



## Certified Professional Guardianship Board

Monday, October 11, 2021

Zoom Meeting

9:00 a.m. – 1:30 p.m.

### Meeting Minutes

#### Members Present

Judge Diana Kiesel, Chair  
Judge Grant E. Blinn<sup>1</sup>  
Judge Robert A. Lewis  
Ms. Kristina Hammond  
Ms. Lisa Malpass  
Ms. Melanie Maxwell  
Mr. William P. Reeves  
Dr. K. Penney Sanders  
Mr. Dan Smerken  
Ms. Susan Starrfield  
Ms. Amanda Witthauer  
Dr. Rachel Wrenn

#### Members Absent

#### Staff Present

Ms. Stacey Johnson  
Ms. Kathy Bowman  
Mr. Christopher Fournier  
Ms. Thai Kien  
Ms. Kay King  
Mr. Samar Malik  
Ms. Rhonda Scott  
Ms. Eileen Schock

**Guests: listed on last page**

#### 1. Meeting Called to Order

Judge Diana Kiesel called the October 11, 2021 CPG Board meeting to order at 9:05 a.m.

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

Judge Kiesel welcomed Board members, staff, and members of the public. The Board re-introduced themselves for the benefit of new Board members Kristina Hammond, Melanie Maxwell, and William Reeves. Ms. Hammond joins the Board as an advocate for incapacitated persons, Ms. Maxwell is the Washington State Bar Association's nominated representative, and Mr. Reeves is DSHS's nominated Adult Protective Service representative.

**Motion:** Hearing no suggested changes or corrections, a motion was made and seconded to approve the minutes of the September 13, 2021 CPG Board meeting as written. The motion passed. Ms. Hammond, Ms. Maxwell, and Mr. Reeves abstained.

#### 3. Chair's Report

Judge Kiesel confirmed the Board will meet for two hours on November 8, beginning at 7:00 a.m., and for one hour on December 13, from 8:00 a.m. to 9:00 a.m. The focus of these additional meetings will be on Regulations. Judge Kiesel also announced the Board will be

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<sup>1</sup> Judge Blinn joined the meeting at 9:25 a.m.

meeting each month in 2022, and the Board's 2021-2022 calendar will be updated and redistributed.

#### **4. Presentation of Board Materials**

Staff presented an overview of the Board's bylaws, conflict of interest policy and recusal process. Staff also provided the 2021-2022 Confidentiality Agreement, which must be completed annually by all Board members, and requested the signed agreements be returned to the Office of Guardianship and Elder Services.

#### **5. Grievance Report**

Staff reported there were five (5) new grievances received, and five (5) grievances closed during the month of September. Four (4) grievances were dismissed for no actionable conduct, and one (1) grievance involved a lay guardian and was dismissed for no jurisdiction. There are currently thirty-eight (38) open grievances in investigation status. Twenty-seven (27) of these open grievances concern seven (7) CPGs or CPGAs with two or more grievances.

The Board was asked to provide their input on information to be included in the Grievance Status Report each month. Judge Kiesel said there will be discussion regarding how grievances are reported due to the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGA) and changes in Certified Professional Guardianship Regulations. Staff was asked to include this topic as an agenda item when other Regulations work is completed

#### **6. Regulations Committee**

Judge Kiesel spoke of the Regulations Committee's review of Standards of Practice Regulations 409, 410, 411, 412, 413, 414 and 415. Stakeholders were thanked for the comments received regarding proposed amendments to Regulation 409, Financial Management, and Regulation 409 will be remanded back to the Regulations Committee for continued discussion.

**Motion:** A motion was made and seconded to post for public comment Regulations 410, 411, 412, 413, 414 and 415. The motion passed.

