

# Meeting Minutes

## June 12, 2023



# Certified Professional Guardianship and Conservatorship Board

Monday, June 12, 2023

Zoom Meeting

9:00 a.m. – 11:00 a.m.

## MEETING MINUTES

### Members Present

Judge Diana Kiesel, Chair  
Judge Cadine Ferguson-Brown  
Judge Robert Lewis  
Ms. Lynda Clark  
Ms. Kristina Hammond<sup>1</sup>  
Ms. Lisa Malpass  
Mr. William Reeves  
Dr. K. Penney Sanders  
Mr. Dan Smerken  
Ms. Anita Souza<sup>2</sup>  
Ms. Susie Starrfield

### Members Absent

Judge Grant Blinn  
Ms. Melanie Maxwell

### Staff Present

Ms. Stacey Johnson  
Ms. Kathy Bowman  
Ms. Thai Kien  
Ms. Kay King  
Mr. Samar Malik  
Ms. Maureen Roberts  
Ms. Rhonda Scott  
Ms. Linda Vass  
Ms. Sherri White

**Guests** – See last page

### 1. Meeting Called to Order

Judge Diana Kiesel called the June 12, 2023 Certified Professional Guardianship and Conservatorship Board meeting to order at 9:01 a.m.

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

Judge Kiesel welcomed all present.

Motion: It was moved and seconded to approve the May 8, 2023 Board meeting minutes.  
The motion passed.

### 3. Chair's Report

Judge Kiesel began with an update on the Bylaws Committee which has been very busy coming up with a new draft to present to the board. Judge Kiesel hopes to have a draft in place by the next Board meeting.

Judge Kiesel's term on the Board expires in September and she noted the need for a new judicial officer to serve on the Board. Judge Kiesel hopes that judicial officers from Eastern WA will apply for the vacant position.

<sup>1</sup> Dr Anita Souza joined at 9:02 am.

<sup>2</sup> Kristina Hammond joined at 9:45 am.

#### **4. Public Comment Period**

Chris Neil delivered a brief presentation on guardianship filings in relation to Washington State's population, noting that guardianship filings have not increased or decreased but have remained steady despite a large increase in population.

Deborah Jameson suggested that the Board update the conflict and recusal policy to be clearer and more concise, similar to the Washington State Bar Association (WSBA) policy.

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

On behalf of the Regulations Committee, Mr. Smerken presented suggested changes to the voluntary surrender regulation (Regulation 708) for the Board's consideration. Discussion centered on word choice regarding "retirement" and "resignation" as describing reasons for voluntary surrender.

Motion: It was moved and seconded to send out the suggested amendments to the regulation for public comment. The motion passed.

On behalf of the Regulations Committee, Mr. Smerken suggested that the Board withdraw a suggested change to General Rule (GR) 23 as it is redundant in light of the Board's adoption of Regulation 007 regarding open meetings. Ms. Johnson clarified that the suggestion had never formally been submitted based on conversations with Justice Yu.

Motion: It was moved and seconded to send a clarification letter to the Supreme Court that the Board will not be submitting any suggested changes to GR 23 on this issue. The motion passed.

Ms. King presented a refresher training for Board members covering the GR 23 provision on conflicts of interest, Bylaws provisions on conflicts of interest, and the various sections of the Board's Recusal Policy.

#### **6. Grievance Report**

Ms. Scott reported six (6) grievances were received during the month of May. At May's meeting, the Board dismissed two (2) grievance and forwarded five (5) grievances to superior court. A total forty (40) grievances are currently unresolved. Currently, there are two hundred fifty-one (251) active CPGCs.

#### **7. Executive Session (Closed to Public)**

##### **Reconvene (Open to Public)**

#### **8. Vote on Executive Session Discussion**

On behalf of the Standards of Practice Committee, Dr. Penney Sanders presented the following grievances for Board action. Members of the Standards of Practice Committee abstained.

Motion: It was moved and seconded to dismiss grievance 2023-024 as incomplete for lack of information. The motion passed.

Motion: It was moved and seconded to forward complete grievance 2023-025 to court. The motion passed.

- Motion: It was moved and seconded to forward complete grievance 2023-026 to court. The motion passed.
- Motion: It was moved and seconded to dismiss grievance 2023-027 based on findings received from superior court. The motion passed.
- Motion: It was moved and seconded to forward complete grievance 2023-028 to court. The motion passed.
- Motion: It was moved and seconded to dismiss grievance 2022-043 based on findings received from superior court. The motion passed.
- Motion: It was moved and seconded to dismiss grievance 2022-065 based on findings received from superior court. The motion passed.
- Motion: It was moved and seconded to dismiss grievance 2023-006 based on findings received from superior court. The motion passed.

**9. Wrap Up/Adjourn**

With no other business to discuss, the June 12, 2023 CPGC Board meeting was adjourned at 10:50 a.m. The next Board meeting will take place via Zoom on July 10, 2023 beginning at 7:30 a.m..

**Recap of Motions:**

<b>MOTION SUMMARY</b>		<b>STATUS</b>
Motion:	It was moved and seconded to approve the minutes of the May 8, 2023 Board meeting.	Passed
Motion:	It was moved and seconded to send out the suggested amendments to the regulation for public comment.	Passed
Motion:	It was moved and seconded to send a clarification letter to the Supreme Court that the Board will not be submitting any suggested changes to GR 23 on this issue.	Passed
Motion:	It was moved and seconded to dismiss grievance 2023-024 as incomplete for lack of information.	Passed
Motion:	It was moved and seconded to forward complete grievance 2023-025 to court.	Passed
Motion:	It was moved and seconded to forward complete grievance 2023-026 to court.	Passed
Motion:	It was moved and seconded to dismiss grievance 2023-027 based on findings received from superior court.	Passed
Motion:	It was moved and seconded to forward complete grievance 2023-028 to court.	Passed
Motion:	It was moved and seconded to dismiss grievance 2022-043 based on findings received from superior court.	Passed
Motion:	It was moved and seconded to dismiss grievance 2022-065 based on findings received from superior court.	Passed
Motion:	It was moved and seconded to dismiss grievance 2023-006 based on findings received from superior court.	Passed

**Guests:**

Samantha Hellwig (AAG)

Brenda Morales

Katlyn Balsam  
Denise Meador  
Deborah Jameson  
Christopher Fast  
Glenda Voller  
Channa Copeland

Chris Neil  
Sarah Tremblay  
Karen Newland  
Scott Malavotte  
Tracy Raymond

DRAFT

# Grievance Report

## June 2023

**Certified Professional Guardian and Conservator  
Grievance Status  
June, 2023**

<b>New Grievances Received in June 2023:</b>	<b>3</b>
<b>2023 Grievances Dismissed by Board on June 12, 2023:</b>	<b>3</b>
<b>2023 Grievances Forwarded to Superior Court on June 12, 2023:</b>	<b>3</b>

	<b>2022</b>	<b>2023</b>
<b>Total Grievances Received:</b>	<b>75</b>	<b>31</b>
<b>Total Grievances Dismissed: No Jurisdiction, Insufficient Grievance</b>	<b>30</b>	<b>8</b>
<b>Total Grievances Forwarded to Superior Court:</b>	<b>39</b>	<b>18</b>
<b>Total Grievances Dismissed Following Court Order:</b>	<b>32</b>	<b>3</b>
<b>Total Grievances Dismissed Following Investigation:</b>	<b>2</b>	<b>0</b>
<b>Total Grievances Open Pending CRC Review:</b>	<b>1</b>	<b>0</b>
<b>Total Grievances Open Pending Investigation:</b>	<b>3</b>	<b>1</b>

Please note that the numbers reported in this section will not necessarily be equal to the total number of grievances received; this is due to the timing of when new grievances are received and in process of review by the Board.

