

Meeting Materials

Meeting Minutes

June 8, 2020



Certified Professional Guardianship Board
Monday, June 8, 2020
Zoom Video Conference
9:00 am – 1:00 pm

DRAFT Meeting Minutes

Members Present:

Judge Rachelle Anderson, Chair
Ms. Rosslyn Bethmann
Judge Grant Blinn
Ms. Rita Forster
Ms. Amanda Froh
Judge Robert Lewis
Ms. Lisa Malpass
Dr. K. Penney Sanders
Mr. Dan Smerken
Ms. Susie Starrfield
Dr. Rachel Wrenn

Members Absent:

Ms. Amanda Witthauer
Commissioner Diana Kiesel

Staff Present:

Ms. Stacey Johnson
Ms. Kathy Bowman
Mr. Christopher Fournier
Ms. Jennifer Holderman
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 June 8, 2020 Certified Professional Guardianship Board Meeting Zoom Video Conference to order at 9:10 a.m.

2. Welcome, Roll Call & Approval of Minutes

Roll was taken of Board members and Staff, and all present were welcomed.

Hearing no suggested additions or corrections, the May 11, 2020 CPG Board meeting minutes were adopted by consensus.

3. Chair's Report

Judge Anderson shared the sad news that Certified Professional Guardian Kristi Kilbourne passed away suddenly. She was well loved in Spokane, was active in the WAPG organization and was an outstanding CPG. Lisa Malpass reported that successor guardians have been found for all but five of Ms. Kilbourne's cases, which are still needed in Stevens and Pend Oreille Counties.

Judge Anderson also remarked on planned stakeholder listening events via Zoom Video Conference, to be held prior to rewriting regulations to conform to the new UGA. Feedback from the listening events will be prepared for Board approval, then will go out for public comments. These listening sessions are intended to make this work a more robust process. The sessions will take place on June 22 at 7:30 am and June 26 at 4:30 pm, facilitated by Judge Anderson and Commissioner Kiesel. Each session will last 1 – 1 ½ hours. An invitation was sent out to all CPGs.

4. Public Comments

Mr. Tom Coleman presented a mental health report he has written for Adult Protective Services about capacity to consent to sex. While not specifically written for adults in a guardianship, it could be applicable as a tool, and he requests this information be shared by the Board. Ms. Christina Baldwin also spoke as a lay guardian, remarking on Mr. Coleman's materials.

5. Grievance Update

Staff reported seven (7) new grievances received during the month of May, 2020. Six (6) grievances were dismissed for having no actionable conduct and three (3) were dismissed as being outside the jurisdiction of the CPG Board. Forty-two (42) grievances currently remain requiring investigation. Twenty-three (23) of these grievances concern seven (7) Agencies or CPGs with two or more grievances.

6. UW Update

Staff reported that with the passage of the UGA, legislative funding was provided for the redevelopment of the UW certification program. The UW has produced an interactive formal education program, aligning CPGs with other professions, and establishing it as a true profession. This expanded training replaced the previous 2-day training required of CPGs. This is a good opportunity for the Board to participate in providing input on their work as they are revising their program. Rosslyn Bethmann asked if the UW is scheduling an advisory board meeting and staff replied this would typically be scheduled in July, but a date has not yet been established. Judge Anderson thanked the Education Committee for all their hard work on updating the program. Making the program fully virtual will also make it much more accessible state-wide.

Judge Anderson asked about updating the Lay Guardian training, due January 1, 2022, as well as training for Minor Guardianship, due January 1, 2021. These two trainings will be kept separate. Staff has been working on preparing for the new training, including work on pattern forms. Judge Lewis asked if anything has been done to increase non-English speakers' accessibility to the Lay Guardian training. Staff answered this is a known need, but offering the trainings in other languages has not been funded by the legislature.

7. Executive Session (Closed to Public)

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

On behalf of the Applications and Education Committee (Joint Committee), Judge Lewis made a motion to adopt the recommendation of the Joint Committee to allow, for applications submitted through December 31, 2020, for CPG applicants to be certified during the UW hiatus period, subject to completion of the following conditions in lieu of taking the UW certification course:

- Complete a Board CPG application;
- Take and pass the CGC National Certification test and meet all CGC requirements necessary to sit for the test;
- Take and successfully complete a Washington State specific course to be created by AOC staff.

