

Meeting Minutes

April 11, 2022



Certified Professional Guardianship and Conservatorship Board

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

DRAFT 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. CPGs are training CPGs. These are good intentions, but inadequate mentors. 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

Grievance Report
April 2022

Certified Professional Guardians and Conservators

Grievance Status

April 30, 2022

New Grievances Received in April, 2022	9
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Total Grievances Received in 2022	41
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2022 Grievances Dismissed by Board	14
No Jurisdiction (GAL/Lay)	4
Incomplete - Missing Signature/Date/Detail	10
Other	

2022 Complete Grievances Forwarded to Court	17
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2022 Grievances Assigned for Investigation	1
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Active CPGCs: 257

Pre-2022 Grievance Status – April 2022	2021	2020	2019	2018	2017	2016	Total
Grievances Resolved this Month:							
Grievances Remaining Requiring Investigation*:	28	4	2	1	0	0	35

Pre-2022 Grievances Pending*	2021	2020	2019	2018	2017	2016	Total
Voluntary Surrender/Litigation:							
Conflicts Review Committee:	2						2
ARD:			3				3
Forward to Court:		2				1	3
Complaint/Hearing:							
Administrative Decertification:							
Total Pending:	2	2	3			1	8

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

Resolution of Pre-2022 Grievances – April 2022	2021	2020	2019	2018	2017	2016	Total
Dismissal – No Jurisdiction							
Dismissal – No Actionable Conduct							
Dismissal - Administrative	1						1
Dismissal – Insufficient Grievance							
Mediated – Dismissed							
Advisory Letter 507.1							
ARD - Admonishment							
ARD - Reprimand							
ARD - Suspension							
Terminated – Voluntary Surrender							
Terminated – Administrative Decertification							
Terminated – Decertification							
TOTAL GRIEVANCES RESOLVED APRIL 2022	1						1

	2021	2020	2019	2018	2017	2016	Total
Total Grievances Received by Year	95	80	77	85	104	104	545
Dismissal – No Jurisdiction	9	21	15	22	30	20	117
Dismissal – No Actionable Conduct	46	41	39	51	60	55	292
Dismissal - Miscellaneous		1					1
Dismissal – Insufficient Grievance	6	6	5	3	1	2	23
Mediated – Dismissed							
Advisory Letter 507.1		2	5	3	2	4	16
ARD - Admonishment							
ARD – Reprimand		1		1	1	4	7
ARD - Suspension							
Termination – CPG Death							
Termination – Administrative Decertification	4	1	3	1	1	3	13
Termination – Voluntary Surrender			1	2	8	15	26
Termination – Decertification			5	1	1		7
Total Pre-2022 Grievances Resolved:	65	73	73	84	104	103	502

Guardians/Agencies with Multiple Grievances
April 2022

ID	Year Cert.	Unresolved Grievances	Year(s) Grievances Received
A	2015	3	2021 (1), 2022 (2)
B	2012	3	2022 (3)
C	2009	3	2021 (3)
D	2001	2	2016 (1), 2022 (1)
E	2015	2	2021 (2)
F	2016	8	2021 (5), 2022 (3)
G	2014	5	2019 (1), 2020 (2), 2021 (2)
H	2014	2	2022 (2)
I	2011	3	2021 (3)
J	2007	4	2019 (2), 2020 (1), 2021 (1)
K	2002	2	2021 (2)
L	2001	6	2018 (1), 2019 (1), 2020 (4)
M	2011	2	2021 (1), 2022 (1)
N	2001	3	2022 (3)
O	2006	3	2021 (2), 2022 (1)
P	2018	4	2022 (4)
		55	

Of the 62 currently unresolved grievances, 55 concern 16 Agencies/CPGs with 2 or more open grievances.

Regulations Committee
Board Consideration of Approval of
Regulation 103

Guardianship and Conservatorship Program Regulations

103 Qualifications

103.1 The certification qualifications are set out in General Rule 23, Rule for Certifying Professional Guardian and Conservators. Successful individual applicants must meet or exceed those requirements.

103.2 All individual applicants must complete an approved CPGC training course as described in Section 108.

103.3 Pursuant to the timeline¹ established by the Administrative Office of the Courts (AOC), an individual applicant must submit a complete application packet to the AOC which shall include the following:

103.3.1 A fully completed CPGC online application form. The applicant should keep a copy of the completed application.

103.3.2 A separate official transcript, received in a sealed envelope mailed from every accredited college and university attended. For a high school diploma, a copy of the diploma issued by the school district, private school or community or technical college. For GED Certificates, a copy of the Certificate issued by the GED® Testing Service.