**Active CPGCs: 247**

### Grievances Pre-UGA

<b>Pre-UGA Grievance Status</b>	<b>2021</b>
Grievances Resolved this Month:	<b>0</b>
Total Grievances Requiring Investigation:	<b>7</b>

Resolution of Pre-UGA Grievances	2021
Total Grievances Received by Year	95
Dismissal No Jurisdiction	9
Dismissal No Actionable Conduct	65
Dismissal Insufficient Grievance	7
Dismissal Administrative	2
Advisory Letter	1
Termination – Administrative Decertification	4
Total 2021 Grievances Resolved:	88

### Guardians/Agencies with Multiple Grievances June 2023

ID	Year Cert.	Unresolved Grievances	Year(s) Grievances Received
A	2015	2	2022 (1), 2023 (1)
B	2009	2	2021 (2)
C	2016	8	2022 (5), 2023, (3)
D	2021	2	2022 (2)
E	2007	2	2023 (2)
F	2006	4	2021 (2), 2023 (2)
G	2017	2	2023 (2)
H	2011	2	2022 (1), 2023 (1)
<b>TOTAL</b>		<b>24</b>	

Of the 38 currently unresolved grievances, 24 involve 8 Certified Professional Guardians and Conservators or Agencies with 2 or more grievances.



## Bylaws Committee

- Bylaws
- Communication Plan

# Certified Professional Guardianship and Conservatorship Board BYLAWS

## **ARTICLE I: Certified Professional Guardianship and Conservatorship Board (Board)**

### **ARTICLE II: Purpose**

~~January 25, 2000, t~~he Supreme Court created the Certified Professional Guardianship and Conservatorship Board (Board) with the adoption of General Rule (GR) 23 on January 25, 2000<sup>1</sup>. The Board was created to regulate professional guardians and conservators. Supreme Court General Rule 23 as amended is incorporated by reference herein, and sets forth the governing authority for the Board. Washington Supreme Court General Rule 23. According to GR 23, the Board's regulation shall include (1) processing applications for certification; (2) adopting and implementing policies or regulations setting forth minimum standards of practice for professional guardians; (3) adopting and implementing regulations establishing a professional guardian training program; and (4) adopting and implementing procedures to review any allegation that a professional guardian violated an applicable statute, fiduciary duty, standard of practice, rule, regulation or other requirement governing the conduct of professional guardians.

~~According to GR 23, regulation of professional guardians may include (1) adopting and implementing regulations governing the preparation and administration of certification examinations; (2) adopting and implementing regulations for continuing education; (3) investigating to determine whether an applicant for certification meets the certification requirements or to determine whether a professional guardian violated any statute, duty, standard of practice, rule, regulation or other requirement governing the conduct of professional guardians; and (4) adopting regulations pertaining to the orderly conduct of a hearing.~~

### **ARTICLE III: Governing Body**

The Washington State Supreme Court will govern the activities of the Certified Professional Guardianship and Conservatorship Board. The Supreme Court shall appoint 12 or more members to the Board consistent with GR 23.

<sup>1</sup>The Board's original title was the Certified Professional Guardianship Board.

## **ARTICLE IV: Membership**

### **Section 1: Members**

Members of the Certified Professional Guardianship and Conservatorship Board shall include representatives from the following areas of expertise: professional guardians and conservators; attorneys; advocates for ~~incapacitated persons~~ individuals subject to guardianship and conservatorship; courts; state agencies; and those employed in medical, social, health, financial, or other fields pertinent to guardianships. ~~No more than one-third of the Board membership shall be practicing professional guardians.~~ See also GR 23 and its amendments.

**Appointment:** The Board will solicit members and shall nominate all members with two exceptions, one member of the Board will be a representative of the Department of Social and Health Service (DSHS) nominated by DSHS; two members of the Board will be members of the Washington Bar Association (WSBA) nominated by WSBA. The Board shall review the qualifications of potential representatives from DSHS and WSBA and make a recommendation to DSHS and WSBA before a nomination is submitted to the Supreme Court. The Supreme Court shall appoint all board members

**Removal:** The Board Chair may petition the Supreme Court to remove a board member, including the Vice Chair, for failure to comply with any statute, duty, court order, standard of practice, rule, regulation bylaw or other requirement governing their conduct.

### **Section 2: Terms of Appointment**

The term for a member of the Board shall be three years. No member may serve more than three consecutive full three-year terms, not to exceed nine consecutive years, including any unfilled term. Terms shall be established such that one-third shall end each year. All terms of office begin October 1 or when a successor has been appointed, whichever occurs later, and end September 30. See also GR 23 and its amendments.

### **Section 3: Vacancies**

Any vacancy occurring in the terms of office of Board members shall be filled for the remaining time of an unexpired term.

**Section 4: General Duties - See GR 23, Subsection (c)(3)**

**Duty of Care:**

A board member has the obligation to exercise reasonable care when ~~he or she~~ they makes a decision for the Board. Reasonable care is what an "ordinarily prudent" person in a similar situation would do.

Immunity from Liability. The Board, its members, or agents, including duly appointed hearing officers, shall enjoy quasi-judicial immunity if the Supreme Court would have immunity in performing the same functions. See GR 23 (c)(6)

**Duty of Loyalty:**

A board member must never use information gained through ~~his/her~~ their position for personal gain and must always act in the best interests of the Board and the public. Determining public interest in a particular situation can be complex, but on a practical level, a Board member's public duty can best be fulfilled by focusing on the Board's duty to protect the public by ensuring that guardianship services are provided by certified professional guardians and conservators in a competent and ethical manner.

**~~Duty of Obedience:~~**

~~A board member must be faithful to the Board's purpose. He or she cannot act in a way that is inconsistent with the Board's goals. The public trusts the board to make sure the Board abides by the rules, regulations, and laws governing its actions.~~

**Conflicts of Interest: GR 23 (c) (7)**

A Board member should self-disqualify from making any decisions in a proceeding in which their impartiality might reasonably be questioned, including but not limited to, when the Board member has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding.

**Duty of Confidentiality:**

~~A board member shall respect and maintain the confidentiality of any and all information relating to discussions at board and committee meetings, including any and all materials, e.g. correspondence, reports, etc., unless compelled by legal process to disclose such information, or as otherwise agreed by the Board. A Board member shall respect and maintain the confidentiality of any and all information, including but not limited to, documents, memos, letters, investigative reports, and conversations, relating to privileged communications or confidential executive sessions.~~ While Board members are free to discuss actions adopted by the Board, disclosing or distributing any information concerning any confidential discussion of such items during the Board meeting is

prohibited. Annually in October, each board member will sign a confidentiality agreement in which he or she acknowledges a duty of confidentiality.

## **Article V: Officers**

### **Section 1: Chair and Vice Chair**

**Appointment:** The Supreme Court shall appoint the Board Chair. By a majority vote, the Board shall elect a Vice Chair from its members.

**Removal:** ~~The~~ A Board member, jointly or severally, may petition the Supreme Court to remove a chair for failure to comply with any statute, duty, standard of practice, rule, regulation bylaw or other requirement governing ~~his or her~~ their conduct.

**Leave of Absence:** Any Board member who is the subject of a disciplinary investigation by the Board may be asked to take a leave of absence from the Board. The Board Chair shall have the sole discretion to decide whether the Board member should take a leave of absence from the Board and when the Board member may return to the Board. A Board member may not continue to serve as a member of the Board if the Supreme Court has imposed a final disciplinary sanction on the Board member.

See also GR 23 (c)(8).

