
Colorado Office of Public Guardianship

Director, Sophia M. Alvarez

Commissioners

Kelsey Lesco, Chair
Karen Kelley, Vice-Chair
Deb Bennett-Woods
Marco Chayet
Alison Zinn



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PUBLIC MEETING

February 24, 2021

RECORD OF PROCEEDINGS

CONVENE

The meeting of the Colorado Office of Public Guardianship Commission was convened by telephone conference at 10:01 AM by Commission Chair Kelsey Lesco.

A quorum of the Commission was present.

Commission Members Present

Kelsey Lesco, Chair
Deb Bennett-Woods, Vice-Chair
Marco Chayet
Alison Zinn

OPG Director

Sophia M. Alvarez

Others Present

Jacquelyn Beal, Office of Public Guardianship
Rhonda Sanchez, Office of Public Guardianship
Camille Price, Office of Public Guardianship
Erin McGavin, Office of Public Guardianship
America Paz Pastrana, Office of Public Guardian
Debbie Enck, Office of the Attorney General

Public Attendance

Ann McKenzie, Silver Key Senior Services
Robert Hernandez, Former State Senator
Maureen Welch, Community Advocate

All participated by telephone.

AGENDA ITEMS

I. Call to Order

The meeting was called to order. Assistant Attorney General (AAG) Enck indicated that the meeting is being recorded.

II. Approval of the January 27, 2021 Meeting Minutes

Chair Lesco calls for amendments to the January 27, 2021 draft meeting minutes. There were none. Commissioner Zinn **moves** to approve the January 27, 2021 Meeting Minutes as presented. Commissioner Chayet **seconded** the motion. Motion **passed** unanimously with at least two-thirds of the membership present.

III. Chair Report (Kelsey Lesco)

Chair Lesco invited Director Alvarez to participate on topic regarding filling Commissioner Kelley's vacancy.

- A. Chair Lesco informed she had a phone meeting with an individual from the Governor's Office, who will be helping with the process of appointing a new Commissioner and agreed that the process could be expedited.
- B. Director Alvarez reported that there were no updates regarding the process since the phone meeting.
- C. Chair Lesco will follow up to facilitate the process.

IV. Director Report (Sophia M. Alvarez)

Director Alvarez's 2.24.2021 Director Report was distributed electronically along with other materials and discussed. Additional items discussed included, but were not limited to:

- A. Director Alvarez informed that as of this morning she was notified the SCAO Audit Letter provided & approved at 12.15.2020 meeting, will be split into 2 letters (financial & federal). There are no changes to the substance of the letter. The signing date is March 3., 2021 Director Alvarez stated that can provide the emails and updated letters if requested.
- B. Maren Welch, a member of the public, asked for clarification as who provided the SCAO letters.
- C. Director Alvarez informed that the letters were provided by Brayan Velazquez-Maldonado, Senior Legislative Auditor, and Dave Grier, Controller of Office of the State Court Administrator, as reported at the 12.15.2020 OPG Commission meeting.
- D. Director Alvarez informed that she and Hugh Wilson have had multiple meetings with Karen Levine/RMHS Transitions Program Director and Deb Hutson/OBH Manager of Momentum and Transitional Services regarding a contract for referrals for their specific clients. Therefore, they are considering a Budget Amendment to allow for the hiring of 1.0 FTE Public Guardian to take on a limited caseload of OBH/Momentum clients.
- E. Chair Lesco asked for more details about the new FTE position. Director Alvarez stated that because many of the CMHI - Fort Logan and CMHI - Pueblo clients are being discharged and in need of a guardian. Due to the complexity of the cases the new FTE would take 10 to 12 clients to assist with the integration within the community and set up services for them.
- F. Director Alvarez provide an additional update on Internal Ethics Committee. Director Alvarez stated that based on meetings with various entities she is updating the IEC policy for AG Enck & Chair Lesco to review before providing a more finalized policy for Commission review.
- G. Director Alvarez provided an update on the number of registered users, referrals, accepted cases, included on page 4 of Director's report.
 - i. 38 Active guardianships
 - ii. 18 Referrals pending in court proceedings
 - iii. 4 Partial/Incomplete referrals
 - iv. 2 clients passed away since CO OPG appointment
 - v. Declined referrals
 - a. Expired/Incomplete information – 2
 - b. Withdrawn by Ft. Logan – 1
 - ii. 3 Additional Streamline referrals, 1 from Boulder and 2 from Otero county.
- H. Director Alvarez provided an update on Data Gathering on page 5 of the report.
 - i. Grant Yoder, Research Assistant will present at a future meeting as to some preliminary key items to Phase I. Director Alvarez meets with assistant weekly.
 - 1. National and local literature review

