

Meeting Materials

Minutes

Certified Professional Guardianship Board

Monday, November 18, 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
Commissioner Diana Kiesel
Ms. Lisa Malpass
Dr. K. Penney Sanders
Mr. Dan Smerken
Ms. Amanda Witthauer
Dr. Rachel Wrenn

Members Absent

Judge Robert Lewis
Ms. Susan (Susie) Starrfield

Staff

Ms. Stacey Johnson
Ms. Kathy Bowman
Mr. Christopher Fournier
Ms. Jennifer Holderman
Ms. Kay King
Ms. Carla Montejo
Ms. Kim Rood
Ms. Eileen Schock

Guests

Mr. Ramsey Radwan
Mr. Chris Neil (online)
Ms. Karen Newland (online)

1. Meeting Called to Order

Judge Rachelle Anderson called the November 18, 2019 Certified Professional Guardianship Board Teleconference to order at 8:00 am.

2. Roll Call, Approval of Minutes

Roll was taken and Judge Anderson welcomed those present telephonically.

Dr. Sanders requested the October 14, 2019 CPG Board meeting minutes be corrected to reflect her presence.

Due to a technical issue, not all Board members were able to review the minutes of the October 14, 2019 meeting. The minutes were subsequently approved, as corrected, via email.

3. Chair's Report

Judge Anderson asked Ms. Johnson to provide an update on the status of the Uniform Guardianship, Conservatorship, and other Protective Arrangements Act (UGA). Ms. Johnson reported working with Judge VanDornick on portions of Article 2 of the UGA, and the SCJA is also working on making changes. A draft version of the proposed trailer bill has been received, and this must be quickly reviewed in preparation for two upcoming legislative meetings. A copy of the trailer document will be forwarded to Judge Anderson and members of the committee.

4. Guardian Grievance Status Update

Ms. Montejo reported there were nine (9) new grievances received and 14 grievances closed during the month of October. Sixty-eight (68) grievances remain open for investigation. Two separate matters are currently in Hearing status and three cases were recently considered by an ad hoc conflicts review committee. Judge Anderson acknowledged the guardian grievance investigators for their work addressing the backlog of open cases.

5. Regulations Committee Update

Ms. King announced the reactivation of the Regulations Committee and described the minimum timeline for regulation adoption in accordance with required Board notice and meeting procedures, as well as complicating factors. The Committee will consider its plan for accomplishing the necessary work due to the UGA's scheduled effective date of January 1, 2021 and priorities at the first meeting of the committee, set for Tuesday, November 26.

6. Executive Session (Closed to the Public)

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

On behalf of the Applications Committee, Judge Anderson presented the following applications for Certified Professional Guardian. Members of the Application Committee abstained.

Motion: A motion was made and seconded to conditionally approve Cynthia Chenot Potter's application for certification, upon completion of the UW Certification Program, with transferrable skills in health care and social services. The motion passed.

Motion A motion was made and seconded to deny Tracy Bauhs' application for certification, due to the lack of demonstrated experience in decision making on behalf of others. The motion passed.

On behalf of the Education Committee, Mr. Fournier presented the following recommendations for decertification for non-compliance with the Board's Continuing Education Regulations. Members of the Education Committee abstained.

Motion: A motion was made and seconded to decertify Lecion Brogan for non-compliance with continued education requirements. The motion passed.

Motion: A motion was made and seconded to decertify Gordon Ellison-Oslin for non-compliance with continued education requirements. The motion passed.

8. Wrap Up/Adjourn

Changes to the Uniform Guardianship Act are still in work, and committee members are encouraged to contact Ms. Johnson with any concerns. The next CPG Board meeting will be held in person on January 13, 2019 at the Sea-Tac office. With no other business to discuss, Judge Anderson adjourned the meeting at 8:46 am.

