

**OPG Commission meeting
Director Report
03.24.2021**

Purpose: The Director Report will provide detailed information about new matters, updates about the previous month's matters, and next steps for the following month. The Director will provide the Director Report to all Commission members. Questions about the Director Report will be addressed at the Commission meetings, if necessary.

Attachments for the 03.24.2021 meeting:

- Attachment 1: SCAO/Judicial Provided Monthly Budget Summary as of 03.02.2021
- Attachment 2: Budget Amendment submitted and JBC approved
- Attachment 3: Policy 6.10 Internal Ethics Committee
- Attachment 4: Commission Document Retention Policy

I. Annual staff performance evaluations were due in February 2021. Each staff member completed a self-evaluation. Each self-evaluation served as a basis to review, discuss, and finalize an annual evaluation. This process allowed for a joint discussion of the past year's performance, needs for improvement, if any, and opportunities for improvement, if any.

II. Budget Update.

a. I previously provided the March 2021 monthly budget report that is provided to me from Hugh Wilson, Judicial Budget Manager, See Attachment 1.

b. Based on multiple meetings with High Wilson, Karen Levine/RMHS Transitions Program Director and Deb Hutson/OBH Manager of Momentum and Transitional Services Mr. Wilson

submitted a Budget Amendment. The JBC approved the Budget Amendment allowing OPG to hire a 1.0 FTE Public Guardian to take on a limited caseload of OBH/Momentum clients. A long bill should be signed around May 1, 2021. I will have a job posting available to publish as soon as the bill is signed. In the meantime, AAG Enck and I will work on an MOU with OBH to have in place for July 1, 2021, when the funds will be available.

- c. AAG Enck is assisting with establishing a MOU with Mental Health Center of Denver (MHCD). Many OPG clients have mental health needs and mental health certifications that are addressed by MHCD. The MOU addresses:
 - i. Recognition of OPG guardianship paperwork and signatory authority;
 - ii. Recognition for procedure to obtain OPG consent prior to medication changes and treatment; and
 - iii. Time-limited policy of no cost to OPG in obtaining medical records, progress notes, etc. from MHCD.

- d. Various dates: Email correspondence with Megan Brand – Executive Director, Colorado Fund for People with Disabilities (CFPD), regarding joint grant submitted on 02.26.2021 to Next Fifty Initiative Grant. The grant includes OPG, CFPD, and Lutheran Family Services (LFS) LifeWork Aging Solutions requesting grant funds to CFPD to provide SSA Representative Payee services to OPG and LFS clients. Since this partnership does not require OPG to provide funds to the other entities, CFPD requested a letter of support, which I supplied, and was submitted with the grant application.

- e. Discussion with Chair Lesco and AAG Enck regarding the potential need to file motions related to authority to access client financial information to obtain/maintain benefits. Even with the basic

authority and language authorizing the OPG to obtain bank statements, etc. financial institutions are not giving OPG information. There is an additional issue regarding the potential need of OPG to request authority to close and transfer client funds (via hand delivery of a check) to Colorado Fund for People with Disabilities once CFPD becomes OPG clients' Representative Payee.

III. **Stakeholder Engagement Plan – In progress.**

- a. Stakeholder Advisory Panel applications are completed but will wait to disburse and post until the member criteria is established.

IV. **Colorado OPG Pilot Program Operating Policies Updates – In progress.** Operating Policies and Manual will be posted to CO OPG Website once updates are complete.

- a. **Policy 6.10. Internal Ethics Committee (IEC) – In progress.** See Attachment 3.

- b. **Policy 8. Ensuring Systemic Equality Services Standards – In progress,** no update from last meeting.

