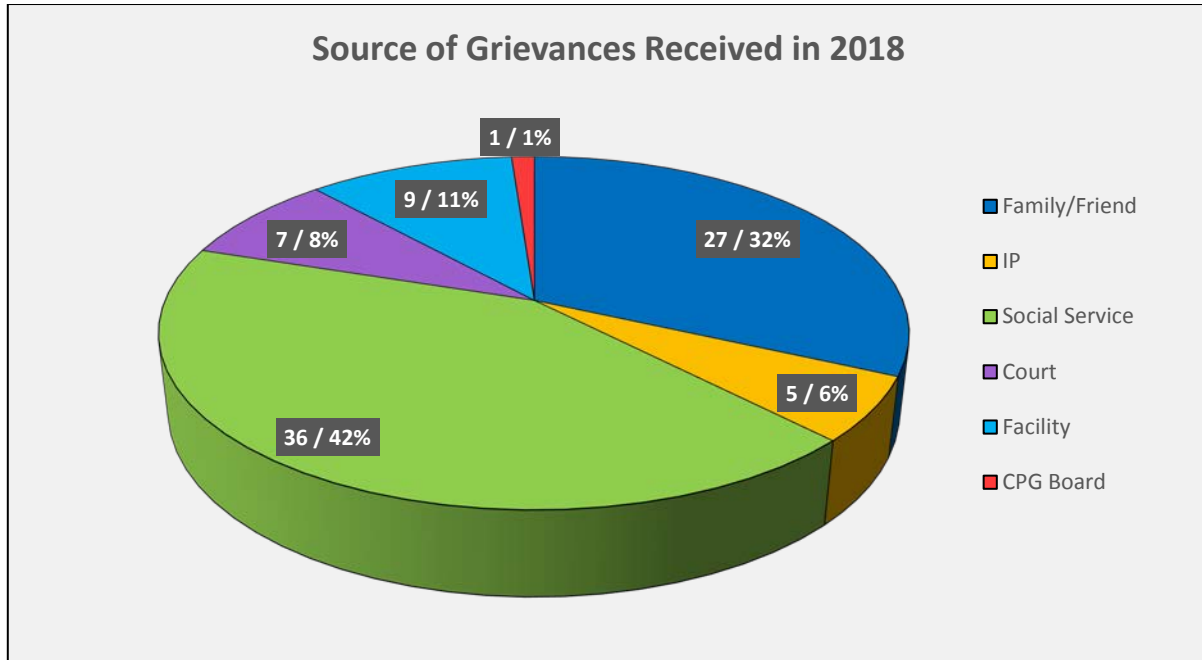
Seventy-one (71) grievances received between 2013 and 2018 were closed in 2018. Sixty (60) of the grievances closed were dismissed; thirty-five (35) for no actionable conduct, twenty-one (21) for lack of jurisdiction, and three (3) were dismissed for failure of the grievant to provide sufficient factual information. One (1) case was dismissed following successful Mediation between the grievant and the guardian. Nine (9) cases were terminated after four CPGs agreed to voluntarily surrender their certifications. One (1) case was terminated when the guardian entered into an Agreement Regarding Discipline with a letter of Admonishment. One (1) case was terminated when the guardian was Administratively Decertified.

Resolution	2013	2014	2015	2016	2017	2018	Total
Dismissal – No Jurisdiction						21	21
Dismissal – No Actionable Conduct		1	2	8	13	11	35
Dismissal – Insufficient Grievance				1		2	3
Dismissal – Mediation			1				1
Agreement Regarding Discipline: Letter of Admonition/Reprimand			1				1
Terminated - Voluntary Surrender	1	1		2	5		9
Terminated - Administrative Decertification					1		1
Total Closed	1	2	4	11	19	34	71



Sources of Grievances.

Any person may file a grievance regarding the conduct of a certified professional guardian. The Board may on its own authority file a grievance against a guardian either as a result of a random audit or concerns that have been brought to the Board's attention.