### **Section 2: Specific Duties of Chair and Vice Chair**

The Chair shall set the agenda for and preside at all meetings of the Board, performing the duties usually incident to such office, and shall be the official spokesperson for the Board. The chair shall appoint the chairs of all committees. The vice chair shall perform the duties of the chair in the absence or incapacity of the Chair or at the Chair's request.

The Chair of the Board shall have the power to issue subpoenas and may make pre-hearing or other orders as are necessary for the orderly conduct of any hearing. \_\_\_

See GR 23 (c) (3)(x)(a) as amended.

### **Section 3: Parliamentarian**

The Board shall identify a member who will serve as parliamentarian during Board meetings.

## **Article VI: Members**

### **~~Section 1:~~**

~~**Appointment:** The Board will solicit members and shall nominate all members with two exceptions, one member of the Board will be a representative of the Department of Social and Health Service (DSHS) nominated by DSHS; two members of the Board will be members of the Washington Bar Association (WSBA) nominated by WSBA. The Board shall review the qualifications of potential representatives from DSHS and WSBA and make a recommendation to DSHS and WSBA before a nomination is submitted to the Supreme Court. The Supreme Court shall appoint all board members.~~

~~Removal: The Board Chair may petition the Supreme Court to remove a board member, including the vice chair, for failure to comply with any statute, duty, standard of practice, rule, regulation bylaw or other requirement governing his or her conduct.~~

### **Section ~~21~~: Specific Duties of Members**

Each member shall serve on one or more committees.

## **Article VII: Committees**

Standing committees, as well as ad hoc committees and task forces of the Board, shall be established by majority vote. Each committee shall have such authority as the Board deems appropriate. The Chair will appoint the chair of all committees created by the Board. The terms of ad hoc and task force committee members will have terms as determined by their charge.

## **Article VIII: Meetings**

The Board shall hold meetings as determined to be necessary by the eChair, including regular meetings and special meetings.

### **Section 1: Regular Open Meetings**

Regular Board meetings will be open to the public except for executive session. See Board Regulation 007. CPGC Board Regulation 007

### **Section 2: Special Meeting**

~~Executive session, review panel, or disciplinary meetings before the filing of a disciplinary complaint will be closed to the public.~~

### **Section ~~32~~: Quorum**

A simple majority of the board, whether any positions are vacant or not, -is required for a quorum. See GR 23 (c)(1)(i). A quorum must be present on the phone, online or virtual through technological or audio-visual means, or in person for voting to occur. ~~When a quorum is established, a motion will be approved by a majority of those present.~~

### **Section 4: Attendance**

Board members are required to participate in a minimum of 80% [to be rounded down] of full Board meetings held during the calendar year. A board member may not have more than two unexcused absences during a calendar year and continue to serve on the Board. An absence resulting due to an emergency will be excused. Absences will also be considered excused if a board member informs the chair or AOC staff via phone or e-mail of his or her expected absence at least 24 hours before the meeting start time.

## Section 5: Votes

A motion will be approved by a majority of those present. Committee action will be taken by voting. Whenever a vote is not unanimous, the Chair may call for a show of hands. Members participating, in-person, online or virtual through technological or audio-visual means, or on the phone may vote. No member will be allowed to cast a vote by proxy. Board members who are also members of the committee of origin of any matter before the Board may vote on the matter, subject to conflict of interest provisions applicable to all Board members.

## Article IX: Public Input

### Section 1: Public Comment

Each regularly scheduled in-person meeting shall include a public comment period. The public comment period shall be the first item on the agenda after the chair's report. The comment period shall not exceed thirty minutes total and will be subject to the following general guidelines:

1. ~~Speakers must sign in to speak and must list name and topic.~~ Any member of the public who would like to speak at a meeting should send an email to [guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov) prior to the meeting indicating the topic.
2. Only one speaker at a time.
3. Only the Chair may interrupt a speaker.
4. ~~No personal attacks or accusations.~~
5. Comments will be limited to ~~three~~ ten minutes per speaker.
6. ~~No repetition of comments from previous meetings.~~
7. Written comments may be submitted in lieu of, or in addition to public comments.

A written copy of public comments provided to AOC staff during or immediately following the meeting staff will be attached to meeting minutes.

Regulation 600, the procedure for adoption, amendment and repeal of regulation also provides an opportunity to provide written comments.

### Section 2: Public Meeting

Annually, the Board holds a planning meeting to discuss emerging issues in guardianship practice and long-term projects. ~~Before the planning meeting, the public is invited to a moderated discussion with the Board.~~ The public is invited to submit comments as outlined in Section 1.

### **Section 3: Communication**

To effectively and efficiently perform its regulatory mission, the Board uses a Communications Plan<sup>12</sup>, adopted to facilitate the consideration of diverse perspectives in an environment that supports and respects differences and commitment to group initiatives.

#### **~~Article X: Conflict of Interest<sup>2</sup>~~**

~~To address conflicts of interest board members should:~~

- ~~a) Fully disclose their relationships with any and all individuals and organizations when matters involving those entities come before the board;~~
- ~~b) Avoid participating in quasi-legislative matters involving their own specific, substantial, and readily identifiable financial interests, except where the financial interest is shared equally by other Board members;~~
- ~~c) Not participate in rulemaking when the organization in which they have a personal interest is the petitioner for the rule in question; and~~
- ~~d) Not participate in grievances and complaints or other quasi-judicial proceedings involving individuals and organizations with which they are personally interested or where their impartiality might reasonably be questioned as a result of their association with those entities.~~

#### **Article XI: Amendments and Repeal of Bylaws**

Bylaws may be amended or modified by majority vote at any regular meeting of the Board.

#### **Article XII: Board Member Expenses**

Board members shall not be compensated for their services. Consistent with the Office of Financial Management rules, Board members may be reimbursed for actual and necessary expenses incurred in the performance of their duties.

#### **Article XIII: Address of the Board**

Administrative Office of the Courts  
ATTN: Certified Professional Guardianship and Conservatorship Board  
PO Box 41170  
Olympia, WA 98504

<sup>12</sup>For additional guidance regarding the Communications Plan see <http://www.courts.wa.gov/guardianportal/index.cfm?fa=guardianportal.cpg&content=rules>

<sup>23</sup>For additional guidance review the memo dated August 1, 2014, RE: Conflicts Review/Recusal Process <http://www.courts.wa.gov/guardianportal/index.cfm?fa=guardianportal.cpg&content=rules>



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### **ARTICLE III: Governing Body**

The Washington State Supreme Court will govern the activities of the Certified Professional Guardianship and Conservatorship Board. The Supreme Court shall appoint 12 or more members to the Board consistent with GR 23.

### **ARTICLE IV: Membership**

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<sup>1</sup> *The Board's original title was the Certified Professional Guardianship Board.*

**Removal:** The Board Chair may petition the Supreme Court to remove a board member, including the Vice Chair, for failure to comply with any statute, duty, court order, standard of practice, rule, regulation bylaw or other requirement governing their conduct.

## **Section 2: Terms of Appointment**

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### **Conflicts of Interest: GR 23 (c) (7)**

A Board member should self-disqualify from making any decisions in a proceeding in which their impartiality might reasonably be questioned, including but not limited to, when the Board member has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding.

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### **Article VIII: Meetings**

The Board shall hold meetings as determined to be necessary by the Chair, including regular meetings and special meetings.

#### **Section 1: Open Meetings**

Board meetings will be open to the public except for executive session. See Board Regulation 007. [CPGC Board Regulation 007](#)

#### **Section2: Quorum**

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## **Article IX: Public Input**

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A written copy of public comments provided to AOC staff during or immediately following the meeting staff will be attached to meeting minutes.