2. Adding some data collection during the referral process and as we begin servicing clients, such as: Public Safety, Housing, Hospital expenses and Medicaid/Medicare reimbursement, CMHI expenses and costs
 3. Creating a Needs Assessment plan to qualify the statewide need for public guardianship services
- ii. 02.09.2021: recorded a webinar with Conny Lind from SCAO for Judges and Court staff on OPG update, referrals and data gathering needs – Waiting for the webinar link from SCAO to post.
 - iii. 02.16.2021: Meeting with Jeff Linville – Assistant Chief, and Marc Wiederrich – Assistant Chief, Denver Fire Department, regarding data gathering, and provided avenues for data collection partnership and collaboration with Blake Christenson, Denver Department of Public Safety.
- I. Chair Lesco asked for comments. There were none.

V. Policy on Complaints Regarding OPG Director

AG Enck informed that a draft of the Policy on Complaints regarding the executive director was distributed and any legal advice for the Commission needs to occur on executive session. After a brief discussion it was determined to move into executive session.

- A. Ms. Welch, member of the public, inquired as to the procedure for executive session. AG Enck explained that members of the public will remain on the current line, Commissioners will move to a private line and come back to open session when they end discussion.
- B. AG Enck advised that a scripted message was sent to the Commission with instructions for executive session.
- C. Commissioner Bennett-Woods **moved** to initiate executive session. Commissioner Zinn **seconded** the motion. Motion **passed** unanimously with at least two-thirds of the membership present. The Commission exited public line and entered executive session on a separate line at 10:32 a.m.
- D. At 11:03 a.m. the Commission returned to open session.
- E. Chair Lesco asked for comments.
- F. Commissioner Bennett-Woods suggested to have a plan for follow up review in the event of a corrective action is deemed necessary.
- G. AG Enck suggested to add step 6 to the policy and to state: “The Commission will follow up on any plan necessary to resolve the complainant’s concerns at the next performance evaluation or as the Commission deems necessary based on the circumstances of the complaint.”
- H. Chair Lesco ask for comments. There were none.

- I. Commissioner Zinn **moved** to adopt the “Policy on Complaints regarding the Executive Director” as amended. Commissioner Bennett-Woods **seconded** the motion. Motion **passed** unanimously with at least two-thirds of the membership present.

VI. Public Comment

- A. Maureen Welch stated that the Executive Director complaint process should have been in place prior to the director being hired and believes there is a lack of oversight. Ms. Welch suggested to have the OPG Commission and staff take Ethics Diversity Integration (EDI) training.
- B. Chair Lesco stated that will look if the EDI training is available to OPG. Chair Lesco informed that there is a complaint process in place accessible through the OPG website.
- C. Robert Hernandez stated that there is an EDI training accessible to everyone. Mr. Hernandez suggested for Guardians to watch movie “I Care A Lot” as a reference when dealing with ward’s assets.
- D. Chair Lesco informed that the OPG staff has completed Equity and Diversity training and feels confident that Director Alvarez will make sure staff will take further training. Chair Lesco advised that OPG does not handle client’s assets.
- E. Chair Lesco inquired about additional questions. There were none.

VII. Adjourn

Commissioner Bennett-Woods **moved** to adjourn the meeting. Commissioner Zinn **seconded** the motion. Motion **passed** unanimously with at least two-thirds of the membership present. Meeting adjourned at 11:24 a.m.

There was no discussion regarding this item.

ATTESTATION

As Commission Chair and Commission Vice-Chair, we attest that these minutes of the open public meeting of the Colorado Office of Public Guardianship Commission substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Commission.

Kelsey Lesco, Chair

Date

Deb Bennett-Woods, Vice-Chair

Date

DRAFT