- c. **Policy 5. Colorado OPG Fiscal Policy – Client Emergency Fund – In Progress, no updates.** I am drafting an addition to Policy 5 to allow for a Client Emergency Fund. The intent of this policy is to address true emergency needs for clients, such as funds for housing/placement and only after all community services have been pursued and exhausted.

d. **Trainings and Projects**

- i. Resource Project - Ongoing. Team review of other organization's online resources, etc. for creation of

targeted and organized resources for CO OPG internal purposes and CO OPG website purposes

- ii. Individual Director and guardian training for CGC National certification: In progress.
- iii. Equity, Diversity, and Inclusion Training: received approval from Department of Personnel and Administration. I completed the training on 03.16.2021. Staff will complete the training by April 1, 2021.
- iv. 02.26.2021: Attend Health Inequity: 911 Generated Responses to Community Mental Health Crisis – Colorado Mental Health Ethics Forum
- v. 03.02.2021: Disability Cultural Competency training by Julie Reiskin – Director, Colorado Cross Disability Coalition
- vi. 03.09.2021: Colorado Guardianship Association webinar – Creating Resilience in the Age of COVID
- vii. 03.12.2021: Presentation by Katie Donohue – Denver City Mental Health Attorney regarding mental health statutes, procedures, and guardian involvement
- viii. 03.19.2021: Presentation by Jane Barnes – Benefits in Action Executive Director
- ix. 03.25.2021: Training with Megan Butler and Peggy Roling – Covell Care & Rehabilitation
- x. TBD: Compassion Fatigue workshop and a Social Justice training through Center for Trauma & Resilience

e. Intake Eligibility, Prioritization and Referral Process.

- i. Update on number of registered users, referrals, accepted cases, etc. as of **03.16.2020**. An update will be provided at the 03.24.2021 meeting.
 1. 42 Active guardianships
 2. 20 referrals pending in court proceedings [see withdrawn]
 3. 8 Partial/Incomplete referrals – some may be declined due to alleged incapacitated person living outside of Denver County
 4. 4 clients passed away since CO OPG appointment (all non-COVID related)
 5. Declined referrals
 1. Expired/Incomplete information – 2
 2. Withdrawn by Ft. Logan - 1
 6. 42 streamlined referrals (Non-Denver County) – Declined
 1. Arapahoe County – 8
 2. Boulder County – 4
 3. El Paso County - 5
 4. Garfield County - 1
 5. Gunnison County – 1
 6. Huerfano County - 3
 7. Jefferson County – 2
 8. Lake County - 1
 9. La Plata County – 2
 10. Larimer County - 3
 11. Las Animas County - 2
 12. Montrose County – 1
 13. Otero County – 3
 14. Pueblo County - 1
 15. Washington County - 1
 16. Weld County - 4

- ii. Rocky Mountain Human Services (RMHS) – See I.b.
 - 1. Momentum/Community Transition clients. This program is considering funding additional OPG FTE to primarily serve this clientele. See approved Budget Amendment
 - 2. Mill Levy Program clients. I'm in discussions with the Program Director for referrals. RMHS established a relationship with Chris Brock – Colorado Cross-Disability Coalition, Managing Attorney of Probate Power, to make referrals and serve as legal counsel for Mill Levy eligible clients. The OPG received and accepted 2 referrals from this relationship so far.

f. **Data gathering - In progress. Research Assistant.**

- i. Grant Yoder, Research Assistant will present at a future meeting. Grant and I meet weekly. Some preliminary key items to Phase I:
 - 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
 - 4. Creating a Mind Map for data collection partnerships
- ii. 02.09.2021: Recorded a webinar with SCAO for Judges and Court staff on OPG update, referrals and data gathering needs. Webinar is for Judges only. I plan to record various webinars to post on OPG website (i.e. eligibility requirements, how to make a referral, streamlined referrals, etc.

- iii. 02.16.2021: Meeting with Jeff Linville – Assistant Chief, and Marc Wiederrich – Assistant Chief, Denver Fire Department, regarding data gathering. Group provided avenues for data collection partnership and collaboration with Blake Christenson, Denver Department of Public Safety
- iv. 02.16.2021: Meeting with Blake Christenson – Senior Statistical Researcher, Denver Department of Public Safety. He provided avenues for data collection partnership and collaboration with Blake Christenson, Denver Department of Public Safety. I emailed Blake on 03.16.2021 for follow up, not response as of the date of this Report.
- v. 02.17.2021: Meeting with AJ Diamontopoulos – Data Collections, DRCOG. He provided many other avenues for data collection and possible grant funding opportunities
- vi. 03.09.2021: Meeting with Natalie DeVille, Director - LifeWork Aging Solutions – Lutheran Family Services, and Flavia Zarcu – Grant Manager - Lutheran Family Services regarding potential research partnership and grant partnership to address data collection required in C.R.S. 13-94-105 (Director Report requirements)
- vii. 03.12.2021: Discussion with Ann McKenzie, Silver Key Senior Services regarding data collection in Colorado Springs area
- viii. 03.16.2021: Email correspondence with Linda Loflin-Pettit – Denver City Attorney’s Office regarding data sharing and collection