In 2018, 42% of all grievances were submitted by social services personnel or agencies. This group includes Adult Protective Services (APS), social workers, and medical personnel. The Board refers matters raising the possibility of abuse, neglect or exploitation to APS, which has its own intake and investigation process. Although both APS and the Board are concerned about the protection of vulnerable individuals, their purposes and remedies are different.

The second most common group to submit grievances were family members. A third significant source for grievances is the residential facility in which the Incapacitated Person resides. It is not surprising that the three most common sources with the most frequent and the closest contact with the Incapacitated Person are most likely to see conduct that causes them concern.

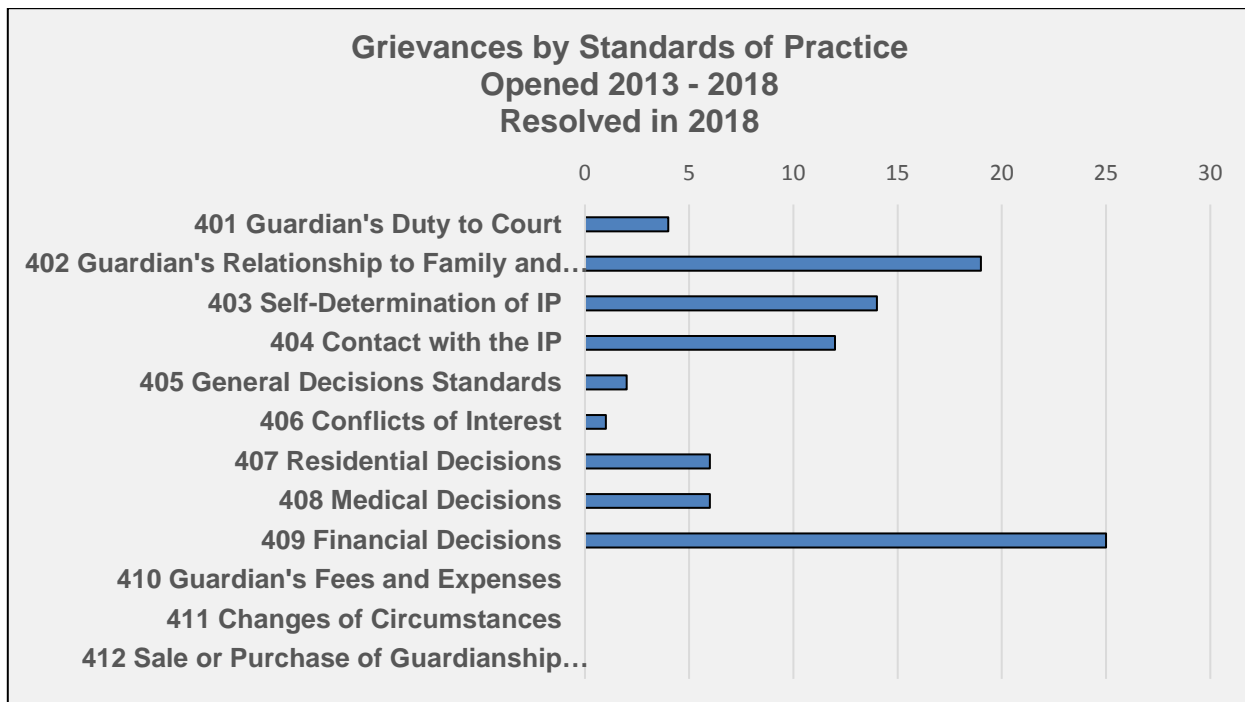
Grievances by Standards of Practice

Grievances are evaluated against the Standards of Practice, which are fairly comprehensive statements of the professional conduct expected from professional guardians. The Standards of Practice may be found in their entirety at:

http://www.courts.wa.gov/content/publicUpload/CPG/20131014_SOP_Regulations.pdf

The Standards of Practice cover the broad range of a professional guardian's responsibilities. In 2018 the two largest number of grievance violations involved either the failure to manage the Incapacitated Person's financial affairs, or for the guardian to work cooperatively with family and friends.