Motion Summary	Status
<i>The October 14, 2019 Certified Professional Guardianship Board Meeting minutes were approved, as corrected, via email. The motion passed.</i>	Passed
<i>A motion was made and seconded to conditionally approve Cynthia Chenot Potter's application for certification, upon completion of the UW Certification Program, with transferrable skills in health care and social services. The motion passed</i>	Passed
<i>A motion was made and seconded to deny Tracy Bauhs' application for certification, due to the lack of demonstrated experience in decision making on behalf of others. The motion passed.</i>	Passed
<i>A motion was made and seconded to decertify Lecion Brogan for non-compliance with continuing education requirements. The motion passed.</i>	Passed
<i>A motion was made and seconded to decertify Gordon Ellison-Oslin for non-compliance with continuing education requirements. The motion passed.</i>	Passed

Grievance Status Update November, 2019

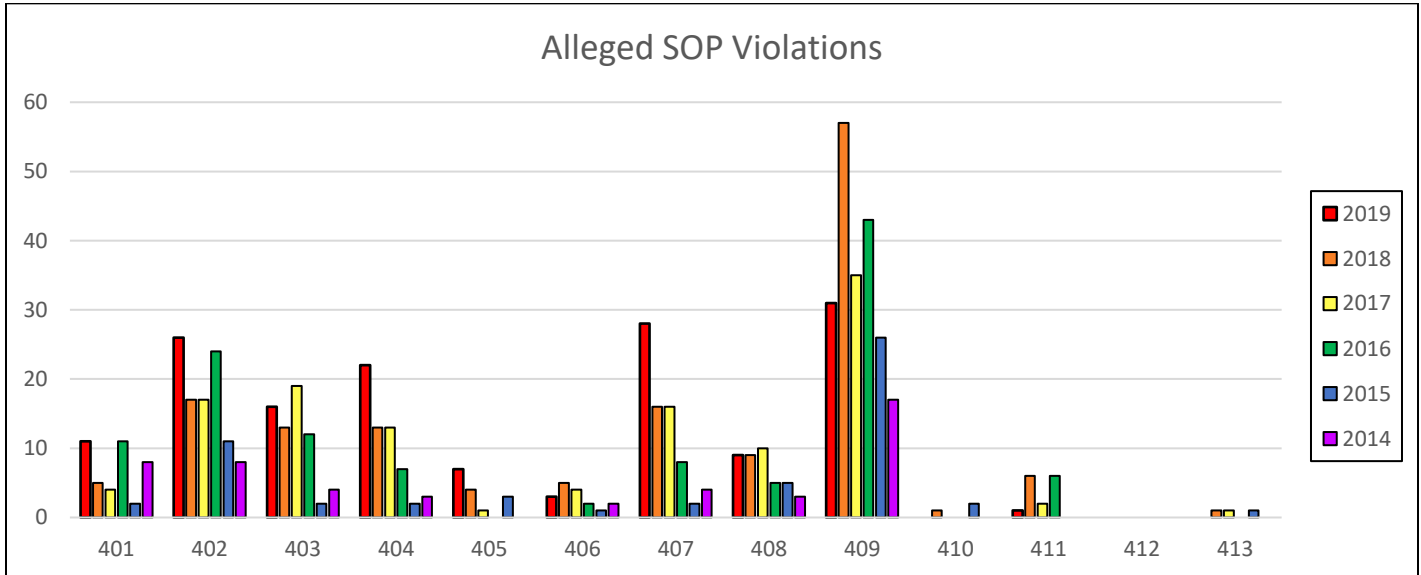
Certified Professional Guardians Grievance Status

November 30, 2019

Grievance Status by Year Received	2019	2018	2017	2016	2015	2014	Total
Grievances To Be Investigated – October 31, 2019	36	20	9	5	0	0	70
New Grievances:	11						11
Voluntary Surrender Pending:		2	2	2		1	7
Conflicts Review Committee Pending:		1	1	1			3
ARD Pending:							
Complaint/Hearing Pending:				1			1
Grievances Resolved This Reporting Period:	3						3
Grievances To Be Investigated – November 30, 2019	44	20	9	5	0	0	78

Grievance Resolutions November 30, 2019:	2019	2018	2017	2016	2015	2014	Total
Dismissal – No Jurisdiction	1						1
Dismissal – No Actionable Conduct							
Dismissal – Insufficient Grievance	2						2
Mediated – Dismissed							
Advisory Letter 507.1							
ARD - Admonishment							
ARD - Reprimand							
ARD - Suspension							
Terminated – CPG Death							
Terminated – Voluntary Surrender							
Terminated – Administrative Decertification							
Terminated – Decertification							
Total Resolved Grievances – November 30, 2019	3						3