- ix. 03.19.2021: OPG presentation to Pikes Peak Elder Abuse Coalition emphasizing the need for data collection in Colorado Springs area
- x. TBD: Meeting with Paula Henry of the Colorado LTC Community Ethics Committee for data gathering discussion

V. **Colorado OPG Strategic Plan.** Draft previously provided – no updates.

VI. **Stakeholder Meeting Update** since 02.23.2021.

- a. 02.23.2021: Attend Fiduciary Forum (Colorado Guardianship Association)
- b. 02.26.2021: Meeting with Lauren Snyder and Ryan Templeton – Colorado Mental Health Ethics Forum regarding potential legislative partnership
- c. 03.10.2021: Denver Forensic Collaborative
- d. 03.26.2021: Live webinar entitled “Legal Guardianship” with Colorado Gerontological Society
- e. 03.16.2021: Meeting with Marc Scanlon - Medical Legal Partnership regarding potential partnership to file motions for OPG as indicated in section II.e.
- f. Various dates: Email correspondence and meetings with Hugh Wilson – Budget Manager, SCAO and Deb Hutson – Program Manager, CDHS regarding funding partnership

- g. Various dates: Email correspondence and meetings with Chris Richardson, Sam Rabins, Katie Pierce of Mental Health Center of Denver regarding potential referrals
- h. Various dates: Email correspondence and meetings with Denver Fire Department, Jeff Linville – Assistant Chief, and Marc Wiederrich – Assistant Chief, Zach McDade
- i. Various dates: Email correspondence and meetings with Blake Christenson - Senior Statistical Researcher, Department of Public Safety
- j. Various dates: Meeting and email correspondence with Will Latimer, Clinical Director – Mental Health Center of Denver regarding OPG role and access to medical records on behalf of OPG clients

Attachment 1. OPG Personal Services and Operating Summary - FY21 - as of 03.02.2021

OPG Personal Services and Operating Summary - FY 2021

As of 3/2/2021

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)
Personal Services	\$560,000	\$ 551,049	\$8,951
Operating	\$173,844	\$ 85,118	\$88,726
Total Appropriation	\$733,844	\$636,167	\$97,677

YTD + projected expenditures
Balance remaining for operating
Total remaining in program line

	Cash Fund Balance		
	PRIOR YEAR (FY 2020)	YTD Revenue less YTD Expenses	Projected Revenue less Projected Expenses
Total Revenue	1,038,857	646,316	1,106,292
Total Expenditures	220,886	378,592	733,844
Net Change	\$ 817,971	\$ 267,724	\$ 372,448
Beg Fund Balance	-	817,971	817,971
= Fund Balance	817,971	1,085,695	1,190,419