These conditions would need to be completed by June 30, 2021.

The motion was seconded. In favor: Judge Blinn, Amanda Froh, Judge Anderson, Rita Forster. The Applications and Education Committees abstained. The motion passed.

On behalf of the Applications Committee, Judge Lewis presented the following applications for consideration. Members of the Applications Committee abstained.

A motion was made and seconded to conditionally approve Margaret Eckstrom's application for certification upon completion of the UW Certification Program, or the alternate process set out by the Board, with transferrable financial skills. The motion passed.

A motion was made and seconded to conditionally approve Pamela Saari's application for certification upon completion of the UW Certification Program, or the alternate process set out by the Board, with transferrable skills in health care and social services. The motion passed.

9. Wrap Up/Adjourn

Judge Anderson reminded Board members that there is no meeting of the CPG Board in July. The next Certified Professional Guardianship Board meeting will be held on August 10, 2020. With no other business brought up for discussion, the June 8, 2020 CPG Board meeting was adjourned at 11:08 a.m.

Summary of Motions:

MOTION	STATUS
The May 11, 2020 Certified Professional Guardianship Board meeting minutes were approved as written by consensus.	Passed
A motion was made and seconded to adopt the recommendation of the Joint Education and Applications Committees to allow, for applications submitted through December 31, 2020, CPG applicants to be certified during the UW hiatus period, subject to completion of specific conditions in lieu of taking the UW certification course:	Passed

MOTION	STATUS
A motion was made and seconded to conditionally approve Margaret Eckstrom's application for certification upon the completion of either the UW Certification Program in 2021, or the alternate process set out by the Board, with transferrable financial skills.	Passed
A motion was made and seconded to conditionally approve Pamela Saury's application for certification upon the completion of either the UW Certification Program in 2021, or the alternate process set out by the Board, with transferrable health care and social services skills.	Passed

Guests telephonically:

Tom Coleman (comment)
Christina Baldwin (comment)
Steve Depner
Puget Sound Guardians

DRAFT

Grievance Status Update June, 2020

Certified Professional Guardians Grievance Status

Month-End

June 30, 2020

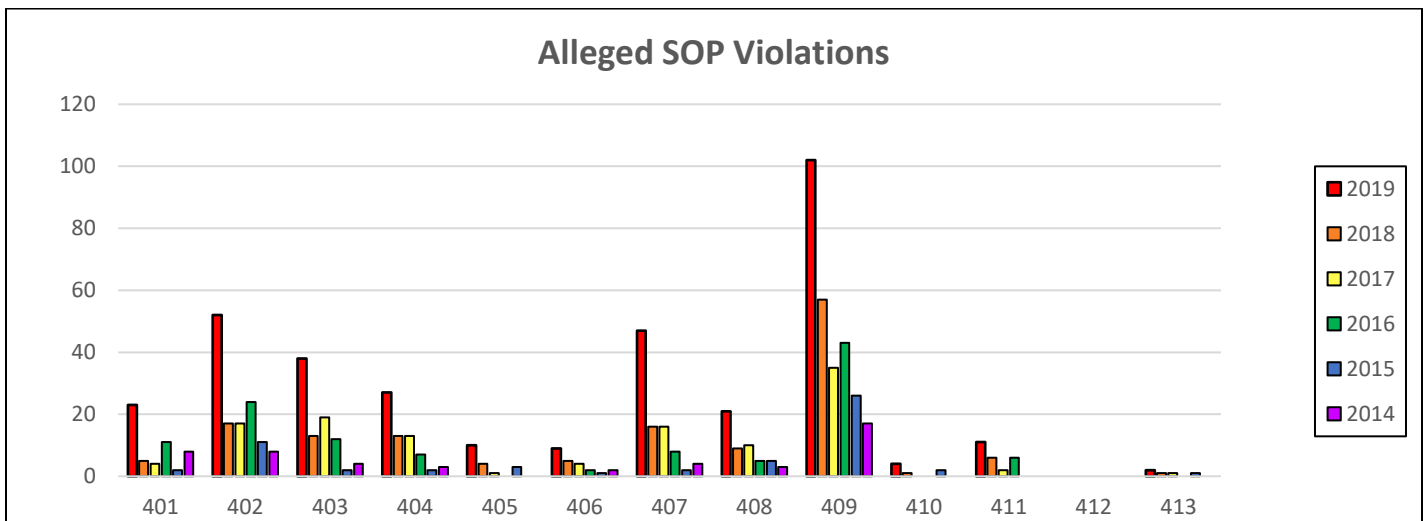
Grievance Status – June 30, 2020	2020	2019	2018	2017	2016	2015	2014	Total
New Grievances Received:	10	0	0	0	0	0	0	10
Grievances Resolved this Month:	[2]							[2]
Grievances Requiring Investigation*:	22	23	4	2	0	0	0	51