Grievance Resolutions	2019	2018	2017	2016	2015	2014	Total
Total Grievances Received To Date 11/30/2019	71	85	104	104	65	64	493
Dismissal – No Jurisdiction	14	22	30	20	13	17	116
Dismissal – No Actionable Conduct	8	35	51	52	29	22	197
Dismissal – Insufficient Grievance	4	3	1	2		2	12
Mediated – Dismissed					1		1
Advisory Letter 507.1	1	2	2	2			7
ARD - Admonishment					1		1
ARD – Reprimand			1	4	4		9
ARD - Suspension							
Termination – CPG Death					2		2
Termination – Administrative Decertification			1	2	13	11	27
Termination – Voluntary Surrender			6	13	2	11	32
Termination – Decertification							
Total Grievances Resolved To Date: 11/30/2019	27	62	92	95	65	63	404



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

ID	Year Cert.	Open	Year(s) Grievances Received	Status
A	2012	3	2018 (1), 2019 (2)	
B	2014	2	2017 (1), 2019 (1)	
C	2010	2	2017 (1), 2019 (1)	
D	2001	3	2018 (3)	
E	2001	7	2017 (1), 2018 (1), 2019 (5)	
F	2014	2	2017 (1), 2019 (1)	
G	2014	2	2016 (1), 2019 (1)	
H	2018	2	2019 (2)	
I	2017	3	2018 (3)	
J	2001	2	2018 (1), 2019 (1)	
K	2014	2	2019 (2)	
L	2007	2	2019 (2)	
M	2009	3	2018 (2), 2019 (1)	
N	2001	2	2018 (1), 2019 (1)	
O	2001	3	2018 (1), 2019 (2)	
P	2011	4	2017 (1), 2018 (2), 2019 (1)	
Q	2017	2	2019 (2)	
R	2013	2	2018 (1), 2019 (1)	
S	2009	2	2017 (1), 2019 (1)	
T	2001	3	2016 (1), 2018 (1), 2019 (1)	
U	2001	3	2016 (2), 2019 (1)	
V	2009	3	2016 (1), 2017 (1), 2018 (1)	
Total		59		

Of 78 currently open grievances, 59 concern 22 Agencies or CPGs with 2 or more open grievances.

	Year Guardian Certified	# of Guardians
Before UW Certificate Program (56)	2001	7
	2002	
	2003	
	2004	
	2005	
	2006	
	2007	1
	2008	
	Total	8
UW Certificate Program (79)	2009	3
	2010	1
	2011	1
	2012	1
	2013	1
	2014	4
	2015	
	2016	
	2017	2
	2018	1
	Total	14

Grievance Status Update December, 2019

Certified Professional Guardians Grievance Status

Month-End

December 31, 2019

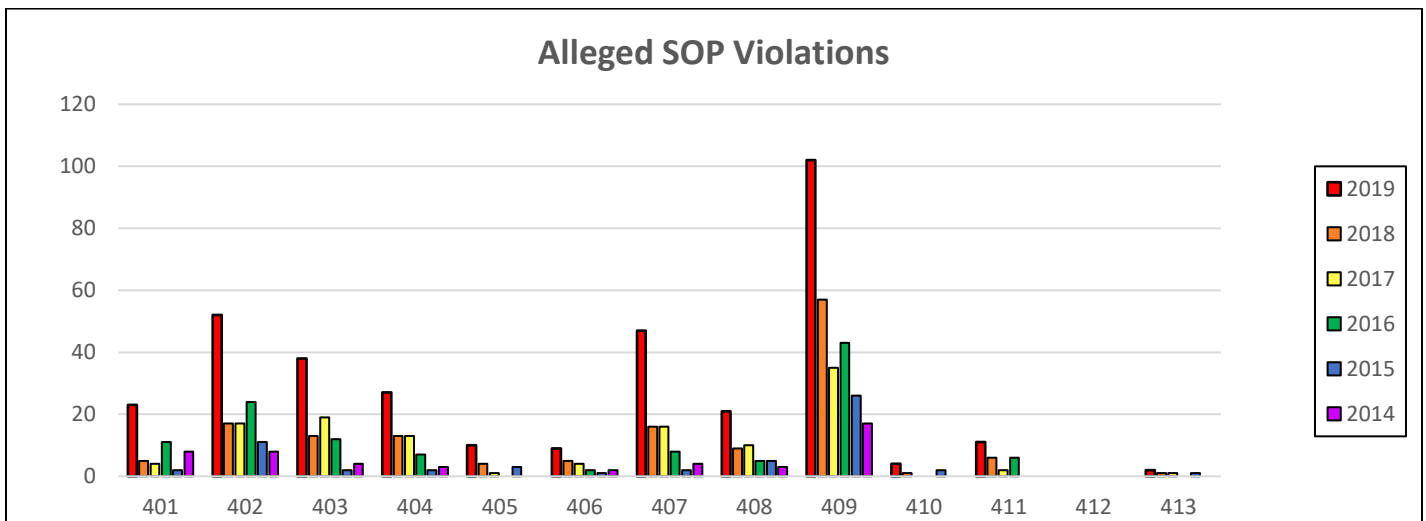
Grievance Status – December 31, 2019	2019	2018	2017	2016	2015	2014	Total
Grievances Received:	4						4
Grievances Resolved:	[3]	[8]	[6]	[4]			[21]
Grievances Requiring Investigation*:	43	11	3	0	0	0	57