Salaries	Pos. #	Actuals												Projections			
		July	August	September	October	November	December	January	February	March	April	May	June	Year-to-Date			
		Payroll															
Sophia Alvarez	87001	\$ 9,583	\$ 9,583	9583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 115,000			
America Paz Pastrana	87002	\$ 4,447	\$ 4,447	4,587	\$ 4,467	\$ 4,467	\$ 4,467	\$ 4,467	\$ 4,467	\$ 4,467	\$ 4,467	\$ 4,467	\$ 4,467	\$ 53,684			
Jacquelyn Beal	87003	\$ 5,000	\$ 5,000	5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 60,000			
Erin McGavin	87004	\$ 4,833	\$ 4,833	4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 58,000			
Camille Price	87005	\$ 4,833	\$ 4,833	4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 58,000			
Rhonda Sanchez	87006	\$ 4,833	\$ 4,833	4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 4,833	\$ 58,000			
Total Salaries		\$ 33,530	\$ 33,530	\$ 33,670	\$ 33,550	\$ 33,550	\$ 33,550	\$ 33,550	\$ 33,550	\$ 33,550	\$ 33,550	\$ 33,550	\$ 33,550	\$ 402,684			
Employee Benefits		\$ 12,415	\$ 12,343	\$ 12,375	\$ 12,348	\$ 12,348	\$ 12,348	\$ 12,365	\$ 12,365	\$ 12,365	\$ 12,365	\$ 12,365	\$ 12,365	\$ 148,365			
Total Personal Services		\$ 45,945	\$ 45,874	\$ 46,045	\$ 45,898	\$ 45,898	\$ 45,898	\$ 45,915	\$ 45,915	\$ 45,915	\$ 45,915	\$ 45,915	\$ 45,915	\$ 551,049			
Actuals																	
1920 -Other Professional Services		\$ 1,200	\$ 10,684	\$ -	\$ 7,678	\$ 2,821	\$ 2,960	\$ -	\$ -					\$ 25,343			
1940 -Medical Services		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 388	\$ -	\$ -								
1960 -Professional IT Services		\$ -	\$ -	\$ -	\$ -	\$ 2,960	\$ 3,525	\$ 300	\$ 300					\$ 7,085			
2255 -Rental of Meeting Rooms & Leased Space		\$ -	\$ -	\$ -	\$ 4,761	\$ 1,800	\$ -	\$ 3,616	\$ 1,833					\$ 12,010			
2513 -Mileage Reimbursement (Employee)		\$ -	\$ -	\$ -	\$ 16	\$ 81	\$ 80	\$ 187	\$ 58					\$ 422			
2631 -Communication Services from Outside Sources		\$ -	\$ 529	\$ 522	\$ 256	\$ -	\$ 646	\$ 256	\$ -					\$ 2,211			
2680 -Printing & Reproduction Services - Vendors		\$ -	\$ -	\$ -	\$ -	\$ 18	\$ -	\$ -	\$ -					\$ 18			
3110 -Identification & Safety Supplies		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12	\$ -	\$ -					\$ 12			
3121 -Case Jackets		\$ -	\$ -	\$ 1,128	\$ 267	\$ 254	\$ 93	\$ 233	\$ 261					\$ 2,235			
3123 -Postage		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 225	\$ -	\$ -					\$ 225			
3140 -Noncapitalized IT Software		\$ -	\$ -	\$ -	\$ 180	\$ -	\$ -	\$ -	\$ 300					\$ 480			
3145 -Noncapitalized IT Purchases		\$ -	\$ -	\$ -	\$ -	\$ 1,276	\$ (363)	\$ 134	\$ 134					\$ 1,181			
4220 -Registration Fees		\$ -	\$ -	\$ 535	\$ 1,965	\$ -	\$ -	\$ 1,500	\$ -					\$ 4,000			
4256 -Other Employee Benefits - Eco Pass		\$ 1,509	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 1,509			
Total		\$ 2,709	\$ 11,213	\$ 2,185	\$ 15,123	\$ 9,211	\$ 7,566	\$ 6,225	\$ 2,886	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000	\$ 85,118			
avg monthly operating expenses																	
Total - YTD + Projections Program Line		\$ 48,654	\$ 57,087	\$ 48,230	\$ 61,021	\$ 55,109	\$ 53,464	\$ 52,141	\$ 48,801	\$ 52,915	\$ 52,915	\$ 52,915	\$ 52,915	\$ 636,167			
														Over/(under) Program Line	\$97,677		

COLORADO OFFICE OF PUBLIC GUARDIANSHIP

Sophia Alvarez
Executive Director

FY 2022 Budget Amendment

February 16, 2021

Department Priority: BA #1
Request Title: Request for 1.0 Public Guardian FTE
Program: Office of Public Guardianship
Statutory Authority: 13-94-101 C.R.S.