Regulation 600, the procedure for adoption, amendment and repeal of regulation also provides an opportunity to provide written comments.

### **Section 2: Public Meeting**

Annually, the Board holds a planning meeting to discuss emerging issues in guardianship practice and long-term projects. The public is invited to submit comments as outlined in Section 1.

### **Section 3: Communication**

To effectively and efficiently perform its regulatory mission, the Board uses a Communications Plan<sup>2</sup>, adopted to facilitate the consideration of diverse perspectives in an environment that supports and respects differences and commitment to group initiatives.

#### **Article X: Amendments and Repeal of Bylaws**

Bylaws may be amended or modified by majority vote at any regular meeting of the Board.

#### **Article XI: Board Member Expenses**

Board members shall not be compensated for their services. Consistent with the Office of Financial Management rules, Board members may be reimbursed for actual and necessary expenses incurred in the performance of their duties.

#### **Article XIII: Address of the Board**

Administrative Office of the Courts  
ATTN: Certified Professional Guardianship and Conservatorship Board  
PO Box 41170  
Olympia, WA 98504

<sup>2</sup>For additional guidance regarding the Communications Plan see <http://www.courts.wa.gov/guardianportal/index.cfm?fa=guardianportal.cpg&content=rules>

<sup>3</sup>For additional guidance review the memo dated August 1, 2014, RE: Conflicts Review/Recusal Process <http://www.courts.wa.gov/guardianportal/index.cfm?fa=guardianportal.cpg&content=rules>



~~January 2015~~

Re: Stakeholder Communications Plan

Dear Stakeholder:

~~January 12, 2015~~ The Certified Professional Guardianship and Conservatorship Board originally adopted the attached communication process in January 2015 to facilitate increased involvement in developing standards, rules and regulations to guide the guardianship profession. The communication process is being updated as this time.

The Certified Professional Guardianship and Conservatorship Board is the regulatory authority for the practice of professional guardianship and conservatorship in Washington State. The Board is charged with establishing the standards and criteria for the certification of professional guardians and conservators, as defined by ~~RCW 11.88.008~~ RCW 11.130. RCW 11.130

To involve stakeholders in its work, the Board developed an information sharing process. The details of the process are explained in the attached Communications Plan<sup>1</sup>.

Anyone can sign up to receive future communication by submitting the attached contact form<sup>2</sup> or sending an e-mail ~~to Kim Rood at [kim.rood@courts.wa.gov](mailto:kim.rood@courts.wa.gov) or requesting notification via the web.~~ Kathy Bowman at [Kathy.Bowman@courts.wa.gov](mailto:Kathy.Bowman@courts.wa.gov) or requesting notification via the website. Please click on the following link to request notification via the web site.

[http://www.courts.wa.gov/programs\\_orgs/Guardian/?fa=guardian.proposed](http://www.courts.wa.gov/programs_orgs/Guardian/?fa=guardian.proposed)

Please share this information with other organizations and individuals who may wish to be added to the Board's list of stakeholders and receive future communication. A copy of the Certified Professional Guardianship and Conservatorship Board Public Comment Guidelines is attached.<sup>3</sup>

Thank you for your attention and collaboration. Should you have any questions about the process, Board procedures and/or regulations, ~~the staff listed below are available to answer your questions.~~ questions can be directed to Stacey Johnson at the contact information below.

Stacey Johnson, [Stacey.Johnson@courts.wa.gov](mailto:Stacey.Johnson@courts.wa.gov), 360.705.5302  
~~Christopher Fournier, [Chris.Fournier@courts.wa.gov](mailto:Chris.Fournier@courts.wa.gov), 360.704.4066-~~  
~~Eileen Schock, [Eileen.Schock@courts.wa.gov](mailto:Eileen.Schock@courts.wa.gov), 360.704.5539~~  
~~Carla Montejo, [Carla.Montejo@courts.wa.gov](mailto:Carla.Montejo@courts.wa.gov), 360.705.5320~~

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<sup>1</sup> Attachment A – CPGB Stakeholder Communication Plan

<sup>2</sup> Attachment B – Contact Information Form

<sup>3</sup> Attachment C – Public Comment Guidelines

# Attachment A



# Certified Professional Guardianship and Conservatorship Board Communication Plan

## A. Purpose:

Stakeholders including family members of ~~incapacitated persons~~ individuals subject to guardianship and/or conservatorship, professional guardian and conservators, senior and disability advocates and others ~~are seeking~~ continue to seek greater involvement in developing standards, rules and regulations to guide the guardianship and conservatorship profession. To continue effectively and efficiently performing its regulatory mission, the Certified Professional Guardianship and Conservatorship Board developed and have updated this Communications Plan to facilitate the consideration of diverse perspectives in an environment that supports and respects differences and commitment to group initiatives.

## B. Communication Objectives:

1. Develop understanding and appreciation for the shared goal of protecting the public.
2. Build understanding, trust and support for the rulemaking process.
3. Create a process that is transparent and helps stakeholders understand what the Certified Professional Guardianship and Conservatorship Board does and hold it accountable.

## C. Targeted Audiences: The audiences include, but are not limited to the following:

#	Stakeholder Name
1.	Board Members per General Rule 23
2.	Certified Professional Guardian <u>and Conservators</u>
3.	Washington Association of Professional Guardians (WAPG)
4.	<del>Incapacitated Persons</del> <u>Individuals subject to guardianship and/or conservatorship</u>
5.	Family Members and Friends of <del>Incapacitated Persons</del> <u>Individuals subject to guardianship and/or conservatorship</u>
6.	WSBA – Elder Law Section Executive Committee
7.	County Bar Associations/Elder Law Sections
8.	Superior Court Judges’ Association Guardianship and Probate Committee
9.	<u>Court Visitors and</u> Guardians Ad Litem
10.	Alzheimer’s Association
11.	<del>WA Health Care Association &amp; Leading EdgeAge</del>

	Stakeholder Name
12.	Traumatic Brain Injury (TBI) Council
13.	Long-term Care Ombudsman
14.	Lay/Family Guardians
15.	Guardianship Monitoring Programs
16.	AARP
17.	Disability Rights Washington (DRW)
18.	National Association of Mental Illness (NAMI)
19.	Association of Area Agency on Aging
20.	Department of Social and Health Services—APS, DDA, HCS, <a href="#">RCS</a> , <a href="#">DBHR Behavioral Health Administration</a>
21.	<a href="#">SCORE</a>
22.	OPG Stakeholder Listserv
23.	Supreme Court
24.	Legislators
25.	Developmental Disabilities Council
26.	Washington State Residential Care Council of Adult Family Homes
27.	SEIU Healthcare
28.	Arc of Washington
29.	Superior Courts
30.	<a href="#">Legal Aid Organizations including Northwest Justice Project and</a> Columbia Legal Services
<del>31.</del>	<a href="#">People First</a>
<del>31</del> 2.	Other Stakeholders that may be identified later.

## D. Communication Strategy:

The Board plans to use five broad communications channels—board meetings/[teleconferences](#), stakeholder engagement meetings, public comment periods during [regular four long](#) board meetings [per year](#), the Web, and email to share information and seek input and feedback into the development of rules, regulations and Standards of Practice for the practice of professional guardianship [and conservatorship](#).