#### **7. Education Committee Discussion**

On behalf of the Education Committee, Dr. Wrenn expressed her concern over the number of Certified Professional Guardians who have elected to voluntarily surrender their certification this year, and suggested the Board survey CPGs about their reasons for leaving the profession. Staff reported that many voluntary surrenders requested in 2021 were by CPGs out of compliance with CEU requirements. Other reasons offered were retirement, illness, or moving out of state. Staff also provided the number of CPG voluntary surrenders over the past several years. Judge Lewis asked if it was known the number of CPGs who have elected to voluntarily surrender certification in lieu of discipline or decertification.

There were several suggestions made by Board members for surveying CPGs, and it was mentioned that CPGs feel they don't have a resource to turn to with questions. Staff reminded the CPG Board of its role under GR23, and it was suggested that WAPG would be a better resource for these matters as AOC cannot provide legal advice.

Judge Kiesel stated she wanted to hold another stakeholder listening session after the first of the year, and a survey of current and recently surrendered CPGs may be a good way to solicit feedback regarding general concerns.

A motion was made and seconded to survey current and recently surrendered guardians about general concerns. The motion did not come to vote.

It was suggested the Education Committee become involved with creating a survey. Judge Lewis reminded the Board that today's discussion was about asking why CPGs have voluntarily surrendered. He also asked the Board to consider what it would do with the information collected.

Judge Kiesel suggested the earlier motion be restated as to have the Education Committee draft a survey to bring back to the Board for further discussion. The motion was seconded. The motion did not come to a vote.

Judge Kiesel asked staff to research available survey tools. Staff asked for clarification if the survey would be sent to only those CPGs who have voluntarily surrendered, or to all CPGs. Judge Kiesel said the Education Committee will determine whether there is one or two surveys. Dr. Wrenn agreed to discuss this at the next Education Committee meeting, but a good survey takes time to write well.

### **8. UW Program Update**

Judge Lewis mentioned the number of applications the Applications Committee reviews each month and suggested looking at what to do with the number of conditionally approved CPGs. If the UW program is completed prior to application, an applicant has two years to become certified. However, if an application is made prior to completing the UW program, it appears the Regulation is silent on how long conditional approval is valid. If too much time passes, background and credit checks must be redone. Judge Kiesel asked staff to review the Regulations to determine how long a conditional approval can remain valid.

### **9. Cultural Competency Discussion**

To increase the Board's diversity, Judge Kiesel asked if the Board wanted to consider adding another position to the Board. Mr. Smerken advocated for including a specialist who could address all competency issues. Judge Blinn agreed there is significant value in diversifying, but that this could be accomplished with the same number of members on the Board, by taking the time to find the desired qualities in the next open position. Staff noted the Board is currently made up of 13 members, with a position for a Judicial Officer currently vacant. The Board can recommend increasing membership to 14 if it wishes. Dr. Wrenn felt a single person cannot be the answer, but that all Board members should have more training on diversity. Dr. Wrenn proposed informally establishing an ongoing Diversity, Equity and Inclusion (DEI) Committee as a good investment by the Board. Judge Kiesel asked Board members who are interested in joining this Committee to let both her and staff know. Dr. Sanders and Ms. Starrfield indicated their interest in joining the DEI Committee.

### **10. Public Comment**

Members of the public were welcomed to speak at this time. There were no printed materials submitted to the Board.