	Fund	Actual FY20	Approp FY21	FY22 Nov 1st Request	FY22 Budget Amendment	FY22 Revised Request
Total All Line Items	Total	\$647,886	\$733,844	\$738,268	\$89,684	827,952
	FTE	4.5	6.0	6.0	1.0	7.0
	GF	427,000	-	-	-	-
	CF	220,886	733,844	738,268	-	738,268
	RF	-	-	-	89,684	89,684
	FF	-	-	-	-	-
Long Bill Line Name	Total	647,886	733,844	738,268	89,684	827,952
Office of Public Guardianship	FTE	4.5	6.0	6.0	1.0	7.0
	GF	427,000	-	-	-	-
	CF	220,886	733,844	738,268	-	738,268
	RF	-	-	-	89,684	89,684
	FF	-	-	-	-	-

Emergency Technical Error New Data Unforeseen Contingency

Request Summary:

The Office of Public Guardianship requests \$89,684 in Reappropriated spending authority and 1.0 FTE to provide Guardianships to qualified Office of Behavioral Health clients. The source of funding is the Momentum Program in the Office of Behavioral Health in the Department of Human Services.

Background:

Historically, individuals placed at CMHI Ft. Logan and CMHI Pueblo have complex mental health diagnoses. Once an individual is ready for discharge to a less restrictive environment, the CMHI often cannot discharge without a guardian in place. It is the policies of less restrictive environments, such as assisted living facilities or nursing homes, to accept an individual from a CMHI facility only with a guardian in place.

This limits the CMHI ability to discharge individuals, adding to their waiting list for accepting new individuals. This also limits the ability to discharge to an appropriate level of care, which is not conducive to the success of the individual.

A CMHI/Momentum client typically has complex medical and mental health needs. The Colorado OPG uses an internal policy to measure the level of complexity and time necessary to adequately serve a client. This allows the OPG to set appropriate caseloads based on the national best standards and practices. A current caseload is twenty based on the national best standards and practices. Due to the high intensity of the CHMI clients and to provide appropriate and ethical public guardianship services, the new 1.0 FTE will have a lower caseload. Since these clients tend to have higher needs the 1.0 FTE will likely start with a caseload of ten clients, with the possibility of serving a few additional clients, if appropriate.

This reappropriation will benefit the Colorado OPG Pilot Program to serve more clients, and in turn, gather more data for the Director Report due to the General Assembly by January 1, 2023 to determine whether to continue, expand or discontinue the Pilot Program.

Anticipated Outcomes:

The OPG will be able to assist individuals with high complex needs to discharge to less restrictive and more appropriate placements, in line with national best standards and practices. The OPG will be able to assist the Institutions in opening more beds for those in need of the Institutions.

The ability to utilize OPG more increases capacity as well as increases competition in our state with other guardianship agencies. Currently, OBH can only contract with one agency in the state due to the high needs of our client's as well as the limited amount of guardians in the state. OBH anticipates working with OPG will also increase competency of guardianship as they are state funded and OPG has state goals of serving individuals in need. In terms of funding, OBH anticipates that working more closely with OPG will help to have a standardized cost to use with all other agencies that OBH partners with as well.

Assumptions for Calculations:

- That to implement this request will cost \$89,684 Reappropriated Funds and 1.0 FTE in FY22 and annualizing to \$95,722 in FY23.
- Details of the costs are provided below
- The source of funding is the Department of Human Services, Office of Behavioral Health, Momentum Program.

		Public Guardian	FY23 Annualized Cost
<i>PERSONAL SERVICES</i>			
Number of FTE per class title		1.0	1.0
Monthly base salary		\$ 5,714	\$ 5,714
Number of months charged in FY21-22		11	12
Salary		\$ 62,854	\$ 68,568
PERA (Staff, GF)	10.90%	\$ 6,851	\$ 7,474
Medicare (Staff, GF)	1.45%	\$ 911	\$ 994
Sub-total Base Salary		\$ 70,616	\$ 77,036
<i>Health/Life/Dental</i>	\$10,042	\$9,205	\$ 10,042
<i>Short-Term Disability</i>	0.17%	\$107	\$ 117
Subtotal HLD & STD		\$ 9,312	\$ 10,159
TOTAL PERSONAL SERVICES		\$ 79,928	\$ 87,195
FTE		1.0	1.0
<i>OPERATING</i>			
Phone (staff)	\$ 450	\$ 450	\$ 450
Supplies (staff)	\$ 500	\$ 500	\$ 500
Mileage Reimbursement	\$ 720	\$ 720	\$ 720
TOTAL OPERATING		\$ 1,670	\$ 1,670
<i>CAPITAL OUTLAY</i>			
Computer/Software (staff)	\$ 1,800	\$ 1,800	\$ -
TOTAL CAPITAL OUTLAY	\$ 1,800	\$ 1,800	\$ -
<i>CENTRAL APPROPRIATIONS</i>			
AED	5.00%	\$ 3,143	\$ 3,428
SAED	5.00%	\$ 3,143	\$ 3,428
Central Appropriations Subtotal		\$ 6,285	\$ 6,857
TOTAL COSTS		\$ 89,684	\$ 95,722