Generally, grievances about financial matters fall into one or more of these subcategories: 1) Mismanagement of the estate; 2) Failure to timely pay bills; or 3) Failure to apply for public benefits. The other significant category of violations arose from the guardian's failure to perform duties and discharge obligations in accordance with applicable Washington and federal law and the requirements of the court. A guardian's duty to the court includes timely filing of all required annual reports to the court, maintaining current letters of guardianship, and timely filing of a designation of stand-by guardian.



Grievance Case Summaries

Pending Disciplinary Action

CPGB 2016-014, 2016-068, 2016-071 and 2017-019. Board is working with the CPG on resolution of four grievances. Allegations of violation of SOP 402.1, 402.2, 402.6, 403.2, 408.4 and 409.1.

Hearings – Pending

Four grievances remain in Pending Hearing status. A hearing officer heard the matter and made recommendations to the CPGB. The CPGB may accept or reject those findings. The CPG has the option of accepting the CPGB's findings, or appealing to the State Supreme Court. The pending matter is discussed below.

CPGB 2012-034, 2013-006, 2015-036, and CPGB 2015-053, Sheila Brashear [4729], Barbara Sturdevant [11137] and Charge d'Affaires [5127][Snohomish County], alleged failure to timely file mandatory reports, file a mandatory Designation of Standby Guardian, to competently manage the property of the IP, to actively promote the health of the IP, to work with previous guardians and family, and to comply with signed Agreement Regarding Discipline. One guardian has been Administratively Decertified, but the other CPGBs and the Agency continue their appeal. SOP 401.1, 401.6, 409.1, 402.1 and DR 514.4

Grievances Resolved in 2018

Below are brief summaries of the grievances investigated and closed by the Certified Professional Guardianship Board in 2018.

Agreements Regarding Discipline (sanctions) are of public record and posted on the Washington Courts website at: http://www.courts.wa.gov/program_orgs/guardian/. Although dismissals are subject to public disclosure, they are summarized below without the identity of the guardian.

Administrative Decertification

CPGB 2013-034, 2013-006, 2015-036, 2015-053 [King County], decertified administratively for noncompliance with certification maintenance regulations.

CPGB 2017 038 [Kitsap County], decertified administratively for noncompliance with certification maintenance regulations.

Admonishment/Reprimand

CPGB No. 2015 048 [Whatcom County], reprimanded for failure to give notice to potential notice parties of their right to request special notice, and for failure to timely file a Designation of Standby Guardian. SOP 401.1 and 401.6.

Dismissal

CPGB No. 2014 045 [Kitsap County], alleged failure to respect the IP's residential preferences, to properly manage the IP's medical insurance benefits, and to respect the IP's personal property; dismissed for no actionable conduct. SOP 409.1.

CPGB No. 2015 017 [Pierce County], alleged failure to respect IP's wishes about residency; failure to tell the court about the hearing date; failure to truthfully represent the IP's capacity to the court; and failure to properly manage the IP's money; dismissed for no actionable conduct. SOP 402.1, and 407.

CPGB No. 2015 042 [Clark County], alleged that the CPG had inappropriately used a hospital as a holding ground for an IP without hospital needs, that the CPG had been aware that the IP needed in-home care but did not ensure it, and that the CPG had not promptly pursued Medicaid coverage; dismissed for no actionable conduct. SOP 404.1.4, 407.1 and 409.1.

CPGB No. 2015 063 [Kitsap County], alleged failure to manage finances, including failure to pay bills and respond to Internal Revenue correspondence regarding back taxes; dismissed for no actionable conduct. SOP 409.1.

CPGB No. 2016 007 [Snohomish County], alleged mismanagement of the IP's funds, failure to check on his medical condition and to assist with rehabilitation; dismissed for no actionable conduct. SOP 409.1, 408.4.

CPGB No. 2016 025 [Spokane County], alleged failure to pay for the IP's necessities, including medication and cost of care; dismissed for no actionable conduct. SOP 409.1.

