



Certified Professional Guardianship and Conservatorship Board

Monday, April 11, 2022
Zoom Meeting
9:00 a.m. – 1:00 p.m.

MEETING MINUTES	
Members Present	Members Absent
Judge Diana Kiesel, Chair	Commissioner Cadine Ferguson-Brown
Judge Grant Blinn ¹	
Judge Robert Lewis	
Ms. Kristina Hammond	
Ms. Lisa Malpass ²	Staff Present
Ms. Melanie Maxwell	Ms. Stacey Johnson
Mr. William Reeves	Mr. Christopher Stanley
Dr. K. Penney Sanders	Ms. Kathy Bowman
Mr. Dan Smerken	Ms. Thai Kien
Ms. Susie Starrfield	Mr. Samar Malik
Ms. Amanda Witthauer	Ms. Maureen Roberts
Dr. Rachel Wrenn ³	Ms. Sherri White

Guests – See last page

1. Meeting Called to Order

Judge Diana Kiesel called the April 11, 2022 Certified Professional Guardianship and Conservatorship Board meeting to order at 9:04 a.m.

2. Welcome, Roll Call & Approval of Minutes

Judge Kiesel welcomed all present.

Motion: A motion was made and seconded to approve the March 14, 2022 Board meeting minutes as written. The motion passed.

3. Chair’s Report

The Standards of Practice Committee must meet constantly to process incoming grievances. Board members were reminded to review posted grievance materials over the weekend prior to Board meetings.

Board Committees will begin posting their meeting minutes to the Guardian Portal website once AOC has that system in place. Until then, Stakeholders were encouraged to contact Stacey Johnson for meeting minutes if desired.

¹ Judge Blinn joined the meeting at 9:17 a.m.
² Ms. Malpass joined the meeting at 9:09 a.m.
³ Dr. Wrenn joined the meeting at 9:06 a.m.

Meetings planned with the Diversity, Equity and Inclusion (DEI) Committee and University of Washington Continuum College have been rescheduled. Updates will be provided at the next Board meeting.

Stakeholders have been encouraged to reach out to address the Board quarterly at the longer meetings.

4. Staff Update

Stacey Johnson gave an update on current staff and the committees they support. Sherrie White staffs the Applications Committee, Rhonda Scott staffs the Standards of Practice Committee, Kay King staffs the Regulations Committee and Linda Vass staffs the DEI and Education Committees.

Ms. Johnson reported numerous updates have been made to the Guardianship Portal website, and fact sheets have been created regarding the UGA. Pattern Forms have been updated, and a new system has been put in place for tracking grievances under the UGA timeline.

The Adult Lay Guardian training has been updated, and is now also available in Spanish.

Between 50-100 inquiries monthly are answered by staff. Many of these inquiries are received from Lay Guardians regarding changes brought by the new law.

Staff has been working from home now for two full years due to COVID, resulting in increased efficiencies including a big shift towards electronic documentation from paper. AOC Leadership plans to have some staff begin returning to the office as early as June.

5. Public Comments

Stakeholders and members of the public were invited to address the Board at this time. There were none wishing to speak.

6. Grievance Report

Staff provided a brief overview of the 2021 Certified Professional Guardianship Board's Annual Report, which has been posted to the Guardian Portal website. Staff also reviewed the status of grievances at month-end March 2022.

Staff was asked the number of currently active Certified Professional Guardians, which is 258 individuals.

7. Mr. Mark Vohr on behalf of WAPG

Mr. Mark Vohr introduced himself as president of Washington Association of Professional Guardians (WAPG) and said WAPG appreciated the inclusion of its input on recent changes to Regulation 400 Standards of Practice. WAPG provides trainings for Certified Professional Guardians and Conservators, and Mr. Vohr suggested if WAPG's trainings are attended, a CPGC can complete all Continuing Education Requirements under Regulation 200. Mr. Vohr said he also mentors members of WAPG

via a listserv. WAPG has plans to produce a weekly webinar with topic speakers and CPGs will be encouraged to bring questions and concerns, as there are CPGs out there with more experience than the Board. WAPG is a guest lecturer at the UW Certificate Program. WAPG lobbies the legislature and participated as a stakeholder bringing the UGA into being. Everything is getting a lot better with the UGA, and less restrictive alternatives is a major component of the UGA. Mr. Vohr was also involved in the production of new forms. Mr. Vohr and Judge Kiesel have discussed a mentorship program, and while WAPG is hugely supportive, it doesn't have the "horsepower" to manage that. There is concern of liability for members of WAPG, and there has not been membership from WAPG interested in pursuing a mentorship program.