### **Board Meetings/Teleconferences**

Stakeholders are encouraged to attend Board meetings [and teleconferences](#). The Board meets the second Monday of each month, ~~except for February, July and December or~~ when a holiday conflicts. Generally, the Board meets in person [or hybrid Zoom and in person](#) at the SeaTac Office Facility, 18000 International Blvd, SeaTac, WA [, or via Zoom only, for the](#)

long board meetings in January, April, June and October. The April meeting is usually the Board's annual planning meeting, in which stakeholders participate. ~~Teleconferences~~ Zoom only meetings are generally held ~~in March, May, August, September and November~~ in the remaining months. ~~Teleconferences are conducted via Adobe® Connect™ a web conferencing platform for web meetings, eLearning, and webinars.~~ Participation instructions are provided on the meeting agenda, which is posted on the Web approximately one week before each meeting. The Board's meeting calendar is also posted on the Web, to view see [http://www.courts.wa.gov/programs\\_orgs/guardian/?fa=guardian.CPGBoard](http://www.courts.wa.gov/programs_orgs/guardian/?fa=guardian.CPGBoard).

## Public Comment Periods

Each in-person meeting includes a public comment period. Comment guidelines are provided below. Individuals who participate in the public comment period will be encouraged to provide staff a written copy of the comments made during the comment period, which staff will attach to meeting minutes.

Regulation 600, the procedure for adoption, amendment and repeal of regulation also provides an opportunity to provide written comments. The notice and comment portion of Regulation 600 is provided below.

## Public Comment Guidelines

A public comment period shall be held at all regularly scheduled in-person meetings of the Certified Professional Guardianship and Conservatorship Board. The public comment period shall be the first item on the agenda after the chair report, shall not exceed thirty minutes total and will be subject to the following general guidelines:

1. ~~Speakers must sign in to speak and must list name and topic.~~ Any member of the public who would like to speak at a meeting should send an email to [guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov) prior to the meeting indicating the topic
2. No speaking when others are speaking.
3. Only the Chair may interrupt.
4. ~~No personal attacks or accusations.~~
5. Comments will be limited to ~~three~~ ten minutes per speaker.
6. ~~No repetition of comments from previous meetings.~~
7. Written comments may be submitted in lieu of, or in addition to public comments.

## **600 Procedure for the Adoption Amendment and Repeal of Regulations**

### **601 Intent.**

The intent of the Certified Professional Guardianship and Conservatorship Board (Board) is to give notice and the opportunity for public comment whenever the Board intends to adopt, amend, or repeal its regulations, except as otherwise stated in these regulations.

### **602 Notice.**

602.1 Except as otherwise stated in these regulations, the Board will give notice whenever it intends to adopt, amend, or repeal a regulation (regulation change). The Board must give notice at least thirty (30) calendar days before the meeting at which the Board intends to act on the proposed change. The notice will include the following information:

602.1.1 The text of the proposed change to the regulations. The notice may also include an explanation of the purpose of the proposed change.

602.1.2 The date, time and place of the meeting at which the Board intends to adopt the proposed change.

602.1.3 The name, address and telephone number of the person to whom written comments on the proposed change may be sent via U.S. mail. In the Board's discretion, the Board also may accept comments via electronic mail.

602.1.4 The date by which comments must be received by the Board.

602.2 To give notice of a proposed regulation change, the Board will do the following:

602.2.1 Publish the notice electronically on the Board's website.

602.2.2 Send the notice to ~~the Washington Association of Professional Guardians~~ stakeholders pursuant to the Board's Communication Plan.

602.2.3 Send an announcement via electronic mail to the state's certified professional guardian and conservators, stating that notice of a proposed regulation change is on the Board's website.

602.2.4 Give notice in any other manner that the Board deems appropriate.

## **Stakeholder Engagement Meetings**

Stakeholder engagement meetings/teleconferences are defined as small group meetings with target audiences. A stakeholder group may host an engagement meeting and invite board members to participate or a Board member may host an engagement meeting and invite stakeholders to participate. The meeting host will be responsible for all meeting arrangements and cost, including reporting back to the Board.

## **Web**

The Board will post request for comments on the Guardianship Program webpage and stakeholders are encouraged to email written comments, which will be posted on the Web for public viewing. Comments must adhere to posting guidelines.

See [http://www.courts.wa.gov/programs\\_orgs/Guardian/?fa=guardian.display&fileName=rulesindex](http://www.courts.wa.gov/programs_orgs/Guardian/?fa=guardian.display&fileName=rulesindex)

## **Email**

AOC staff will obtain email addresses for the stakeholders identified on the stakeholders' list and utilize the list to send the following:

- a) News articles;
- b) Stakeholder Engagement Meeting Announcements;
- c) Informational emails; and
- d) Requests for written comments.

## **E. Initial Process:**

To initiate communication and inform stakeholders of the process, AOC staff ~~will completed~~ the following when the Board's Communication Plan was originally adopted in 2015:

1. Developed a contact list for stakeholders, organizations and individuals;
2. ~~Send~~ Sent the following to all contacts:
  - i. A letter explaining the plan to seek input;
  - ii. The Communications Plan;
  - iii. The first request for comment and back up materials; and
  - iv. Public comment posting guidelines.

The following tables describe key audiences, ~~stakeholder types, involvement types and the communication mediums~~ that will be were used to communicate with each.

\*\* Please note that the language used at that time has subsequently been updated by RCW 11.130

**Table 1 – Stakeholder Communications please note that the highlighted materials are proposed to be deleted**

	Stakeholder Name/Contact	Stakeholder Types	Involvement Types	Communication Media
1.	Board Members per GR23	Decision-Makers	Representatives	All
2.	Certified Professional Guardians	Person Affected Subject Matter Experts	Consultants	All Email (listserv)
3.	Washington Association of Professional Guardians (WAPG)	Persons Affected Subject Matter Experts	Advisors	All
4.	Incapacitated Persons	Persons Affected Subject Matter Experts	Consultants	?
5.	Family Members and Friends of IPs	Persons Affected Subject Matter Experts	Consultants	All
6.	County Bar Associations/Elder Law Sections	Subject Matter Experts	Advisors	All
7.	WSBA – Elder Law Section Executive Committee	Subject Matter Experts	Advisors	All
8.	Superior Court Judges’ Association Guardianship and Probate Committee	Subject Matter Experts	Advisors	Email (listserv)
9.	Guardians Ad Litem	Subject Matter Experts	Consultants	Stakeholder Meetings Web
10.	Alzheimer’s Association	Subject Matter Experts	Advisors	All
11.	WA Health Care Association Leading Edge	Subject Matter Experts	Advisors	All
12.	TBI Council	Subject Matter Experts	Advisors	All
13.	Long-term Care Ombudsman	Subject Matter Experts	Advisors	All
14.	Lay/Family Guardians	Subject Matter Experts Persons Affected	Consultants	All Email (listserv)
15.	Guardianship Monitoring Programs	Subject Matter Experts Person Affected	Advisors	Web Email
16.	AARP	Subject Matter Experts	Advisors	All
17.	Disability Rights Washington	Subject Matter Experts	Advisors	All
18.	National Association of Mental Illness	Subject Matter Experts	Advisors	All
19.	Association of Area Agency on Aging	Subject Matter Experts	Advisors	All
20.	DSHS – APS, DDA, HCS, DBHR	Subject Matter Experts	Advisors	All
21.	SCORE	Subject Matter Experts	Advisors	All

	Stakeholder Name/Contact	Stakeholder Types	Involvement Types	Communication Media
22.	OPG Stakeholder Listserv	Persons Affected Subject Matter Experts	Persons to Inform	Email (listserv)
23.	Supreme Court	Decision-Makers Decision Blockers		Stakeholder Meeting Email
24.	Legislators	Decision-Makers Decision Blockers	Persons to Inform	Email
25.	Developmental Disabilities Council	Subject Matter Experts	Advisors	All
26.	Washington State Residential Care Council of Adult Family Homes	Subject Matter Experts	Advisors	All
27.	SEIU Healthcare	Subject Matter Experts	Advisors	All
28.	Arc of Washington	Subject Matter Experts	Advisors	All
29.	Superior Courts	Persons Affected	Persons to Inform	Web Email (listserv)
30.	Columbia Legal Services	Subject Matter Experts	Advisors	All

**Table 2. – Stakeholder Types**

Stakeholder Types	Description
Decision-Makers	Those with the formal power to make decisions.
Blockers	Those with the power to block decisions.
Persons Affected	Those affected by decisions.
Subject Matter Experts	Those with relevant information or expertise.