CPGB No. 2016 041 [Clark County], alleged that the CPG had yelled and made pejorative statements to the IP in the hallway; dismissed for no actionable conduct. SOP 402.1 and 403.2.

CPGB No. 2016 043 [Clark County], alleged failure to address IP's medical condition, to pursue public benefits and to pay for the IP's room and board while he was out of state; dismissed for no actionable conduct. SOP 409.1, 408.1.

CPGB No. 2016 053 [Clark County], alleged failure to disburse spending money to IP; failure to return IP's calls; dismissed for no actionable conduct. SOP 402.1.

CPGB No. 2016 070 [Clark County], alleged failure to manage the IP's finances, including allowing occurrence of thousands of dollars in overdraft charges; dismissed for no actionable conduct. SOP 409.1.

CPGB No. 2016 073 [King County], alleged failure to timely comply with mandatory reporting requirements; dismissed for no actionable conduct. SOP 401.1.

CPGB No. 2016 074 [Thurston County], alleged failure for CPG to move the IP out of a hospital into a more appropriate residential setting; dismissed for no actionable conduct. SOP 407.1.

CPGB No. 2016 090 [Thurston County], alleged failure of CPG to give the IP enough expense money for a trip; dismissed for no actionable conduct. SOP 409.1.

CPGB No. 2016 077 [Thurston County], alleged failure of the Limited Guardian of the Estate to provide adequate care for the care of the IP; dismissed for insufficient facts. SOP 401.1.

CPGB No. 2017 011 [Thurston County], alleged failure of the Guardian to provide the IP with requested information regarding her finances; dismissed for no actionable conduct. SOP 403.2.

CPGB No. 2017 015 [Clark County], alleged failure to give hospital advance notice of referral of IP and inappropriate referral of an individual without medical complaints; dismissed for no actionable conduct. SOP 402.1, 407.1, and 408.1.

CPGB No. 2017 026 [Clark County], alleged failure to pay the IP her personal allotment and to pay bills; dismissed for no actionable conduct. SOP 409.1 and 409.4.

CPGB No. 2017 033 [Lewis County], alleged failure to attempt to place the IP in her preferred residential type of facility and to put guardian fees ahead of the interests of the IP; dismissed for no actionable conduct. SOP 406.1 and 407.3.

CPGB No. 2017 034 [Adams County], alleged failure to give the IP her spending money, and to maintain contact with her; dismissed for no actionable conduct. SOP 404.1.1 and 409.1.

CPGB No. 2017 050 [Pierce County], alleged that CPG had misappropriated the IP's \$5000.00 plus tax refund and her cell phone; dismissed for no actionable conduct. SOP 409.1.

CPGB No. 2017 053 [King County], alleged failure to make medical decisions in a timely manner; dismissed for no actionable conduct. SOP 408.1.

CPGB No. 2017 054 [King County], alleged failure to respond to medical concerns for client in end of life situation; dismissed for no actionable conduct. SOP 408.1.

CPGB No. 2017 055 [King County], alleged failure to place the IP in an appropriate residential/treatment facility; dismissed for no actionable conduct. SOP 407.1, 402.1.

CPGB No. 2017 060 [Clark County], alleged that the CPG had stolen a \$9000.00 check from a hiding place in the IP's room and failed to use it for the IP's needs; dismissed for no actionable conduct. SOP 409.1.

CPGB No. 2017 063 [Clark County], alleged that the CPG failed to return the IP's phone calls, did not help him obtain ID, phone service, or move in or closer to his wife; dismissed for no actionable conduct. SOP 402.1, 404.1.2, 404.1.3, 404.1.5, 409.4, and 407.3.

CPGB No. 2017 067 [Clark County], alleged that the CPG was neglecting the IP by not going to medical appointments with her, directing the facility to change administration of prescribed medication doses, and insisting on placing the IP in an inappropriate facility; dismissed for no actionable conduct. SOP 401.1, 402.1, 407.1, 408.1.

