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# Colorado Office of Public Guardianship

**Director**, Sophia M. Alvarez

**Commissioners**

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



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## PUBLIC MEETING

**May 26, 2021**

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## RECORD OF PROCEEDINGS

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### CONVENE

The meeting of the Colorado Office of Public Guardianship Commission was convened by telephone conference at 10:03 AM by Commission Chair Kelsey Lesco.

A quorum of the Commission was present.

### **Commission Members Present**

Kelsey Lesco, Chair  
Deb Bennett-Woods, Vice-Chair  
Alison Zinn  
Stephanie Garcia

### **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, Advocate  
Jim Tatten

All participated by telephone.

## **AGENDA ITEMS**

### **I. Call to Order**

The meeting was called to order. Chair Lesco indicated that the meeting is being recorded and that the meeting will end at 11:30 a.m.

### **II. Approval of the March 24, 2021 Meeting Minutes**

Chair Lesco calls for amendments to the April 28, 2021, draft meeting minutes. The approval of the April 28, 2021 meeting minutes was tabled until June's Commission meeting because Commissioner's Zinn and Garcia abstained from voting as they were not present at the April meeting so there were not enough votes to approve the meeting minutes.

### **III. Chair Report (Kelsey Lesco)**

Chair Lesco announced that the Director Alvarez has completed self-evaluation and is working on a delivery method for the evaluation and supporting documents. AAG Enck will deliver the self-evaluation and supporting documents to the Commission. Chair Lesco stated that the self-evaluation should be delivered by the end of June and Commissioners evaluations should be completed and delivered to Chair Lesco by the end of June. Chair Lesco requested to have the Evaluation discussion at the July Commission meeting. Chair Lesco asked for additional comments. There were none.

Chair Lesco provided an update regarding the Commission document retention policy and storage. Chair Lesco stated that the idea is to use OneDrive for storage and ZOOM for Commission meetings with a cost of \$150 per year. Chair Lesco informed that for the rest of her term as Chair she does not anticipate requesting in person meetings and this format is more acceptable for everyone to attend. Chair Lesco asked for comments. There were none.

### **IV. Director Report (Sophia M. Alvarez)**

Director Alvarez's 5.26.2021 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 the position for a new guardian has been posted and it will be open until June 18<sup>th</sup>.
- B. Director Alvarez informed that the Stakeholder Advisory Panel (SAP) criteria information was sent to Chair Lesco and AAG Enck for review and it will be

available at the next meeting. The goal is to have SAP members identified by the end of the summer.

- C. Director Alvarez informed that OPG policies were posted on the website. Other OPG documents along with the Commission policies will be posted soon.
- D. Director Alvarez provided an update on the number of registered users, referrals, and accepted cases as of 5.26.2021.
  - i. 51 Active Guardianships
  - ii. 20 referrals pending in court proceedings
  - iii. 4 Partial/Incomplete referrals
  - iv. 50 Streamline referrals
  - v. 6 Clients have passed away since CO OPG appointment, all non-COVID related

a. **Review of Policy 6.10. Internal Ethics Committee**

- A. Director Alvarez informed that this item was placed on the agenda but has not received Commissioner Chayet's and Commissioner Zinn's feedback.
- B. Chair Lesco asked to table this item for review during the June meeting.
- C. Chair Lesco asked for comments. There none.

b. **Complaint Process discussion (Policy 6.18 and Commission Policy on Complaints Regarding the Director)**

- A. Director Alvarez informed that the complaint process and forms are available through the website and can be delivered via mail, fax, email or dropped off at the office.
- B. Director Alvarez asked for questions or comments regarding other submission options.
- C. After a brief discussion as to providing the option of submitting the complaint form electronically it was determined that if the cost is not an unreasonable expense it will be provided. Director Alvarez will provide a cost estimate at the June meeting.
- D. Chair Lesco brought to discussion the possibility of a member of the community not wanting to submit a complaint in writing and whether submitting complaints via the phone should be allowed. Chair Lesco also raised concerns about not being able to make anonymous complaints may be a bar to making complaints.
- E. After a brief discussion, Chair Lesco informed that she will think about it and will follow up with the Commission.
- F. Chair Lesco ask for additional comments. There were none.

## V. Public Comment

A. Maureen Welch inquired about the following:

- a. Ms. Welch stated that she believes Chair Lesco's new employment with the Department of Law raises a potential conflict and requested feedback as to whether it was discussed with AAG Enck and the Commission.
- b. Ms. Welch suggested that the public and Commission should be informed of the cause of death of clients' deaths reported by Director Alvarez.
- c. Ms. Welch stated that the Complaint process and forms on the website are not easily found. Ms. Welch suggested that the Commission look at how other state entities handle complaints and to consider contracting with outside parties to deal with complaints.
- d. Ms. Welch informed that she received an email message informing her that there was a security breach at Colorado Fund for People with Disabilities (CFPD) and not to reply to their emails. Since OPG contracts with CFPD she asked about what are OPG's requirements when contracting with someone who had a security breach.

B. Chair Lesco encouraged Ms. Welch to email the Commission directly regarding her concerns and informed Ms. Welch that the purpose of the Commission meetings are for the Commission to conduct Commission business and not for general question and answer sessions.

C. Chair Lesco informed that regarding her new employment she discussed it with AAG Enck, and she did not find any conflicts.

D. Chair Lesco asked the Commissioners if they had any concern regarding her employment with the Department of Law. The present commissioners stated that did not have concerns regarding any conflicts with Chair Lesco' current employment.

E. Chair Lesco informed that OPG staff and the Commission do have empathy regarding the deaths of clients, that within the population OPG serves there are people that are at the end of life and that the Commission/OPG cannot disclose details of their death.

F. Chair Garcia informed that the death of clients are the toughest part of a guardian's job and the oversight and manner a death is dealt with is built within the court process.

- G. Chair Lesco informed that will discuss with AAG Enck if can provide more detail as to the cause of death and will look at whether the complaint forms are difficult to find.
- H. Chair Lesco further informed that if there is a request for ADA accommodations the Commission/OPG will comply with the accommodation.
- I. Ann McKenzie from Silver Key thanked Director Alvarez and Grant Yoder, Research Assistant for gathering data as to the need of public guardianship in the Pikes Peak area.
- J. Ms. McKenzie stated that she looked at the OPG website and did not have any difficulty finding the complaint process and forms.
- K. Jim Tatten stated that Google Meetings are used by other state agencies and he finds it very accommodating and easy access to material.
- L. Chair Lesco asked for additional comments. There were none.

**VI. Adjourn**

Commissioner Bennett-Woods **moved** to adjourn the meeting. Commissioner Garcia **seconded** the motion. Motion **passed** unanimously. Meeting adjourned at 11:17 a.m.

**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.

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Kelsey Lesco, Chair

\_\_\_\_\_  
Date

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Deb Bennett-Woods, Vice-Chair

\_\_\_\_\_  
Date