Consequences if not Funded:

The consequences of this not being funded will just keep things as is and limit our resources for client's discharging from the Institutes. Colorado needs to increase guardianship capacity.

Impact to Other State Government Agencies:

Office of Behavioral Health Department of Human Services.

Cash Fund Projections:

N/A

Attachment 3. IEC excerpt policy - red is updated policy

Policy 6.10. GUARDIAN SUPERVISION

- a. The Colorado Office of Public Guardianship (OPG) shall model the highest standard of practice for guardians to improve the performance of all guardians in the state. As such, the Colorado OPG will provide experienced supervision and support to all Public Guardians. National Guardianship Association Standards of Practice for Agencies and Programs Providing Guardianship Services Standards I – III, V, and VI; National Guardianship Association Ethical Principles; National Guardianship Association Standards of Practice 1 – 16, 23, and 24.
- b. As such, the Director will seek certification from the Center for Guardianship Certification for National and Master Guardianship certifications within five years of employment with the Colorado OPG.
- c. The Colorado OPG training and curriculum for Public Guardians is geared toward becoming certified. Public Guardians are strongly encouraged to pursue National and Master Guardianship certifications within five years of employment.
- d. The Director for the Office of Public Guardian shall meet with each Public Guardian for a quarterly case review to ensure that individual goals are being met of both the Public Guardian and the wards whom the Public Guardian serves. These case reviews will be scheduled at a mutually agreed upon time and may take place in person or via an electronic meeting platform.
- e. A weekly team meeting is required of all staff members. The meeting may take place in person or via electronic meeting platform. The meeting is intended to serve as a way to touch base with all team members to update about cases that are currently at the forefront of each Public Guardian. The weekly meetings are also designed to be a way in which Public Guardians can problem solve with one another and consult with other members of the team about resources, strategies, and ideas. Finally, the weekly meeting serves as a way to announce information, receive feedback as a group, etc.
- f. The Office of Public Guardian will establish an Internal Ethics committee process for decisions that are ethically complex or controversial. The Ethics committee will establish guidelines for decision making in such controversial or complex areas. **Generally, the process will take place as follows:**
 1. **General Guidelines are available, but it must be recognized that ethical concerns may be considered on a case-by-case basis. In situations where the client's desires are unknown, it is especially important to follow ethical guidelines and input:**

- i. The Public Guardian may handle routine medical decisions that do not require the guardian to seek further consultation outside of the weekly individual conference with the Director.
 - ii. The Public Guardian may handle placement matters that do not require the guardian to seek further consultation outside of the weekly individual conference with the Director. Should a more restrictive placement than the current placement be recommended, the Public Guardian and Director may consult the Internal Ethics Committee.
 - iii. The Public Guardian must consult with the Director and the Internal Ethics Committee for high-risk medical procedures or interventions that require guardian consent.
 - iv. The Public Guardian must consult with the Director and the Internal Ethics Committee for end of life matters that require guardian consent.
2. The Public Guardian will consult the Director as outlined within this policy. The Director will review and be involved with any decision moving forward, as necessary.
3. If the Director believes more input is necessary to assist in making a decision, the Internal Ethics committee will be consulted in a timely manner depending upon how much time is available for a decision to be made on the matter.
4. For an individual that is hospitalized, the Internal Ethics Committee may consist of the Public Guardian, Director, hospital's Ethics Committee, and appropriate attending physician(s) and specialists.
5. For an individual that is not hospitalized, the Internal Ethics Committee may consist of an outside ethicist, Public Guardian, Director, OPG Commission member, and appropriate attending physician(s) and specialists. The outside ethicist may be a professor of ethics, bioethics and/or humanities.
6. If the decision is still too complex to proceed, the Colorado OPG will ask for the court's involvement to guide the decision.