CPGB No. 2017 077 [Clark County], alleged that the CPG was not doing everything she could to assist the IP, such as going with him to needed medical appointments, ensuring that he was taking his medications, and helping him retain his possessions and helping him obtain appropriate residential placement; dismissed for no actionable conduct. SOP 402.1, 407.1.

CPGB No. 2017 094 [Clark County], alleged that the CPG did not give IP advance notice before moving him from his residence and did not involve him in residential placement decision-making, and that CPG did not monitor medical condition and ensure that medical information got to providers; dismissed for no actionable conduct. SOP 402.1, 403.2, 407.3, 408.1.

CPGB No. 2018 003 [Skagit County], alleged failure of GAL to fully investigate situation of dependent children in child custody matter; dismissed for no jurisdiction. SOP 401.1.

CPGB No. 2018 004 [Clark County], alleged failure of CPG to allow the IP to see his family members and to pay his bills and provide him with spending allowance; dismissed for actionable conduct. SOP 403.1, 409.1.

CPGB No. 2018 005 [not applicable], alleged failure of a Michigan guardian to respect the IP's preferences in regards to interaction with family and friends; dismissed for no jurisdiction. SOP 403.1.

CPGB No. 2018 006 [King County], alleged failure of the Lay Guardian to pay the IP's bills; dismissed for no jurisdiction. SOP 409.1

CPGB No. 2018 007 [Clark County], alleged failure of CPG to pay bills, provide money for basic needs, and return the family's calls; dismissed for no actionable conduct. SOP 403.1, 409.1.

CPGB No. 2018 009 [Clark County], alleged failure of CPG to provided medical provider with needed information and to treat provider employees with respect; dismissed for no actionable conduct. SOP 402.1.

CPGB No. 2018 014 (Mason County), alleged failure of the Lay Guardian to pay the IP's bills, including participation at the residential facility; dismissed for no jurisdiction. SOP 409.1.

CPGB No. 2018 015 [not applicable], alleged failure of the guardian in an out of state guardianship to note that the guardianship should be terminated due to capacity of the person under guardianship; dismissed for no jurisdiction. SOP 411.1.

CPGB No. 2018 017 [Clark County], alleged failure of CPG to use proper billing and accounting procedures; dismissed for no actionable conduct. SOP 409.1. 410.1.

CPGB No. 2018 021 [Pierce County], alleged failure of GAL to return calls and provide for the IP's needs; dismissed for no jurisdiction. SOP 402.1 and 404.1.

CPGB No. 2018 022 [Snohomish County] alleged failure of GAL to complete a thorough investigation regarding child custody matter; dismissed for no jurisdiction. SOP 401.1.

CPGB No. 2018 025 [Snohomish County], alleged failure of Certified Professional Guardian to return calls of the family; dismissed for no jurisdiction as no guardian had yet been appointed. SOP 401.1.

CPGB No. 2018 026 [Clark County], alleged failure of Lay Guardian to contact the family, and to ensure proper health care; dismissed for no jurisdiction. SOP 402.1, and 408.1.

CPGB No. 2018 028 [Clark County], alleged failure of CPG to notify the family regarding the IP's medical condition, including hospitalizations; dismissed for no actionable conduct. SOP 402.1.

CPGB 2018 032 [Clark County], alleged failure of the CPG to respond to the facility regarding the IP's increased level of care and nonpayment of the care bill; dismissed for no actionable conduct. SOP 402.1, 409.1.

CPGB No. 2018 035 [Clark County], alleged that CPG interfered with the IP's visitation with his family and with his outings with AFH staff and directed the AFH to administer medication contrary to the physician's instructions; dismissed for no actionable conduct. SOP 402.1, 402.6 and 403.1,

CPGB No. 2018 036 [Pierce County], alleged failure of Lay Guardian to apply for public benefits for the IP, and to properly manage IP's finances; dismissed for no jurisdiction. SOP 409.1.