**Table 3. - Stakeholder Involvement Types**

Involvement Types	Description
Represent	Representatives of particular stakeholder groups might be members of the regulatory body. The assumption is that these individuals can effectively speak about the interest of the group community they represent.
Consultants	Individuals are consulted about their perspectives and concerns. Their views are considered by the decision makers when making decisions. Comment coordinators may be assigned to consult with; forum discussions may be held or surveys administered.
Advisers	Group stakeholders form advisory panels, meet to discuss issues and share advice with the regulatory body. (Formal Group)
Inform	Some stakeholders need to be informed about issues and plans via listservs, the website etc., but not invited to play an active role.



## Attachment B

# Contact Information for Certified Professional Guardianship and Conservatorship Board Stakeholder

## Communication

### Individual Stakeholder Information

Name	
Mailing Address	
City ST ZIP Code	
Phone	
Email Address	

### Organization Stakeholder Information

Organization Name	
Mailing Address	
City ST ZIP Code	
Phone	
Email Address	
Communication should be sent to the email address above.	<input type="checkbox"/> Yes <input type="checkbox"/> No
# Members	

### Organization Contact Person Information

Name	
Mailing Address	
City ST ZIP Code	
Phone	
Email Address	
Communication should be sent to the email address above.	<input type="checkbox"/> Yes <input type="checkbox"/> No

### Please email or mail this form to:

**Certified Professional Guardianship and Conservatorship Board**

P.O. Box 41170-1170

Olympia, WA 98504

or

[guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov)

If you have questions, please contact [Kim.Rood@courts.wa.gov](mailto:Kim.Rood@courts.wa.gov)

[Kathy.Bowman@courts.wa.gov](mailto:Kathy.Bowman@courts.wa.gov)

# Attachment C



# Certified Professional Guardianship and Conservatorship Board Public Comment Guidelines

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## **Oral Public Comments**

A public comment period shall be held at all regularly scheduled in-person meetings of the Certified Professional Guardianship and Conservatorship Board. The public comment period shall be the first item on the agenda after the chair report, shall not exceed thirty (30) minutes total and will be subject to the following general rules:

1. ~~Speakers must sign in to speak and must list name and topic. Any member of the public who would like to speak at a meeting should send an email to [guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov) prior to the meeting indicating the topic~~
2. No speaking when others are speaking.
3. Only the chair may interrupt.
4. ~~No personal attacks or accusations.~~
5. Comments will be limited to ~~three~~ ten minutes per speaker.
6. ~~No repetition of comments from previous meetings.~~
7. Written comments may be submitted in lieu of, or in addition to public comment.

## **Written Public Comments**

Written public comments that are provided in response to a Request for Public Comment, which meet the following guidelines, will be posted by AOC staff on the Guardianship Program website at:

[http://www.courts.wa.gov/programs\\_orgs/Guardian/?fa=guardian.proposed](http://www.courts.wa.gov/programs_orgs/Guardian/?fa=guardian.proposed)

Comments should:

1. Not exceed 1500 words.
2. Be double spaced in 12 point type.
3. Be on letter size paper (8 ½ x 11 inches).
4. Include no tabs or dividers, except that colored letter-size paper may be used for dividers between sections.
5. Clearly identify the Request for Comment topic being addressed. Each communication should include a subject line identifying the Request for

Comment topic being addressed; failure to do so could prevent posting of comments.

6. ~~Include no personal attacks or accusations.~~
7. ~~Include no profanity.~~
8. Be sent to one of the following addresses:

**Certified Professional Guardian~~ship~~ Board**

P.O. Box 41170

Olympia, WA 98504-1170

or

[guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov)

Should you have any questions about the process, Board procedures and/or regulations, the staff listed below are available to answer your questions.

~~S~~Stacey Johnson, Stacey.Johnson@courts.wa.gov, 360.705.5302  
~~Christopher Fournier, Chris.Fournier@courts.wa.gov, 360.704.4066~~  
~~Eileen Schock, Eileen.Schock@courts.wa.gov, 360.704.5539~~  
~~Carla Montejo, Carla.Montejo@courts.wa.gov, 360.705.5320~~



Re: Stakeholder Communications Plan

Dear Stakeholder:

The Certified Professional Guardianship and Conservatorship Board originally adopted the attached communication process in January 2015 to facilitate increased involvement in developing standards, rules and regulations to guide the guardianship profession. The communication process is being updated as this time.

The Certified Professional Guardianship and Conservatorship Board is the regulatory authority for the practice of professional guardianship and conservatorship in Washington State. The Board is charged with establishing the standards and criteria for the certification of professional guardians and conservators, as defined by RCW 11.130. [RCW 11.130](#)

To involve stakeholders in its work, the Board developed an information sharing process. The details of the process are explained in the attached Communications Plan<sup>1</sup>.

Anyone can sign up to receive future communication by submitting the attached contact form<sup>2</sup> or sending an e-mail. Kathy Bowman at [Kathy.Bowman@courts.wa.gov](mailto:Kathy.Bowman@courts.wa.gov) or requesting notification via the website. Please click on the following link to request notification via the website.

[http://www.courts.wa.gov/programs\\_orgs/Guardian/?fa=guardian.proposed](http://www.courts.wa.gov/programs_orgs/Guardian/?fa=guardian.proposed)

Please share this information with other organizations and individuals who may wish to be added to the Board's list of stakeholders and receive future communication. A copy of the Certified Professional Guardianship and Conservatorship Board Public Comment Guidelines is attached.<sup>3</sup>

Thank you for your attention and collaboration. Should you have any questions about the process, Board procedures and/or regulations, questions can be directed to Stacey Johnson at the contact information below.

Stacey Johnson, [Stacey.Johnson@courts.wa.gov](mailto:Stacey.Johnson@courts.wa.gov), 360.705.5302

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<sup>1</sup> Attachment A – CPGCB Stakeholder Communication Plan

<sup>2</sup> Attachment B – Contact Information Form

<sup>3</sup> Attachment C – Public Comment Guidelines

# Attachment A

# Certified Professional Guardianship and Conservatorship Board Communication Plan

## A. Purpose:

Stakeholders including family members of individuals subject to guardianship and/or conservatorship, professional guardian and conservators, senior and disability advocates and others continue to seek greater involvement in developing standards, rules and regulations to guide the guardianship and conservatorship profession. To continue effectively and efficiently performing its regulatory mission, the Certified Professional Guardianship and Conservatorship Board developed and have updated this Communications Plan to facilitate the consideration of diverse perspectives in an environment that supports and respects differences and commitment to group initiatives.

## B. Communication Objectives:

1. Develop understanding and appreciation for the shared goal of protecting the public.
2. Build understanding, trust and support for the rulemaking process.
3. Create a process that is transparent and helps stakeholders understand what the Certified Professional Guardianship and Conservatorship Board does and hold it accountable.