Judge Kiesel asked Mr. Vohr if WAPG is still providing webinars and seminars rather than one-on-one training. Mr. Vohr answered WAPG and other organizations run by professional guardians are putting on regular trainings for professional guardians. Those trainings are comprehensive and approved for credit by the board. Together, these trainings provide for a majority of the training opportunities for professional guardians and are very effective and informative. Consequently, professional guardians have a long track record of providing excellent trainings to professional guardians. When we turn to the context of whether CPGs should also serve as individual mentors, the concern would be that the quality of a mentorship program depend greatly on the quality of the mentors. A person may be a very good CPG, but may not be a good individual mentor. Any mentorship program hoping to be successful, would need a mechanism for selecting, guiding and training mentors. WAPG does not have the staffing to perform that function.

Judge Kiesel next asked about the membership at WAPG and how do non-members tap the wealth of knowledge. What is WAPG's outreach? Mr. Vohr answered there are currently 80 members. Jamie Shirley and Malinda Frey at the UW Certificate program do give WAPG a spot every year to speak to students, and WAPG tries to reduce the barriers to membership by keeping the membership fee low. WAPG does not reach out to CPGs, they are expected to contact WAPG if interested.

Dr. Sanders asked Mr. Vohr if WAPG is doing anything to work with insurance carriers, such as Dominion, Lloyds of London, as this is very expensive. Dr. Sanders said some carriers have eliminated coverage for medical decision making, including for less-restrictive alternatives, such as power of attorney. Mr. Vohr answered WAPG is not currently looking at issues around insurance, but agreed it would be a good idea for WAPG to get behind this, and that issues around death with dignity adds a layer of complexity to insurance and exposure to liability.

WAPG wants to participate and be present in what the Board is doing. The elephant in the room is that the relationship with the Board has been contentious in the past and Mr. Vohr wants to improve that relationship. WAPG recognizes the Board's hard work in relation to changes brought by the UGA. Mr. Vohr proposed the idea of having professional guardians participate on the committee level as ad-hoc and non-voting. Mr. Vohr said he was surprised that no one from WAPG was involved in writing the Lay Guardian training, as WAPG has something to contribute. Mr. Vohr asked the Board if it feels it has any role in supporting professional guardians. Judge Kiesel replied the Board follows GR 23, Regulations, etc. and has attempted to make the Board more accessible to CPGs, such as including comments submitted by CPGs. Mr. Smerken said the Board's role is very explicitly set out in GR 23 and he does not believe the Board has any role with lay guardians. Mr. Vohr commented that past staff to the Board included

his input. As president of WAPG he has to “dig” people out from past experiences with the Board.

Judge Lewis remarked that WAPG’s proposed participation on Board Committees, such as Applications or Standards of Practice would not be appropriate. However, if WAPG is interested in becoming involved with Education, DEI or Regulations Committees, it is welcome to submit public comments. Mr. Vohr believes there is precedent for involving WAPG in committees, as he has personally been asked to join a Conflicts Review Committee panel in the past.

Ms. Malpass said CPGs are welcome to participate on the Education Committee, and she has been a big fan of WAPG both personally and professionally. As a lawyer, she strives to remain objective, but informally, her experience is that at every committee meeting she has attended, the Board has shown great respect for CPGs in Washington State.

Mr. Vohr maintains that WAPG has so much experience to contribute to the Board and they can maintain confidentiality if they can participate in the Board’s work, and challenged the objectivity of the Board, focusing on the “feet on the ground” expertise of CPGs. WAPG wishes to help the Board, and even those CPGs who are not members of WAPG, by being involved at the committee level. He again mentioned working with previous staff. Judge Kiesel observed that it is interesting that CPGs are taking a more critical look at their profession.

