



## Certified Professional Guardianship Board

Monday, April 12, 2021

Zoom Meeting

9:00 a.m. – 12:30 p.m.

### Meeting Minutes

#### Members Present

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

#### Staff

Ms. Stacey Johnson  
Ms. Kathy Bowman  
Mr. Christopher Fournier  
Ms. Thai Kien  
Ms. Kay King  
Ms. Heather Lucas  
Ms. Rhonda Scott  
Ms. Eileen Schock  
Ms. Jennifer Holderman  
Ms. Brandy Walker

**Guests** – see list on last page

#### 1. Meeting Called to Order

Judge Rachelle Anderson called the April 12, 2021 Certified Professional Guardianship Board (Board) meeting to order at 9:01 am.

#### 2. Welcome, Roll Call and Approval of Minutes

Judge Anderson welcomed all those present via the Zoom video conference. Hearing no suggested changes or corrections, a motion was made and seconded to approve the minutes of the Board meeting held on March 08, 2021 as written.

Motion: A motion was made and seconded to approve the March 08, 2021 Certified Professional Guardianship Board meeting minutes as written. The motion passed.

#### 3. Chair's Report

Some Board members' terms end in September, including the Chair's. Judge Anderson reminded everyone the Board receives nominations for new members from various stakeholders. Ms. Stacey Johnson has reached out to members who are eligible to serve another term and has heard back from most. She will follow-up with individuals she has not yet heard from to see if they are willing to serve another term. Succession planning will be discussed at the next meeting.

#### **4. Public Comments**

The following members of the public addressed the Board during the public comment period:

Ashlyn Hannus, Neil and Neil (materials included in meeting packet)

Michael Johnson, CPG (materials included in meeting packet)

Glenda Voller, CPG

Karen Newland, CPG

Caroline Wood, DSHS

#### **5. Regulations Committee Report**

Judge Kiesel reported receiving no public comments to the posted changes to the Regulation 100 series. A motion was made and seconded to adopt the Regulation 100 series 100-110.

Motion: A motion was made and seconded to adopt the Regulation 100 series 100-110.  
The motion passed.

Judge Kiesel shared how happy she has been to work with this committee and praised all for the difficult work that has been done. The committee plans to work on series 400 of the regulations, next.

#### **6. Annual Report**

Mr. Chris Fournier spoke to the discrepancy in numbers noted by Ms. Newland and provided a recap of grievances received and resolved in 2020. Judge Blinn asked staff about the timely resolution of complaints, and a general idea for why an investigation is still ongoing from 2017, 2018, 2019. Staff replied that the older open grievances deal with complex issues, some with 16-20 allegations, all requiring investigations. Multiple grievances are being investigated together, in other cases. Staff gave examples of insufficient grievances and grievances where there was no actionable conduct, when asked what constitutes an insufficient grievance. Mr. Dan Smerken asked if all Voluntary Surrenders are counted as a grievance. Staff answered, only if there was an open grievance on file at the time the CPG surrendered their certification.

#### **7. Grievance Status Update**

Ten (10) new grievances have been received, and ten (10) grievances resolved. Thirty four (34) grievances are currently open. Thirteen (13) of these were received in 2020.

#### **8. Question to Board from Attorney Micah Balasbas**

Ms. Eileen Schock introduced the following emailed questions to the Board, received from attorney, Micah Balasbas.

- I. What are the duties of Guardians to assess and inspect placements during this time of COVID restrictions?

As explained in Ms. Balasbas' email (provided in the meeting materials), the issue of the duty of Guardians to assess and inspect has risen because guardians represented by Ms. Balasbas (CPG and lay) are being pressured to move people they represent from

RHCs (Residential Habilitation Centers, including Fircrest and Rainier School) to placements in the community.

- II. What is the duty of the Guardian to maintain a functioning guardianship for the person represented?