## C. Targeted Audiences: The audiences include, but are not limited to, the following:

	Stakeholder Name
1.	Board Members per General Rule 23
2.	Certified Professional Guardian and Conservators
3.	Washington Association of Professional Guardians (WAPG)
4.	Individuals subject to guardianship and/or conservatorship
5.	Family Members and Friends of Individuals subject to guardianship and/or conservatorship
6.	WSBA – Elder Law Section Executive Committee
7.	County Bar Associations/Elder Law Sections
8.	Superior Court Judges’ Association Guardianship and Probate Committee
9.	Court Visitors and Guardians Ad Litem
10.	Alzheimer’s Association



11.	LeadingAge
12.	Traumatic Brain Injury (TBI) Council
13.	Long-term Care Ombudsman
14.	Lay/Family Guardians
15.	Guardianship Monitoring Programs
16.	AARP
17.	Disability Rights Washington (DRW)
18.	National Association of Mental Illness (NAMI)
19.	Association of Area Agency on Aging
20.	Department of Social and Health Services—APS, DDA, HCS, RCS, Behavioral Health Administration
21.	OPG Stakeholder Listserv
22.	Supreme Court
23.	Legislators
24.	Developmental Disabilities Council
25.	Washington State Residential Care Council of Adult Family Homes
26.	SEIU Healthcare
27.	Arc of Washington
28.	Superior Courts
29.	Legal Aid Organizations including Northwest Justice Project and Columbia Legal Services
30.	People First
31.	Other Stakeholders that may be identified later.

## **D. Communication Strategy:**

The Board plans to use five broad communications channels—board meetings, stakeholder engagement meetings, public comment periods during four long board meetings per year, the Web, and email to share information and seek input and feedback into the development of rules, regulations and Standards of Practice for the practice of professional guardianship and conservatorship.

### **Board Meetings**

Stakeholders are encouraged to attend Board meetings. The Board meets the second Monday of each month except for when a holiday conflicts. Generally, the Board meets in person or hybrid Zoom and in person at the SeaTac Office Facility, 18000 International Blvd, SeaTac, WA, or via Zoom only, for the long board meetings in January, April, June and October. The April meeting is usually the Board’s annual planning meeting, in which stakeholders participate. Zoom only

meetings are generally held in the remaining months. Participation instructions are provided on the meeting agenda, which is posted on the Web approximately one week before each meeting. The Board's meeting calendar is also posted on the Web, to view see [http://www.courts.wa.gov/programs\\_orgs/guardian/?fa=guardian.CPGBoard](http://www.courts.wa.gov/programs_orgs/guardian/?fa=guardian.CPGBoard).

### **Public Comment Periods**

Each in-person meeting includes a public comment period. Comment guidelines are provided below. Individuals who participate in the public comment period will be encouraged to provide staff a written copy of the comments made during the comment period, which staff will attach to meeting minutes.

Regulation 600, the procedure for adoption, amendment and repeal of regulation also provides an opportunity to provide written comments. The notice and comment portion of Regulation 600 is provided below.

### **Public Comment Guidelines**

A public comment period shall be held at all regularly scheduled in-person meetings of the Certified Professional Guardianship and Conservatorship Board. The public comment period shall be the first item on the agenda after the chair report, shall not exceed thirty minutes total and will be subject to the following general guidelines:

1. Any member of the public who would like to speak at a meeting should send an email to [guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov) prior to the meeting indicating the topic.
2. No speaking when others are speaking.
3. Only the Chair may interrupt.
4. Comments will be limited to ten minutes per speaker.
5. Written comments may be submitted in lieu of, or in addition to public comments.

## **600 Procedure for the Adoption Amendment and Repeal of Regulations**

### **601 Intent.**

The intent of the Certified Professional Guardianship and Conservatorship Board (Board) is to give notice and the opportunity for public comment whenever the Board intends to adopt, amend, or repeal its regulations, except as otherwise stated in these regulations.

### **602 Notice.**

602.1 Except as otherwise stated in these regulations, the Board will give notice whenever it intends to adopt, amend, or repeal a regulation (regulation change). The Board must give notice at least thirty (30) calendar days before the meeting at which the Board intends to act on the proposed change. The notice will include the following information:

602.1.1 The text of the proposed change to the regulations. The notice may also include an explanation of the purpose of the proposed change.

602.1.2 The date, time and place of the meeting at which the Board intends to adopt the proposed change.

602.1.3 The name, address and telephone number of the person to whom written comments on the proposed change may be sent via U.S. mail. In the Board's discretion, the Board also may accept comments via electronic mail.

602.1.4 The date by which comments must be received by the Board.

602.2 To give notice of a proposed regulation change, the Board will do the following:

602.2.1 Publish the notice electronically on the Board's website.

602.2.2 Send the notice to stakeholders pursuant to the Board's Communication Plan.

602.2.3 Send an announcement via electronic mail to the state's certified professional guardian and conservators, stating that notice of a proposed regulation change is on the Board's website.

602.2.4 Give notice in any other manner that the Board deems appropriate.

### **Stakeholder Engagement Meetings**

Stakeholder engagement meetings/teleconferences are defined as small group meetings with target audiences. A stakeholder group may host an engagement meeting and invite board members to participate or a Board member may host an engagement meeting and invite stakeholders to participate. The meeting host will be responsible for all meeting arrangements and cost, including reporting back to the Board.

## **Web**

The Board will post request for comments on the Guardianship Program webpage and stakeholders are encouraged to email written comments, which will be posted on the Web for public viewing. Comments must adhere to posting guidelines.

See [http://www.courts.wa.gov/programs\\_orgs/Guardian/?fa=guardian.display&fileName=rulesindex](http://www.courts.wa.gov/programs_orgs/Guardian/?fa=guardian.display&fileName=rulesindex)

## **Email**

AOC staff will obtain email addresses for the stakeholders identified on the stakeholders' list and utilize the list to send the following:

- a) News articles;
- b) Stakeholder Engagement Meeting Announcements;
- c) Informational emails; and
- d) Requests for written comments.

## **E. Initial Process:**

To initiate communication and inform stakeholders of the process, AOC staff completed the following when the Board's Communication Plan was originally adopted in 2015:

1. Developed a contact list for stakeholders, organizations and individuals;
2. Sent the following to all contacts:
  - i. A letter explaining the plan to seek input;
  - ii. The Communications Plan;
  - iii. The first request for comment and back up materials; and
  - iv. Public comment posting guidelines.

The following tables describe key audiences that were used to communicate with each.

\*\* Please note that the language used at that time has subsequently been updated by RCW 11.130

**Table 1 – Stakeholder Communications**

	Stakeholder Name/Contact
1.	Board Members per GR23
2.	Certified Professional Guardian and Conservators
3.	Washington Association of Professional Guardians (WAPG)
4.	Individuals subject to Guardianship and/or Conservatorship
5.	Family Members and Friends of Individuals subject to Guardianship and/or Conservatorship
6.	County Bar Associations/Elder Law Sections
7.	WSBA – Elder Law Section Executive Committee
8.	Superior Court Judges’ Association Guardianship and Probate Committee
9.	Court Visitors and Guardians Ad Litem
10.	Alzheimer’s Association
11.	Leading Age
12.	TBI Council
13.	Long-term Care Ombudsman
14.	Lay/Family Guardians
15.	Guardianship Monitoring Programs
16.	AARP
17.	Disability Rights Washington
18.	National Association of Mental Illness
19.	Association of Area Agency on Aging
20.	DSHS – APS, DDA, HCS, RCS, and Behavioral Health Administration
21.	SCORE

	<b>Stakeholder Name/Contact</b>
22.	OPG Stakeholder Listserv
23.	Supreme Court
24.	Legislators
25.	Developmental Disabilities Council
26.	Washington State Residential Care Council of Adult Family Homes
27.	SEIU Healthcare
28.	Arc of Washington
29.	Superior Courts
30.	Legal Aid Organizations including Northwest Justice Project and Columbia Legal Services
31.	Other Stakeholders that may be Identified Later