Grievances Pending*	2019	2018	2017	2016	2015	2014	Total
Voluntary Surrender:		2	2	2		1	7
Conflicts Review Committee:	1	1	1	1			4
ARD:							
Complaint/Hearing:				1			1
Administrative Decertification:	3	1		1			5
Total Pending:	4	4	3	5		1	17

[*Grievances in Pending status are not counted as Grievances Requiring Investigation.]

Resolution of Grievances – December 31, 2019	2019	2018	2017	2016	2015	2014	Total
Dismissal – No Jurisdiction	1						1
Dismissal – No Actionable Conduct	2	7	6	2			17
Dismissal – Insufficient Grievance							
Mediated – Dismissed							
Advisory Letter 507.1		1		2			3
ARD - Admonishment							
ARD - Reprimand							
ARD - Suspension							
Terminated – Voluntary Surrender							
Terminated – Administrative Decertification							
Terminated – Decertification							
Total Resolved Grievances: December 31, 2019	3	8	6	4			21

Grievance Resolutions	2019	2018	2017	2016	2015	2014	Total
Total Grievances Received	77	85	104	104	65	64	499
Dismissal – No Jurisdiction	15	22	30	20	13	17	117
Dismissal – No Actionable Conduct	10	43	57	54	29	22	215
Dismissal – Insufficient Grievance	4	3	1	2		2	12
Mediated – Dismissed					1		1
Advisory Letter 507.1	1	3	2	4			10
ARD - Admonishment					1		1
ARD – Reprimand			1	4	4		9
ARD - Suspension							
Termination – CPG Death					2		2
Termination – Administrative Decertification			1	2	13	11	27
Termination – Voluntary Surrender			6	13	2	11	32
Termination – Decertification							
Grievances Resolved To Date: 12/31/2019	30	71	98	99	65	63	426