Grievances Pending*	2020	2019	2018	2017	2016	2015	2014	Total
Voluntary Surrender:								
Conflicts Review Committee:		2						2
ARD:								
Complaint/Hearing:					1			1
Administrative Decertification:								
Total Pending:		2			1			3

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

Resolution of Grievances – June 30, 2020	2020	2019	2018	2017	2016	2015	2014	Total
Dismissal – No Jurisdiction	2							2
Dismissal – No Actionable Conduct								
Dismissal – Insufficient Grievance								
Mediated – Dismissed								
Advisory Letter 507.1								
ARD - Admonishment								
ARD - Reprimand								
ARD - Suspension								
Terminated – Voluntary Surrender								
Terminated – Administrative Decertification								
Terminated – Decertification								
Total Resolved Grievances: June 30, 2020	2							2

Grievance Resolutions	2020	2019	2018	2017	2016	2015	2014	Total
Total Grievances Received	43	77	85	104	104	65	64	542
Dismissal – No Jurisdiction	12	15	22	30	20	13	17	129
Dismissal – No Actionable Conduct	8	28	49	59	55	29	22	250
Dismissal – Insufficient Grievance	1	5	3	1	2		2	14
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		3	3	1	4	13	11	35
Termination – Voluntary Surrender			2	8	15	2	12	39
Termination – Decertification								
Grievances Resolved To Date: 06.30.2020	21	52	82	102	104	65	64	490



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
June 30, 2020

ID	Year Cert.	Open	Year(s) Grievances Received	Status
A	2004	2	2020 (2)	
B	2001	7	2017 (1), 2018 (1), 2019 (5)	
C	2014	4	2017 (1), 2019 (1), 2020 (2)	
D	2018	2	2019 (1), 2020 (1)	
E	2007	3	2019 (2), 2020 (1)	
F	2001	6	2018 (1), 2019 (1), 2020 (4)	
G	2001	2	2019 (1), 2020 (1)	
	2015	3	2020 (3)	
	TOTAL	29		

Of 51 currently open grievances requiring investigation, 29 concern 8 Agencies/CPGs with 2 or more open grievances.

	Year Guardian Certified	# of Guardians
Before UW Certificate Program (56)	2001	3
	2002	
	2003	
	2004	1
	2005	
	2006	
	2007	1
	2008	
	Total	5
UW Certificate Program (79)	2009	
	2010	
	2011	
	2012	
	2013	
	2014	1
	2015	1
	2016	
	2017	
	2018	1
	Total	3