Staff thanked Mr. Vohr for his presentation to the Board. Staff reminded Mr. Vohr that while the Board was not involved in producing the Lay Guardian training, this training was not updated in a vacuum. It was updated by the training coordinator and reviewed by the Superior Court Judges’ Association’s Guardianship and Probate Committee. Mr. Vohr gave a shout out to the training coordinator for all the hard work accomplished, however, in the past, Elder Law had been given an opportunity to be involved in producing Lay Guardian training. Staff noted that there were time constraints on making the training available and invited anyone who wishes to provide comments on the training to please submit their input. The Lay Guardian Training is on a new platform and easy to update and edit.

8. Executive Session (Closed to Public)

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

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

Motion: A motion was made and seconded to conditionally approve Jayson Hills’ application for certification, conditioned on the completion of mandatory training, with transferable skills in social services. The motion passed.

Motion: A motion was made and seconded to deny Emily McCarty’s application for certification, for insufficient transferable experience. Mr. Reeves opposed. The motion passed.

Motion: A motion was made and seconded to conditionally approve Kevin Wanjohi’s application for certification, conditioned on the completion of

mandatory training, with transferable skills in social services and health care. The motion passed.

On behalf of the Standards of Practice Committee, Judge Grant Blinn presented the following grievances for Board action. Members of the Standards of Practice Committee abstained.

Motion: A motion was made and seconded to refer grievance 2022-023 to Board staff for further investigation. The motion passed.

Motion: A motion was made and seconded to dismiss grievance 2022-024 for no jurisdiction. The motion passed.

Motion: A motion was made and seconded to forward complete grievance 2022-025 to the Superior Court. The motion passed.

Motion: A motion was made and seconded to forward complete grievance 2022-026 to the Superior Court. The motion passed.

Motion: A motion was made and seconded to dismiss grievance 2022-027 as incomplete. Judge Lewis opposed. The motion passed.

Motion: A motion was made and seconded to dismiss grievance 2022-028 for no jurisdiction. The motion passed.

Motion: A motion was made and seconded to forward complete grievance 2022-029 to the Superior Court. The motion passed.

Motion: A motion was made and seconded to forward complete grievance 2022-030 to the Superior Court. The motion passed.

Motion: A motion was made and seconded to forward complete grievance 2022-031 to the Superior Court. The motion passed.

Motion: A motion was made and seconded to dismiss grievance 2022-032 for no jurisdiction. The motion passed.

10. Wrap Up/Adjourn

With no other business to discuss, the April 11, 2022 CPGC Board meeting was adjourned at 12:10 p.m. The next Board meeting will take place via Zoom teleconference on Monday, May 9, 2022 beginning at 8:00 a.m.

Recap of Motions:

MOTION SUMMARY		STATUS
Motion:	A motion was made and seconded to approve the minutes of the March 14, 2022 Board meeting as written.	Passed
Motion:	A motion was made and seconded to conditionally approve Jayson Hills' application for certification, conditioned on the completion of mandatory training, with transferable skills in social services	Passed

Motion:	A motion was made and seconded to deny Emily McCarty's application for certification, for insufficient transferable experience. Mr. Reeves opposed.	Passed
Motion:	A motion was made and seconded to conditionally approve Kevin Wanjohi's application for certification, conditioned on the completion of mandatory training, with transferable skills in social services and health care.	Passed
Motion:	A motion was made and seconded to refer grievance 2022-023 to Board staff for further investigation.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-024 for no jurisdiction.	Passed
Motion:	A motion was made and seconded to forward complete grievance 2022-025 to the Superior Court	Passed
Motion:	A motion was made and seconded to forward complete grievance 2022-026 to the Superior Court.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-027 as incomplete. Judge Lewis opposed.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-028 for no jurisdiction.	Passed
Motion:	A motion was made and seconded to forward complete grievance 2022-029 to the Superior Court.	Passed
Motion:	A motion was made and seconded to forward complete grievance 2022-030 to the Superior Court.	Passed
Motion:	A motion was made and seconded to forward complete grievance 2022-031 to the Superior Court.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-032 for no jurisdiction.	Passed

Guests:

Brenda Morales
Chris Neil
Clif Messerschmidt
Deborah Jameson
Denise Meador
Glenda Voller
Jan Low
Jenifer Mick
Karen Klem
Mark Vohr
Mary Shobe
Neil & Neil
Puget Sound Guardians
Samantha Hellwig
Scott Malavotte