THE OFFICE OF THE PUBLIC GUARDIANSHIP COMMISSION
DOCUMENT RETENTION POLICY

ARTICLE I: AUTHORITY

Pursuant to §§ 13-94-103(2)(c) and 13-94-104(3), C.R.S. (2017) and By-Laws promulgated on January 12, 2018, the Office of the Public Guardianship Commission (the “Commission”) is authorized to appoint, evaluate, and terminate for cause the Director of the Office of the Public Guardianship (the “Director”). The Director serves as the Executive Director for the Colorado Office of the Public Guardianship (the “Office”). This Document Retention Policy seeks to delineate the documents that are specifically considered Commission Documents that are in the custody and control of the Commission.

ARTICLE II: DOCUMENT RETENTION PROCEDURES

Section 2.1 Definitions.

The term “Commission Documents” as used herein refers to any and all documents relating to the appointment, evaluation, or termination of a current or past Director. This excludes any documents that may be kept by the Human Resources Department for the State Court Administrator’s Office (“SCAO”) as part of the administrative duties undertaken by SCAO pursuant to the Memorandum of Understanding between the Colorado Judicial Department and the Office from January 2018, or any successor agreement.

The term “Custodian” as used herein refers to the Chair of the Commission.

Section 2.2 Retention Schedule.

DOCUMENT DESCRIPTION	RETENTION PERIOD
Job Announcements for Director	2 years after position is filled
Employment Applications (Not Hired)	2 years from date of rejection
Employment Application (Final Candidate – Appointed)	10 years after retirement or separation
Interview Records (Not Hired)	6 months after hiring decision
Interview Records (Final Candidate – Appointed)	10 years after retirement or separation

DOCUMENT DESCRIPTION	RETENTION PERIOD
Reference Checks (Not Hired)	6 months after hiring decision
Reference Checks (Final Candidate – Appointed)	10 years after retirement or separation
Personnel Records for Director	10 years after retirement or separation
Executive Session Recordings: General Legal Advice	90 days after meeting date
Executive Session Recordings: Interviews of Director Candidates (Not Hired)	6 months after hiring decision
Executive Session Recordings: Interview of Director Candidate (Final Candidate – Appointed)	10 years after retirement or separation
Executive Session Recordings: Personnel Issues of Director	10 years after retirement or separation
Executive Session Recordings: Termination of Director	10 years after termination
Commissioner Appointments and Resignations – Successfully Appointed	2 years after end of Commissioner’s term
Commissioner Appointments – Unsuccessful Applicants	2 years after the end of the appointment process
CORA – Open Records Requests and Responses	2 years after response is completed
Correspondence: Enduring Long-term or Historical Value	Permanent
Correspondence: Routine Commission Operations	2 years after date of correspondence
Correspondence: Transitory	90 days after date of correspondence
Commission Policies and Procedures	2 years after repealed or superseded

Section 2.3 Electronic Maintenance

To the extent practicable, documents will be maintained in electronic format only.

Section 2.4 Custodian of Records.

The Custodian shall preserve all Commission Documents for the time periods outlined in the Retention Schedule.

Prior to the Custodian no longer serving as Commission Chair, either due to resignation from or expiration of the term of service on the Commission, the Custodian shall provide all Commission Documents to the successor Custodian, and

if there is no successor Custodian at that time, then to the current Vice-Chair until the Commission Chair is installed.

ARTICLE III: AMENDMENTS

Section 3.1 Procedures.

This Document Retention Policy may be amended or repealed, in whole or in part, by a majority vote at any publicly noticed meeting of the Commission and shall be effective upon adoption or amendment.

Section 3.2 Distribution.

The latest version of the Document Retention Policy shall be made available to the public via the Office website.

Section 3.3 History.

Adopted and approved effective this 28th day of February, 2018.
Amended and approved effective this _____.

OFFICE OF THE PUBLIC GUARDIANSHIP COMMISSION:

SHARI CATON
Commission Chair

DEB BENNETT-WOODS
Commission Vice-Chair