103.3.3 Proof of each relevant professional license or certification currently held.

103.3.4 A fingerprint card that has been processed and obtained by a Board approved process.

103.3.5 A completed, signed Authorization and Release of Information.

¹The timeline for application submissions and approvals can be found on the Certified Professional Guardianship and Conservatorship Board's web site: www.courts.wa.gov/programs_orgs/guardian/

103.3.6 A declaration submitted under penalty of perjury, that the guardian and conservator shall exercise reasonable care, skill, and caution in ensuring a background check is conducted on their own employees, their agents, and any employees of those agents, prior to those persons providing direct services to the individual subject to a guardianship or conservatorship.

When determining the scope of a background check, the guardian or conservator should consider the abilities and vulnerabilities of the protected person and the specific task(s) that the employee or agent are being delegated.

A background must include a criminal history check utilizing public or proprietary databases ²that are available to the public.

² Examples of public or proprietary databases include, but are not limited to, the Washington State Patrol's "Washington Access to Criminal History" (WATCH), Superior Court databases (Odyssey, LINX, ECR Online), Department of Social and Health Services Public Disclosure Office, and the Federal Bureau of Investigations Identity History Summary Check (IdHSC).

Additionally, a background check should include a check of public or proprietary databases that report substantiated findings of abuse, neglect, or exploitation of a vulnerable adult.

When engaging licensed agencies that are required by law or regulation to obtain background checks on their employees, the guardian and conservator may rely on the declaration of the agency that they comply with State background check requirements.

103.3.7 A non-refundable application fee as identified on the Fees and Filing Requirements Table.

103.3.8 A personal credit report obtained from a Board approved credit reporting agency.

103.3.9 If an individual has declared bankruptcy in the seven (7) years prior to his or her application, the applicant must provide copies of the following documents: bankruptcy petition, discharge order, and a copy of the bankruptcy case docket.

103.3.10 A sworn statement that he/she has read and agrees to abide by the continuing disclosure requirements of GR 23 and all other requirements imposed by rule, regulation or statute for CPGCs.

103.4 An agency applicant must provide:

103.4.1 A fully completed CPGC agency on-line application. The applicant should keep a copy of the completed application.

103.4.2 A copy of the formation documents of the legal entity.

103.4.3 A declaration submitted under penalty of perjury that it shall

- (a) exercise reasonable care, skill, and caution in ensuring a background check is conducted on its own employees, its agents, and any employees of those agents, board members, or anyone formally associated with the agency entity, prior to those persons providing direct services to the individual subject to a guardianship or conservatorship, and ensure that all officers and directors meet the qualifications of Chapter 11.130 RCW for guardian and conservators.

When determining the scope of a background check, the CPGC agency should consider the abilities and vulnerabilities of the protected person and the specific task(s) that the employee or agent are being delegated.

A background must include a criminal history check utilizing public or proprietary databases ³that are available to the public.

³ Examples of public or proprietary databases include the Washington State Patrol's "Washington Access to Criminal History" (WATCH), Superior Court databases (Odyssey, LINX, ECR Online), Department of Social and Health Services Public Disclosure Office, and the Federal Bureau of Investigations Identity History Summary Check (IdHSC).

Additionally, a background check should include a check of public or proprietary databases that report substantiated findings of abuse, neglect, or exploitation of a vulnerable adult.

When engaging licensed agencies that are required by law or regulation to obtain background checks on their employees, the CPGC agency may rely on the declaration of the licensed agency that they comply with State background check requirements

103.4.4 The names of the agency's current board of directors, members, managers, owners, and/or its officers.

103.4.5 A list identifying all CPGCs at the agency (a minimum of two are required), and a copy of either meeting minutes or a board resolution identifying the designated CPGCs. The designated CPGCs shall submit the Acceptance of Designated CPGC form.

103.4.6 A non-refundable application fee as identified on the Fees and Filing Requirements Table.

103.4.7 A sworn statement that they have read and agree to abide by the continuing disclosure requirements of GR 23 and all other requirements imposed by rule, regulation or statute for CPGCs.