CPGB No. 2018 037 [Clark County], alleged lay guardian gave grievant a notice to terminate tenancy breaching a contract, lay guardian has grievant's ex-husband's phone number and intends to call her ex-husband, lay guardian does not respect family dynamics; dismissed for no jurisdiction. SOP 400, 402.2 and 405.1.

CPGB No. 2018 039 [Clark County], alleged that the CPG had not returned needed forms to apply for benefits for the IP despite several requests, that the CPG had proposed moving the IP with Alzheimer's to another facility which would have been very disorienting for her, and that the facilities were giving notice to the CPG first regarding medical events; dismissed for no actionable conduct. SOP 402.1, 409.7, and 407.6.

CPGB 2018-040 [Whatcom County] alleged failure of GAL to communicate, charging for meeting that did not occur, failure to visit; dismissed for no jurisdiction. SOP 400, 402.2 and 404.1.

CPGB 2018-043 [Whatcom County] alleged failure of a Guardian ad Litem to return calls and emails from facility to arrange moving the IP to a more appropriate facility; dismissed for no jurisdiction. SOP 407.1 and 402.1.

CPGB 2018-047 [Clark County] alleged failure of a CPG to pay the IP's bills; dismissed for no actionable conduct. SOP 409.1.

CPGB 2018 054 [Marin County, NM], alleged failure of a guardian to allow a parent access to their child; dismissed for no jurisdiction. SOP 403.1

CPGB 2018-055 [Clark County] alleged failure of CPG to apply for food stamps with due diligence, and to pay for better eyeglasses for the IP; dismissed for no actionable conduct. SOP 409.7 and 409.1.

CPGB 2018 060 [Cowlitz County) alleged failure of the Lay Guardian to complete mandatory guardianship paperwork or attend to the IP's basic needs; dismissed for no jurisdiction. SOP 401.1.

CPGB 2018-061 [Pierce County] alleged failure of Lay Guardian to respond to service providers or comply with requests related to residence and medical need; dismissed for no jurisdiction. SOP 401.1 and 402.1.

CPGB 2018 062 [King County], alleged that the Lay Guardian was making false complaints that the staff in the facility were harming the IP; dismissed for no jurisdiction. SOP 402.1.

CPGB 2018 065 [Pierce County], Parent in custody matter complained that the Guardian ad Litem was telling him one thing and then changing her mind and recommending another, and that she was making her recommendations based on bias rather than facts; dismissed for no jurisdiction. SOP 401.2.

CPGB 2018 068 [Snohomish County], alleged that the CPG was not complying with her duties; dismissed for insufficient facts. SOP 401.1.

CPGB 2018 072 [King County], alleged that the CPG agency was acting in a guardianship after being replaced by a Successor Guardian, that the agency was improperly doing business both as a profit and non-profit business and was not accurately registered with the Department of Licensing; dismissed for insufficient facts. SOP 401.1.

CPGB 2018 075 [Clark County], alleged that the CPG cancelled the IP's medical appointments and refused to explain the IP's finances to her; dismissed for no actionable conduct. SOP 403.2.

CPGB 2018 077 [King County], alleged that the GAL failed to treat the IP with respect, and had falsely advised him that he was not representing him when he was an attorney of record with the court; dismissed for no jurisdiction. SOP 403.2.

CPGB 2018 083 [Grant County], alleged that a lay guardian was not providing a child with proper care due to alcoholism; dismissed for no jurisdiction. SOP 401.1.

CPGB 2018 085 [Clark County], alleged that the lay guardian had improperly refused to honor a family's arrangements to bury the IP with her deceased daughter and was not informing the family regarding actions taken; dismissed for no jurisdiction. SOP 402.1.

Dismissal (Mediation)

CPGB 2015-044 [Whitman] Alleged failure of Guardian to assist with moving IP closer to sister (grievant). SOP 402.2, 403.3.

Voluntary Surrender Terminations

CPGB 2013 029 [Stevens County], terminated following voluntary surrender by the Certified Professional Guardian.

