

Faulk, Camilla

From: Sylvia Curry [smcurry@comcast.net]
Sent: Sunday, April 27, 2008 9:03 PM
To: Faulk, Camilla
Subject: Comment related to GR 23 (e) (1) (iv) Pending Violations

My name is Sylvia Curry. I am a Certified Professional Guardian.

This comment relates to GR 23 (e) (1) (iv) CPG Pending Violations.

This one is puzzling. I thought one was innocent until proven guilty. Providing all pending findings of violations is too much. It would seem that the CPG Board would only really need to know pending violations related to fiduciary responsibilities and allow the CPG to explain. Definitely there is no problem with reporting finalized violations.

Thank you for your consideration,

Sylvia Curry

Faulk, Camilla

From: Sylvia Curry [smcurry@comcast.net]
Sent: Sunday, April 27, 2008 9:07 PM
To: Faulk, Camilla
Subject: GR 23 (c) (1) (i) CPG Board membership

My name is Sylvia Curry. I am a Certified Professional Guardian

This comment relates to GR 23 (c) (1) (i) CPG Board membership.

As a practicing CPG I am very concerned about the lack of practicing CPGs on the CPG Board and the mix of expertise. GR 23 identifies six areas of expertise you want on the CPG Board. There is not a good mix as the following list shows:

- 3 practicing professional guardians: Beagle, Jardine, Peterson
- 4 attorneys: Balsam, Hibbard, Longyear, Turner (resigned but still listed in OAC web site at 4-7-08)
- 2 advocates: Dapper of Alzheimer and York of ARC
- 5 court judges/commissioner: VanDeren, Haberly, Prochnau, Valente, Wickham
- 2 state agencies: Bloedow DSHS, Wininger RCS
- 2 other (both education) Craven, Schmidt

This is not a good mix. 11 JDs, 3 CPGs, 2 PhDs and 2 advocates. Why have you overloaded the CPG Board with JDs? You add the 2 AOC staff, AG staff and Guardian Investigator and the room is filled with 15 JDs. It's no wonder the advocates seem to feel overwhelmed and don't tend to say much.

I would love to argue for at least 50% CPGs or even 75% CPGs to match what other regulatory bodies do.

However, I think removing the percentage of CPG membership on the Board allows the Board and the Supreme Court to have an appropriate balance of expertise, which should be at least one third, if there is a definition of practicing CPG to include a minimum of experience (e.g. 5 years) and a minimum number of current clients (e.g. 10).

Sylvia Curry

Faulk, Camilla

From: Sylvia Curry [smcurry@comcast.net]
Sent: Sunday, April 27, 2008 9:08 PM
To: Faulk, Camilla
Subject: GR 23 (c) (1) (ii) CPG Board member term limit

My name is Sylvia Curry. I am a Certified Professional Guardian.

This comment relates to GR 23 (c) (1) (ii) CPG Board member term limit.

The proposed change allows Board members to stay on for nine years. That is too long. The Board needs new ideas and energy on a regular basis.

I would strongly suggest that it be two consecutive full three-year terms. This would allow a person to serve 6 years or 6 years plus any unexpired term.

You may not know it, but GR 23 says that terms are established such that one-third shall end each year. Do you know you have 7 terms ending 9-30-08? There are 4 terms ending in 2009 (5 since you haven't replaced Ms. Turner who was an attorney). There a 6 in 2010. Hopefully in the next several months you are correctly advised on terms and return to 6 individual terms ending every year.

Thank you for your consideration,
Sylvia Curry

Faulk, Camilla

From: Sylvia Curry [smcurry@comcast.net]
Sent: Sunday, April 27, 2008 9:09 PM
To: Faulk, Camilla
Subject: GR 23 (d) (1) (vii) credit reports for applicants - it should be part of (d) (8) (1)

My name is Sylvia Curry. I am a Certified Professional Guardian.

This comment relates to GR 23 (d) (1) (vii) credit reports for applicants – it should be part of (d) (8) (1).

The requirement for credit reports should only be for applicants who have a bankruptcy in the previous seven years to be able to demonstrate that they have solved their personal financial management problems. In addition, somehow the Board needs to adopt a policy or procedure on what an acceptable credit report would be after a bankruptcy.

Thank you for your consideration,

Sylvia Curry

Faulk, Camilla

From: Sylvia Curry [smcurry@comcast.net]
Sent: Sunday, April 27, 2008 9:10 PM
To: Faulk, Camilla
Subject: GR 23 (c) (6) CPG Board conflict of interest

My name is Sylvia Curry. I am a Certified Professional Guardian.

This comment relates to GR 23 (c) (6) CPG Board conflict of interest.

I am not an attorney, but an attorney has pointed out to me that the original language of this statute does not say "such as". It says "included but not limited to".

Since this is a new section, the major concern is that the example provided in the rule is not the only example available to conflict a Board member from Board discussion.

Thank you for listening.

Sylvia Curry

Faulk, Camilla

From: Sylvia Curry [smcurry@comcast.net]
Sent: Sunday, April 27, 2008 9:12 PM
To: Faulk, Camilla
Subject: GR 23 (d) (1) (iv) Individual Certification requirements -- education

My name is Sylvia Curry. I am a Certified Professional Guardian.

This comment relates to GR 23 (d) (1) (iv) Individual Certification requirements -- education.

I have no problem increasing the professionalism of the CPG Industry and thus the requirements for entering CPGs. You may be interest to know that over 80% of the WAPG membership have a BA and above. Personally I have an MA.

I am concerned for the implication that this may be á requirement for all CPGs and object very strongly to the supporting argument provided by the CPG Board that shows a relationship between "serious" CPG sanctions and low education levels. Taking 8 "serious" examples (2 decertified and 6 settlements) out of 163 sanctions is statistical abuse at its worst.

This is an unnecessary statement and insults many CPGs who have made Guardianship their life's work. The CPGs I know who only have high school diploma's run circles around the JDs in terms of front line Guardianship work. I have had other CPGs with advanced degrees admit that they can't balance a check book and have a bookkeeper do it.

I believe instead of criticizing the high school CPGs among us we should be saying thank you for continuing to learn and serve those who need you.

You must add something to this section that indicates currently certified CPGs will not be required to secure advanced educational degrees.

Thank you for your consideration,

Sylvia Curry

Faulk, Camilla

From: Sylvia Curry [smcurry@comcast.net]
Sent: Sunday, April 27, 2008 9:13 PM
To: Faulk, Camilla
Subject: GR 23 (d) (1) (v) Certification Requirement - experience

My name is Sylvia Curry. I am a Certified Professional Guardian.

This comment relates to GR 23 (d) (1) (v) Certification Requirement - experience.

I was a Receptionist, Bookkeeper, Business Office Manager, and Assistant Administrator in a Continuing Care Retirement Community for over twenty years. I managed multi million dollar budgets, services for over 250 people and the ins and outs of state Medicaid and Medicare regulations including Medicaid and Medicare cost reports.

The way this experience section is worded, my experience would not have qualified because I did not use independent judgment on behalf of clients. I made decisions for a lot of clients at the same time.

I believe the phrase "on behalf of others" needs to be changed to "for others".

I believe very strongly that others with my background bring the balance of experiential knowledge that the Guardianship industry needs. I do all my own financial management, care planning and interactions with Medicaid and other agencies. I have done it for nearly thirty years now and believe that experience has served me well as a CPG.

Thank you for your consideration,

Sylvia Curry