From: [Krista Milhofer](#)
To: [AOC DL - Guardianship Program](#)
Subject: proposed regulation changes
Date: Thursday, March 24, 2022 4:01:29 PM

External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Hello,

I am deeply concerned with the regulation changes being implemented during the past quarter. These moves represents a bend toward corruption within the guardianship system.

A good guardian knows the person. This happens through frequent contact. Annual contact is not acceptable.

A good guardian accepts oversight and input. This can only happen through diverse stakeholders which include people who understand what it is to have a guardian. Guardians can not supervise and regulate themselves.

A good guardian brings in help as needed, for themselves and the person they look after. A high school diploma does not represent any reflection on a person's abilities, only uses a measure rooted in abilism to exclude them.

The trend over the past few months is disturbing. Guardianship is to be based on the individual and none of the changes represent that.

Sincerely,

Krista Milhofer

A self-advocate that cares about civil rights and person centered supports.

From: [Eric Matthes](#)
To: [Krista Milhofer](#)
Cc: [AOC DL - Guardianship Program](#)
Subject: Re: proposed regulation changes
Date: Thursday, March 24, 2022 4:14:36 PM

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I agree with you.

On Thu, Mar 24, 2022 at 4:01 PM Krista Milhofer <krista@pfow.org> wrote:

Hello,

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The trend over the past few months is disturbing. Guardianship is to be based on the individual and none of the changes represent that.

Sincerely,

Krista Milhofer

A self-advocate that cares about civil rights and person centered supports.

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Chapter President/Region 4 Rep
Eric Matthes

Regulations Committee
Board Consideration of Publication for Notice and Comment
Regulation 708

Guardianship and Conservatorship Program Regulations

708 ~~Voluntary Surrender~~Retirement or Resignation and Termination of Certification

708.1 ~~Prior to retirement or resignation from practice, A~~a CPGC or Agency ~~may voluntarily surrender certification by shall~~ notifying the Board, in writing, ~~of the date of their intended resignation or retirement and request that their CPGC certification be terminated~~the surrender is to be effective and by complying with the requirements of this regulation. In order for the termination of certification to be approved, the CPGC or Agency must meet all requirements defined in Section 708.1 and 708.2. Staff of the AOC staff is are authorized to grant ~~voluntarily surrender status termination to of a CPGC's (or Agency's) certification that qualify under meet~~ these Regulations. AOC ~~s~~Staff denials to voluntarily surrender status request must be of termination of the CPGC's (or Agency's) certification will be reviewed and approved- for approval by the Certification and Application Committee.

708.2 The ~~surrender of request for termination of~~ certification shall ~~not~~ be effective ~~until~~ when the CPGC or Agency has met the following requirements:

708.2.1 Complied with all statutory and court-ordered requirements for discharge from responsibilities as a guardian or conservator in each case in which the CPGC or Agency has been appointed, ~~with the exception that a guardian and conservator who is not a member of the individual's family and who charges fees for carrying out the duties of court-appointed guardian or conservator may retain guardianship and/or conservatorship over two individuals in compliance with the definition of "Professional guardian or conservator."~~ RCW 11.130.010 (26);

708.2.2 Filed with the Board an affidavit or declaration signed under penalty of perjury stating:

708.2.2.1 Compliance with these requirements.

708.2.2.2 The address where communications may be directed to the former CPGC or Agency, and acknowledging a requirement to keep their address current with the AOC for 36 months following ~~surrender~~ the termination of certification.

708.2.2.3 That after ~~surrender~~ the termination of certification, the former CPGC or Agency shall ~~not accept any new clients or engage in work as a CPGC or Agency unless recertified following the rules and regulations applicable to new applicants~~ comply with

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the definition of “Professional guardian or conservator”. [RCW 11.130.010 \(26\)](#)

708.2.3 The CPGC or Agency shall file the affidavit or declaration required by this regulation within sixty (60) calendar days of the date of the written notice to the Board of the intent to retire or resign and surrender request termination of their CPGC or Agency-certification.

708.3 Failure to file the affidavit or declaration required by this regulation or failure to comply with other statutory or court-ordered requirements regarding discharge from responsibilities as a guardian or conservator shall subject the CPGC or Agency to revocation of certification.

708.4 The CPGC or Agency may revoke the notice of intent to ~~surrender~~ terminate their certification by notifying the Board in writing.