



Certified Professional Guardianship Board
Monday, April 13, 2020
Annual Planning Meeting Teleconference
9:00 a.m. – 1:00 p.m.

Meeting Minutes

Members Present:

Judge Rachelle Anderson
Ms. Rosslyn Bethmann
Judge Grant Blinn
Ms. Rita Forster
Ms. Amanda Froh
Commissioner Diana Kiesel
Judge Robert Lewis
Ms. Lisa Malpass
Dr. K. Penney Sanders
Mr. Dan Smerken
Ms. Susie Starrfield
Ms. Amanda Witthauer

Members Absent:

Dr. Rachel Wrenn

Staff Present:

Ms. Stacey Johnson
Ms. Kathy Bowman
Mr. Christopher Fournier
Ms. Thai Kien
Ms. Kay King
Ms. Kim Rood
Ms. Eileen Schock

Guests: See list on last page

1. Meeting Called to Order

Judge Rachelle Anderson called the April 13, 2020 Certified Professional Guardianship Board (Board) teleconference to order at 8:02 a.m.

2. Welcome, Roll Call and Approval of Minutes

Board members, members of the public, guests and staff were welcomed and roll was taken. This annual planning meeting, typically held in-person, is by teleconference due to coronavirus distancing directives. Judge Anderson asked for additions or corrections to the March 9, 2020 Board meeting minutes. Hearing none, a motion was made and seconded to approve the minutes as written. There were no abstentions. The motion passed.

3. Chair's Report

Judge Anderson acknowledged and appreciated the vital work being accomplished during these uncertain times, noting how difficult it is to have meaningful conversations and discussions during this time of emergency.

The legislature moved implementation back for most of the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGA) to January, 2022. The only portion of the UGA to become effective January, 2021 is Article 2, Guardianship of Minor. Regulations and other changes are in progress, including with the University of Washington Continuum College. Staff added that work on suggested changes to GR23 is still at the committee level. Since GR 23 is a Supreme Court rule, the Supreme Court's rulemaking process applies and not the more familiar Board regulation adoption process. Board Regulations are also in process of being updated at the committee level. The University of Washington is planning to continue their program for the next academic year and is working on new training. Lay guardian training and pattern forms updates are also in progress. With the minor guardianship portion of the law becoming effective in less than a year, the focus is on minor guardianship forms as that is due first. The Administrative Office of the Courts is

instructed by statute to participate in the Court Visitor and Guardian ad Litem training advisory group, and has reached out to DSHS and the King County Bar Association, DSHS's delegate. Kay King is working on developing materials for lay guardians and minor guardianship, speaking with stakeholders, and developing FAQs and other training tools for kinship navigators, kinship caregivers and other stakeholders. The impact of Covid has meant that these stakeholder groups are subject to more pressing demands for the moment, but efforts will continue to provide information on this major change in law and the repeal of the non-parental custody statute.

4. Public Comments

Member of the public, Ms. Claudia Donnelly elected to speak to the Board about the isolation of an incapacitated person in Washington State. Judge Anderson offered that she would need additional specific facts about the case in order to correctly answer Ms. Donnelly's questions and to provide appropriate avenues for finding assistance. There were no written materials presented.

5. Regulations Committee Report

Commissioner Kiesel said the work is challenging but she is working with "rock star" committee members and staff. Kay King agreed the work is complex and shared some updates of the committee's work. UGA effective dates are somewhat more complicated than a simple adults in 2022 /minors in 2021 bifurcation. Article 4, (covering adult and minor conservatorship) and Article 5, (covering other protective arrangements in lieu of adult guardianship and in lieu of adult or minor conservatorships) will not take effect until January, 2022. Further, the general provisions of the Act become effective with respect to minors only in 2021, and this may generate some public confusion.