## Attachment B

# Contact Information for Certified Professional Guardianship and Conservatorship Board Stakeholder Communication

## Individual Stakeholder Information

Name	
Mailing Address	
City ST ZIP Code	
Phone	
Email Address	

## Organization Stakeholder Information

Organization Name	
Mailing Address	
City ST ZIP Code	
Phone	
Email Address	
Communication should be sent to the email address above.	<input type="checkbox"/> Yes <input type="checkbox"/> No
# Members	

## Organization Contact Person Information

Name	
Mailing Address	
City ST ZIP Code	
Phone	
Email Address	
Communication should be sent to the email address above.	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Please email or mail this form to:

**Certified Professional Guardianship and Conservatorship Board**  
P.O. Box 41170-1170  
Olympia, WA 98504  
or  
[guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov)

If you have questions, please contact [Kathy.Bowman@courts.wa.gov](mailto:Kathy.Bowman@courts.wa.gov)



# Attachment C



# Certified Professional Guardianship and Conservatorship Board

## Public Comment Guidelines

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### **Oral Public Comments**

A public comment period shall be held at all regularly scheduled in-person meetings of the Certified Professional Guardianship and Conservatorship Board. The public comment period shall be the first item on the agenda after the chair report, shall not exceed thirty (30) minutes total and will be subject to the following general rules:

1. Any member of the public who would like to speak at a meeting should send an email to [guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov) prior to the meeting indicating the topic.
2. No speaking when others are speaking.
3. Only the chair may interrupt.
4. Comments will be limited to ten minutes per speaker.
5. Written comments may be submitted in lieu of, or in addition to public comment.

### **Written Public Comments**

Written public comments that are provided in response to a Request for Public Comment, which meet the following guidelines, will be posted by AOC staff on the Guardianship Program website at:

[http://www.courts.wa.gov/programs\\_orgs/Guardian/?fa=guardian.proposed](http://www.courts.wa.gov/programs_orgs/Guardian/?fa=guardian.proposed)

Comments should:

1. Not exceed 1500 words.
2. Be double spaced in 12 point type.
3. Be on letter size paper (8 ½ x 11 inches).
4. Include no tabs or dividers, except that colored letter-size paper may be used for dividers between sections.
5. Clearly identify the Request for Comment topic being addressed. Each communication should include a subject line identifying the Request for

Comment topic being addressed; failure to do so could prevent posting of comments.

6. Be sent to one of the following addresses:

**Certified Professional Guardianship Board**

P.O. Box 41170

Olympia, WA 98504-1170

or

[guardianshipprogram@courts.wa.gov](mailto:guardianshipprogram@courts.wa.gov)

Should you have any questions about the process, Board procedures and/or regulations, the staff listed below are available to answer your questions.

Stacey Johnson, [Stacey.Johnson@courts.wa.gov](mailto:Stacey.Johnson@courts.wa.gov), 360.705.5302

## Regulations Committee Proposed Amendments

- Regulation 213
- Regulation 204.9
- Regulation 205.6.2

## Guardianship and Conservatorship Program Regulations

### 213 Exemptions

If a Guardian and Conservator is admitted during the first year of the reporting period, the Guardian and Conservator needs only to complete 12 credits (8 general credits, 2 ethics credits and 2 emerging issues credits) as described in Regulation ~~202.2~~ 202.1 by the end of the reporting period. If a Guardian and Conservator is admitted to practice in the second year of the reporting period, the Guardian and Conservator is not required to comply with the minimum continuing education credits for that reporting period.

## Guardianship and Conservatorship Program Regulations

### 204 Standards for Approval

The following standards shall be met by any course or activity for which approval is sought:

204.1 The course shall have significant intellectual or practical content and its primary objective shall be to increase the attendee's professional competence as a Guardian and Conservator.

204.2 The course shall constitute an organized program of learning dealing with matters directly relating to the guardianship practice and/or to the professional responsibility or ethical obligations of a Guardian or Conservator.

204.3 Each faculty member shall be qualified by practical or academic experience to teach a specific subject.

204.4 Thorough, high quality, readable, and carefully prepared written materials should be distributed to all attendees at or before the time the course is presented. It is recognized that written materials are not suitable or readily available for some types of subjects; the absence of written materials for distribution should, however, be the exception and not the rule. Providing students the materials on a computer disk or flash drive is encouraged.

204.5 Courses should be conducted in a setting physically suitable to the educational activity of the program. A suitable writing surface should be provided where feasible.

204.6 All courses must be open to all certified professional guardian and conservators.

204.7 No course will be approved unless it has met the requirements of 205.1.

204.8 The course shall satisfy curriculum requirements established by the Board.

204.9 Continuing Review of Prerecorded Courses

Previously approved prerecorded courses shall be reviewed by the Education Committee prior to the commencement of each reporting period to ensure that each course continues to meet the standards for approval listed in this section. Courses that no longer meet these standards shall be removed from the approved course list prior to the beginning of the next CEU reporting period. Prerecorded courses may only be taken for credit once per reporting period.

## Guardianship and Conservatorship Program Regulations

### 205 Procedure for Approval of Continuing Education Activities

205.1 An active Guardian and Conservator or sponsoring agency desiring approval of a continuing education activity shall submit to the Committee all information called for by the Continuing Education Activity Credit Approval Form at least 30 days prior to the date scheduled for the class, along with a credit approval fee. If filed less than 30 days before the activity, the applicant must pay a late credit approval fee. Applications for retroactive approval will be considered if submitted with all the information required by the Continuing Education Activity Credit Approval Form within 30 days of the continuing education activity and with the late credit approval fee. The credit approval fee may be waived, upon request, for court-sponsored training that is designed specifically for guardian or conservators. All fees shall be published annually by the Certified Professional Guardianship and Conservatorship Board no later than September 1 of the preceding year.

205.2 Approval shall be granted or denied in accordance with the provisions of Regulation 207 herein. Upon approval of the activity, a list of Guardian and Conservators will be provided to the class sponsor if requested in the initial application, along with written acknowledgment of approval.

205.3 As to a course that has been approved, the sponsoring agency may announce, in informational brochures and/or registration materials: "This course has been approved by the Continuing Education Committee of the Professional Guardianship and Conservatorship Certification Board for hours of credit." Sponsors may also delineate as between general, ethics and emerging issues credits in their promotional materials.

205.4 On the date of the continuing education activity, the sponsoring agency shall give a copy of the Guardian and Conservator course approval form to each Guardian and Conservator attending.



205.5 No later than 30 days following the activity, the sponsoring agency must send the attendance list to the AOC, along with a copy of the completed evaluation. Materials distributed at the activity shall be available to the AOC upon request.

205.6 The Board may, on its own behalf, approve a course or activity for Continuing Education Credit without an application for Continuing Education Credit from an active Guardian and Conservator or sponsoring agency. A continuing education activity approved under this subsection must be granted or denied in accordance with the provisions of Regulation 207. Neither a credit approval fee nor an attendance list will be required for a continuing education activity approved under this subsection 205.6.

205.6.1 A guardian and conservator who chooses to participate in a continuing education activity approved under this subsection must provide the AOC with a certificate of completion, or some other documentation which demonstrates the guardian and conservator's participation in the activity.

205.6.2 A guardian and conservator or other third party must provide an application for approval of continuing education activity in compliance with subsection 205.1 through 205.4 of this section and cannot request the Board approve a continuing education activity on its own behalf in lieu of the third party submitted the required application. Educational courses with WSBA approval shall presumptively be considered approved by the Board.