### **11. Executive Session (Closed to the Public)**

### **12. Reconvene and Vote on Executive Session Discussion (Open to the Public)**

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

- Motion:** A motion was made and seconded to deny Douglas Cassidy's application for certification, due to lack of transferrable skills and experience with decision making on behalf of others. Lisa Malpass opposed. The motion passed.
- Motion:** A motion was made and seconded to conditionally approve Kecia Hedgeman's application for certification, conditioned upon completion of the UW Certification Program, with transferrable skills in financial and social services. The motion passed.
- Motion:** A motion was made and seconded to conditionally approve Ann Jones' application for certification, conditioned upon completion of the UW Certification Program, with transferrable skills in social services. The motion passed.
- Motion:** A motion was made and seconded to conditionally approve Marion Maina's application for certification, conditioned upon completion of the UW Certification Program, with transferrable skills in health care. The motion passed.
- Motion:** A motion was made and seconded to conditionally approve Hollie Packer's application for certification, conditioned upon completion of the UW Certification Program, with transferrable skills in social services. The motion passed.
- Motion:** A motion was made and seconded to deny Jane Polinder's application for certification, due to lack of transferrable skills and experience with decision making on behalf of others. Ms. Malpass, Dr. Sanders opposed. The motion passed.
- Motion:** A motion was made and seconded to assemble a three-member Review Panel to hear Mr. Whipple's appeal of administrative decertification for failure to recertify timely. The motion passed.
- Motion:** A motion was made and seconded to allow Meera Shin an extension of the Board's stated CGC test deadline to October 23. Ms. Shin must present a certificate of completion to the Board within three (3) weeks of this deadline. The motion passed.

### 13. Wrap Up/Adjourn

Staff member Christopher Fournier announced he is leaving the Administrative Office of the Courts at the end of the month. Judge Kiesel and the Board thanked him for all his work.

The next Board meeting will be held via Zoom on Monday, November 8, 2021 beginning at 7:00 a.m. With no further business to discuss, the October 11, 2021 CPG Board meeting was adjourned at 1:26 p.m.

### Recap of Motions from October 11, 2021

Motion Summary		Status
<b>Motion:</b>	A motion was made and seconded to approve the minutes of the September 13, 2021 CPG Board meeting. The motion passed. Ms. Hammond, Ms. Maxwell, and Mr. Reeves abstained.	<b>Passed</b>

<b>Motion:</b>	A motion was made and seconded to post for public comment Regulations 410, 411, 412, 413, 414 and 415. The motion passed.	<b>Passed</b>
<b>Motion:</b>	A motion was made and seconded to deny Douglas Cassidy's application for certification, due to lack of transferrable skills and experience with decision making on behalf of others. Lisa Malpass opposed. The motion passed.	<b>Passed</b>
<b>Motion:</b>	A motion was made and seconded to conditionally approve Kecia Hedgeman's application for certification, conditioned upon completion of the UW Certification Program, with transferrable skills in financial and social services. The motion passed.	<b>Passed</b>
<b>Motion:</b>	A motion was made and seconded to conditionally approve Ann Jones' application for certification, conditioned upon completion of the UW Certification Program, with transferrable skills in social services. The motion passed.	<b>Passed</b>
<b>Motion:</b>	A motion was made and seconded to conditionally approve Marion Maina's application for certification, conditioned upon completion of the UW Certification Program, with transferrable skills in health care. The motion passed.	<b>Passed</b>
<b>Motion:</b>	A motion was made and seconded to conditionally approve Hollie Packer's application for certification, conditioned upon completion of the UW Certification Program, with transferrable skills in social services. The motion passed.	<b>Passed</b>
<b>Motion:</b>	A motion was made and seconded to deny Jane Polinder's application for certification, due to lack of transferrable skills and experience with decision making on behalf of others. Ms. Malpass, Dr. Sanders opposed. The motion passed.	<b>Passed</b>
<b>Motion:</b>	A motion was made and seconded to assemble a three-member Review Panel to hear Mr. Whipple's appeal of administrative decertification for failure to recertify. The motion passed.	<b>Passed</b>
<b>Motion:</b>	A motion was made and seconded to allow Meera Shin an extension of the Board's stated CGC test deadline to October 23. Ms. Shin must present a certificate of completion to the Board within three (3) weeks of this deadline. The motion passed.	<b>Passed</b>

**Guests:**

Amber Collins  
Heather Lucas  
Melissa's ipad  
Glenda Voller

Neil and Neil  
Puget Sound Guardians  
Mark Vohr  
Pete Brulla  
Scott Malavotte  
Ashley Allen  
Lisa Petersen  
Brenda Morales