CPGB 2014-007 [Spokane County], terminated following voluntary surrender by the Certified Professional Guardian and Guardianship Agency.

CPGB 2016 015 [Spokane County], terminated following voluntary surrender by the Certified Professional Guardian.

CPGB 2016-056 [Spokane County], terminated following voluntary surrender by the Certified Professional Guardian and Guardianship Agency.

CPGB 2017-031 [Snohomish County], terminated following voluntary surrender by the Certified Professional Guardian.

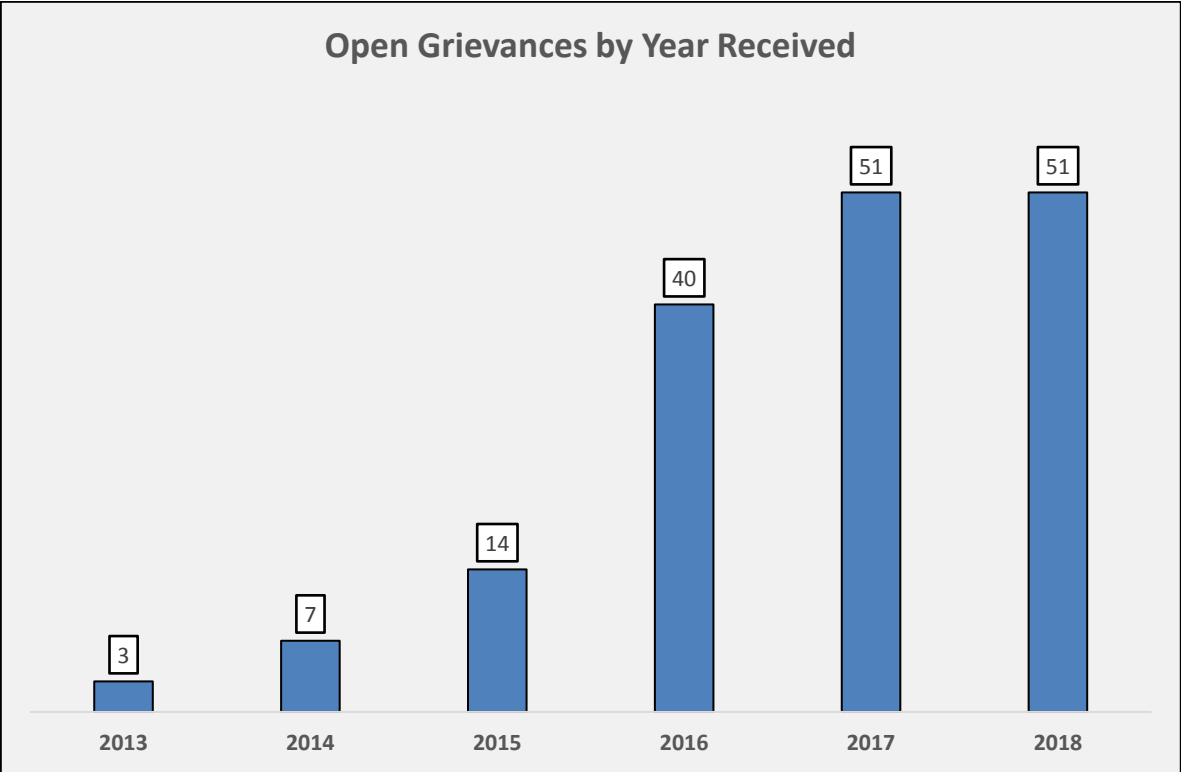
CPGB 2017 043 [Spokane County], terminated following voluntary surrender by the Certified Professional Guardian.

CPGB 2017-046 [Spokane County], terminated following voluntary surrender by the Certified Professional Guardian and Guardianship Agency.

CPGB 2017-048 [Spokane County], terminated following voluntary surrender by the Certified Professional Guardian and Guardianship Agency.

CPGB 2017 097 [Benton County], terminated following voluntary surrender by the Certified Professional Guardian.

Appendix A



Appendix B