Grievance Status Update July, 2020

Certified Professional Guardians Grievance Status

Month-End

July 31, 2020

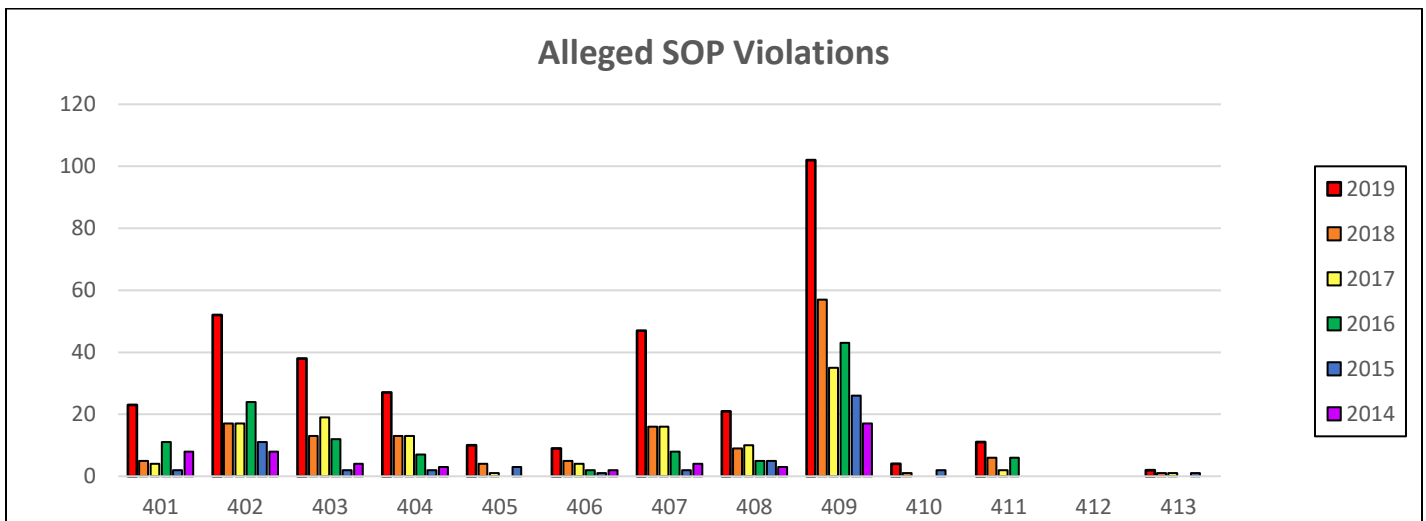
Grievance Status – July 31, 2020	2020	2019	2018	2017	2016	2015	2014	Total
New Grievances Received:	5	0	0	0	0	0	0	10
Grievances Resolved this Month:	[3]	[3]						[6]
Grievances Requiring Investigation*:	24	20	4	2	0	0	0	50

Grievances Pending*	2020	2019	2018	2017	2016	2015	2014	Total
Voluntary Surrender:								
Conflicts Review Committee:		2						2
ARD:								
Complaint/Hearing:					1			1
Administrative Decertification:								
Total Pending:		2			1			3

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

Resolution of Grievances – July 31, 2020	2020	2019	2018	2017	2016	2015	2014	Total
Dismissal – No Jurisdiction	2							2
Dismissal – No Actionable Conduct	1	3						4
Dismissal – Insufficient Grievance								
Mediated – Dismissed								
Advisory Letter 507.1								
ARD - Admonishment								
ARD - Reprimand								
ARD - Suspension								
Terminated – Voluntary Surrender								
Terminated – Administrative Decertification								
Terminated – Decertification								
Total Resolved Grievances: July 31, 2020	3							6

Grievance Resolutions	2020	2019	2018	2017	2016	2015	2014	Total
Total Grievances Received	48	77	85	104	104	65	64	547
Dismissal – No Jurisdiction	14	15	22	30	20	13	17	131
Dismissal – No Actionable Conduct	9	31	49	59	55	29	22	254
Dismissal – Insufficient Grievance	1	5	3	1	2		2	14
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		3	3	1	4	13	11	35
Termination – Voluntary Surrender			2	8	15	2	12	39
Termination – Decertification								
Grievances Resolved To Date: 06.30.2020	24	55	82	102	104	65	64	496



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Pending Grievances Involving Guardians with Multiple Grievances
July 31, 2020

ID	Year Cert.	Open	Year(s) Grievances Received	Status
A	2009	2	2020 (2)	
B	2010	3	2019 (1), 2020 (2)	
C	2004	2	2020 (2)	
D	2016	2	2020 (2)	
E	2001	7	2017 (1), 2018 (1), 2019 (5)	
F	2014	4	2017 (1), 2019 (1), 2020 (2)	
G	2018	2	2019 (1), 2020 (1)	
H	2007	3	2019 (2), 2020 (1)	
I	2001	6	2018 (1), 2019 (1), 2020 (4)	
J	2001	2	2019 (1), 2020 (1)	
K	2015	3	2020 (3)	
	TOTAL	35		

Of 50 currently open grievances requiring investigation, 35 concern 11 Agencies/CPGs with 2 or more open grievances.

	Year Guardian Certified	# of Guardians
Before UW Certificate Program (56)	2001	3
	2002	
	2003	
	2004	1
	2005	
	2006	
	2007	1
	2008	
	Total	5
UW Certificate Program (79)	2009	1
	2010	1
	2011	
	2012	
	2013	
	2014	1
	2015	1
	2016	1
	2017	
	2018	1
	Total	6