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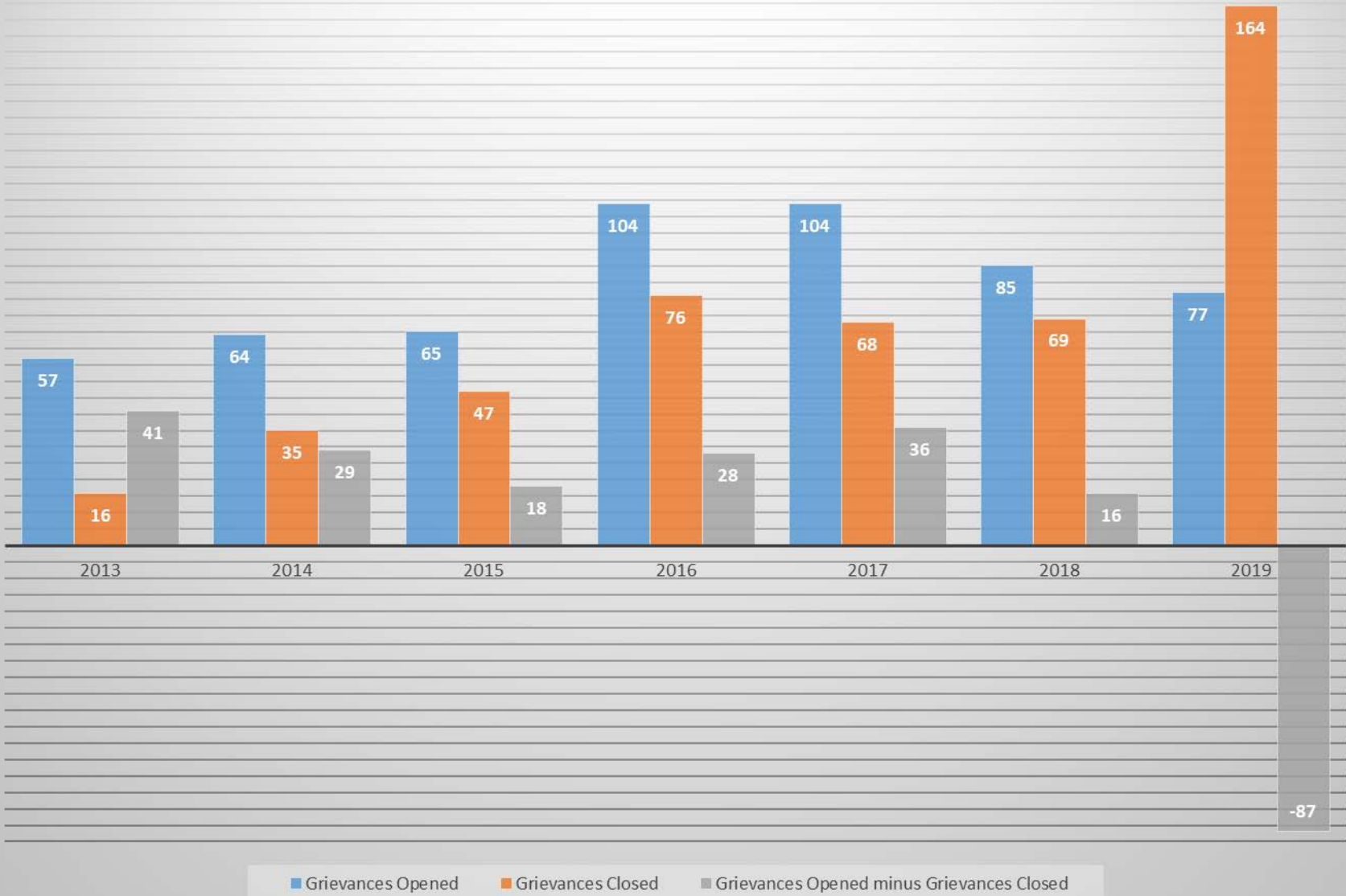
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E	2014	2	2019 (2)	
F	2007	2	2019 (2)	
G	2001	2	2018 (1), 2019 (1)	
H	2011	4	2017 (1), 2018 (2), 2019 (1)	
I	2017	2	2019 (2)	
J	2013	3	2018 (1), 2019 (2)	
K	2009	2	2018 (1), 2019 (1)	
TOTAL		32		

Of 57 currently open grievances, 32 concern 11 Agencies or CPGs with 2 or more open grievances.