Ms. Balasbas relayed in her email that a compounding problem is that many unpaid parent/lay guardians are aging and will be unable to meet the new requirements of the new Uniform Guardianship law, necessitating more persons needing to pay for representation. Statements have been made that placements have been chosen by guardians based on the ability of the person to pay for representation, even when the placement is not in the best interest of the person.

Ms. Balasbas attended the meeting, providing additional information and sharing her concerns with the Board. Members of the Board considered the issues noting that concerns would need to be addressed on a case by case basis and that guardians would need to do their due diligence under the circumstances. It was also noted that a guardian's duty to a client is not contingent on the ability to be paid.

**9. Executive Session (Closed to Public)**

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

On behalf of the Application Committee, Judge Lewis presented the following applications for certification. The Applications Committee abstained.

Motion: A motion was made and seconded to conditionally approve Betty Gall's application, conditioned upon the successful completion of the UW training program, with transferrable skills in social services. Ms. Bethmann abstained. None were opposed. The motion passed.

Motion: A motion was made and seconded to conditionally approve Julianna Julich's application, conditioned upon the successful completion of the alternative training, with transferrable skills in legal. The motion passed.

Motion: A motion was made and seconded to approve Jason Moos' application, with transferrable skills in social services. The motion passed.

Motion: A motion was made and seconded to deny Jacob Tichenor's application, on the basis of insufficient transferrable experience and lack of decision making, on or for the benefit, of others. The motion passed.

Motion: On behalf of the Standards of Practice Committee, Judge Blinn made a motion to approve the ARD and letter of reprimand addressed to Mack Lievense and Theresa Boyle. The motion was seconded. The SOPC and Judge Kiesel abstained. The motion passed.

**11. Wrap Up/Adjourn**

Staff reported that the University of Washington is prepared to resume their training program in the fall. Course content has been distributed to the Education Committee for comment. Ms. Johnson will forward the information to the Board.

The next CPG Board meeting will be held via Zoom on May 10 at 8:00 a.m. With no other business to discuss, the April 12, 2021 Board meeting was adjourned 12:08 p.m.

Motion Summary	Status
Motion: <i>A motion was made and seconded to approve the March 08, 2021 Certified Professional Guardianship Board meeting minutes as written. The motion passed.</i>	Passed
Motion: <i>A motion was made and seconded to adopt the Regulation 100 series 100-110. The motion passed.</i>	Passed
Motion: <i>A motion was made and seconded to conditionally approve Betty Gall's application, conditioned upon the successful completion of the UW training program, with transferrable skills in social services. Roz Bethmann abstained. None were opposed. The motion passed.</i>	Passed
Motion: <i>A motion was made and seconded to approve Jason Moos' application, with transferrable skills in social services. The motion passed.</i>	Passed
Motion: <i>A motion was made and seconded to conditionally approve Julianna Julich's application, conditioned upon the successful completion of the alternative training, with transferrable skills in legal. The motion passed.</i>	Passed
Motion: <i>A motion was made and seconded to deny Jacob Tichenor's application, on the basis of insufficient transferrable experience and lack of decision making, on or for the benefit of others. The motion passed.</i>	Passed
Motion: <i>On behalf of the Standards of Practice Committee, Judge Blinn made a motion to approve the Agreement Regarding Discipline, letter of reprimand, addressed to Mack Lievense and Theresa Boyle. The motion was seconded. The SOPC and Judge Kiesel abstained. The motion passed.</i>	Passed

**Guests Present**

Deborah Jameson  
 Wendy Abercrombie  
 Katlyn Balsam  
 Cheryl Wilcox  
 Neil and Neil  
 Vicki C  
 Ashlyn Hannus

Glenda Voller  
Christopher Fast  
Puget Sound Guardians  
Karen Newland  
Caroline Wood  
Brenda Morales joined 9:14  
Scott Malavotte joined 9:17  
Michael Johnson joined 9:18  
Lily Mello joined 9:26  
Mark Vohr joined 9:52  
Micah Balabas joined 10:15