Ms. King expanded on the discussion of the difference between the Supreme Court rulemaking process governed by Supreme Court General Rule 9 and the more familiar Board regulation process that is governed by Series 600 of the Board regulations. The general parameters of the GR 9 process were presented, including the introduction of a Suggested Rule, and the two required instances of Supreme Court solicitation of stakeholder input pursuant to GR 9. It was also noted that potential rule changes are circulated to various court associations and the WSBA, and subject to publication and comment requirements. An oral hearing is also an option for the Supreme Court under GR 9. By contrast, Board regulations are subject to Series 600 requirements. After committee review, the Board must follow its notice and comment procedures in Series 600 before making a decision to change Board regulations. Judge Anderson underscored the work is mammoth. Judge Anderson also noted that Certified Professional Guardians have been and continue to be encouraged to reach out to members of the Board to share their thoughts.

6. Break

7. Annual Report

Chris Fournier presented the 2019 Annual Report of the Certified Professional Guardianship Board, which has been expanded from past reports to illustrate the breadth of the work of the Board. The work of all Board committees has been included, providing a brief overview of main accomplishments for Applications, Education, Standards of Practice and Regulations.

8. Grievance Review

In 2019, there was an overall reduction of outstanding grievances. The Board has closed 137 of 168 grievances that were opened prior to 2019. There are currently 58 grievances opened in 2019 that remain open for investigation. Ninety percent (90%) of the grievances closed in 2019 were without discipline or sanction (no actionable conduct). The majority of complaints were forwarded by Adult Protective Services, followed by family, and then facilities. Alleged grievances were mainly regarding financial decision-making, the relationship of a Certified Professional Guardian with family and residential placement. Certified Professional Guardians or Guardianship Agencies with multiple (2 or more) open grievances have been reduced from 38 to 11.

Judge Anderson shared she was impressed with the work of staff and the Standards of Practice Committee. The reduction in numbers of outstanding grievances and the thoroughness of the information presented. She noted it is significant that 90% of grievances were closed with no actionable conduct found. Family dynamics and high emotions lend to the vast majority of grievances and it is important to acknowledge this. While the majority of grievances are found not to be actionable, all grievances must still be carefully reviewed for merit.

9. Executive Session – Closed to the Public

The public teleconference line was placed on hold during the closed Executive Session. A roll of Board members was retaken.

10. Break

11. Reconvene and Vote on Executive Session Discussion – Open to Public

On behalf of the Applications Committee, Judge Lewis presented the following motions. Members of the Applications Committee abstained.

Motion: A motion was made and seconded to conditionally approve Nicole Fink's application upon completion of the UW Certification program, with transferrable skills in health care. The motion passed.

Motion: A motion was made and seconded to approve Dan Jackson's application for certification, with transferrable skills in financial services. The motion passed.

Motion: On remand of appeal, a motion was made and seconded to conditionally approve Tracy Bauhs' application upon completion of the UW Certification program, with transferrable skills in financial and social services. The motion passed.

12. Wrap Up and Adjourn

The next Certified Professional Guardianship Board meeting will be held by teleconference on May 11, 2020 at 8:00 a.m. Judge Anderson asked members of the public for additional comments or questions. Hearing none, the April 13, 2020 meeting was adjourned at 12:13 p.m.

Motions Summary	Status
A motion was made and seconded to approve the March 9, 2020 CPG Board meeting minutes as written. The motion passed.	Passed

A motion was made and seconded to conditionally approve Nicole Fink's application upon completion of the UW Certification program, with transferrable skills in healthcare. The Applications Committee abstained. The motion passed.	Passed
A motion was made and seconded to approve Dan Jackson's application, with transferrable skills in financial services. The Applications Committee abstained. The motion passed.	Passed
On remand of appeal, a motion was made and seconded to conditionally approve Tracy Bauh's application upon completion of the UW Certification program, with transferrable skills in financial and social services. The Applications Committee abstained. The motion passed.	Passed

Guests:

Mr. Ramsey Radwan, Director, Administrative Office of the Courts

Ms. Miriam Doyle, University of Washington Continuum College