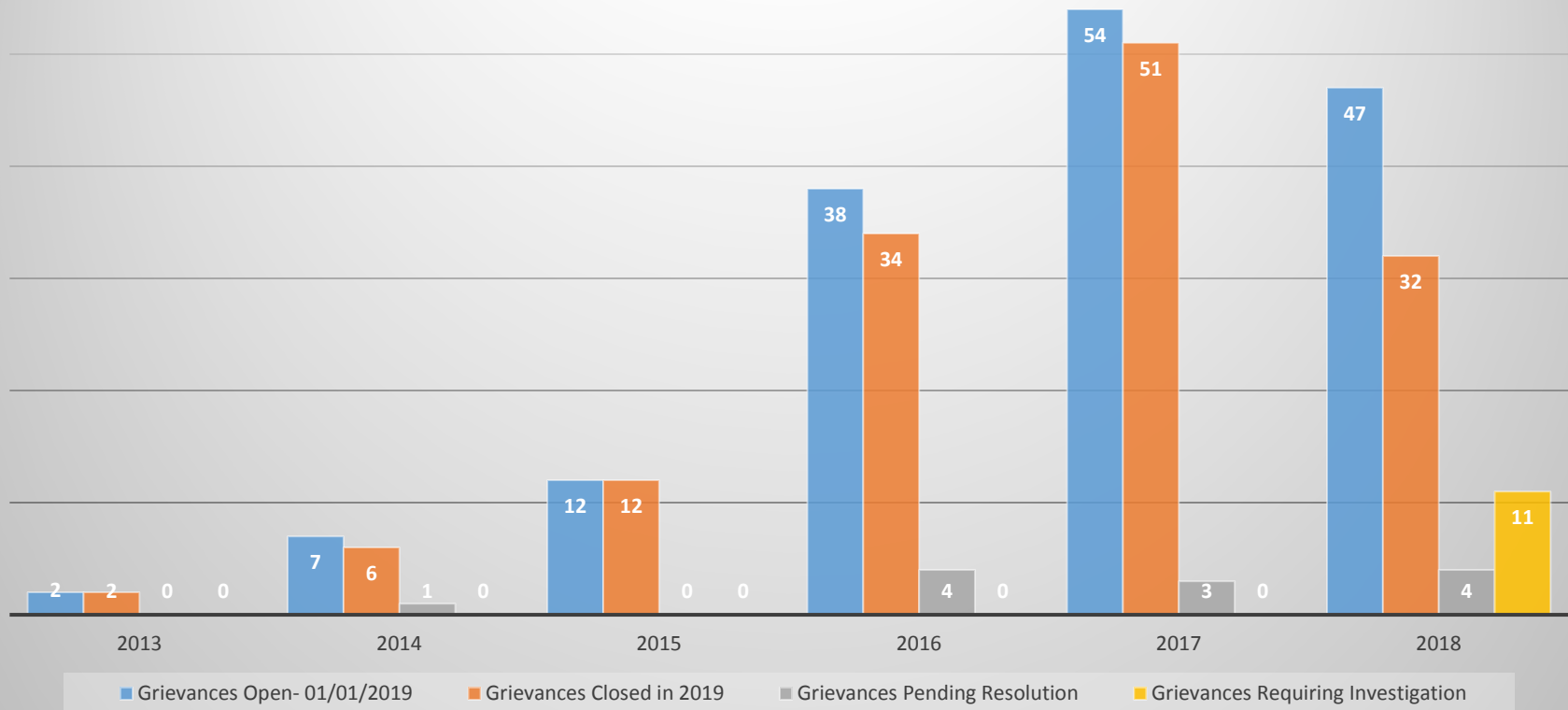
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Before UW Certificate Program (56)	2001	2
	2002	
	2003	
	2004	
	2005	
	2006	
	2007	1
	2008	
	Total	3
UW Certificate Program (79)	2009	1
	2010	
	2011	1
	2012	1
	2013	1
	2014	2
	2015	
	2016	
	2017	2
	2018	
	Total	8

2019 End of Year Statistics

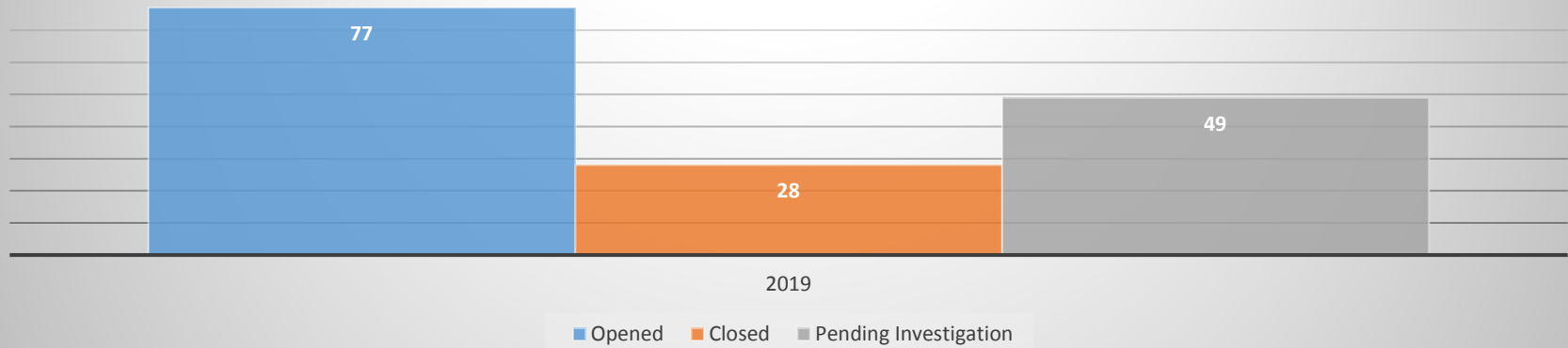
Grievances by Year



Resolution of Pre-2019 Grievances in 2019



2019 Grievances



Type of Resolution for Grievances Resolved in 2019

