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# Colorado Office of Public Guardianship

**Director**, Sophia M. Alvarez

**Board Members**

Stephanie Garcia, Chair  
Brandon Fields, Vice-Chair  
Patrick Thiessen  
Jeffrey Bird  
Chandra Matthews  
Aisha Young



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## **PUBLIC MEETING** **March 12, 2024** **RECORD OF PROCEEDINGS**

### **CONVENE**

The Special Meeting of the Colorado Office of Public Guardianship Board was convened by video conference via Zoom at 3:02 PM by Board Chair Garcia.

A quorum of the Board was present.

### **Board Members Present**

Chair Stephanie Garcia  
Vice-Chair Brandon Fields  
Patrick Thiessen  
Chandra Matthews  
Aisha Young

### **OPG Director**

Sophia M. Alvarez

### **Others Present**

Janelle Cantu, Deputy Director, Office of Public Guardianship  
Josh Murphy, Staff Attorney, Office of Public Guardianship  
America Paz Pastrana, Office of Public Guardianship  
Robert Finke, General Counsel, Office of the Attorney General  
Kirsten Grooms, General Counsel, Office of the Attorney General

### **Public Attendance**

Maureen Welch

Participation was by video conference.

## **AGENDA ITEMS**

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

The meeting was called to order at 3:02 pm. The meeting was recorded.

### **II. Discussion of Critical Incident Reporting**

- a. Specifically, the matters referred to Executive Session and Discussion of Critical Incident Reporting

### **III. Legal Discussion and Updates Regarding Legal Advice for CORA Requests, Media Requests, MOU Negotiations with SCAO, and Complaint**

- b. Specifically, the matters referred to Executive Session and discussion of legal issues and updated regarding CORA requests, media requests, MOU negotiations with SCAO, and Complaint

Chair Garcia asked for public comment prior to entering Executive Session and there was none.

Chair Garcia asked for motion to enter Executive Session to discuss the remaining items.

Board Member Young moved to initiate Executive Session. Board Member Matthews seconded the motion. Motion passed unanimously with at least two-thirds of the membership present.

The Board exited Open Session and entered Executive Session on a separate line at 3:04 p.m.

At 3:48 p.m., the Board returned to Open Session.

### **IV. Chair Response to Media Requests**

Chair Garcia requested that the Op-ed response to media requests be made part of the record and minutes.

Published on March 5, 2024, ColoradoPolitics.com, "*Nascent state Office of Public Guardianship confident in explanation*" by Stephanie Garcia.

"Unbefriended. That's what our clients are called in medical and legal literature.

The veteran who suffers from PTSD and combat-related injuries. The elderly woman who suffers from dementia and a recent stroke. The person in their 20s living on the streets, incapacitated by mental illness or a traumatic brain injury.

Lacking family support, resources and stable housing, this medically fragile population doesn't have a voice. There is no one there to advocate on their behalf to ensure their safety and wellbeing.

To respond to the growing rate of indigent and incapacitated adults – a population estimated at up to 3,736 individuals in Colorado – the state legislature funded the Office of Public Guardianship four years ago. These guardians secure appropriate housing/placement, medical and mental healthcare, assist with end of life medical care decisions and provide any other essential support and care necessary while safeguarding the client's individual rights and independence whenever possible.

These extremely vulnerable individuals span every age group, although the average age range is 60 to 75 years old, and the most common diagnoses related to their loss of capacity are Alzheimer's, dementia or other neurocognitive disorders or mental illness. More than 85% have at least one additional medical condition, and 44% have multiple medical problems. By the time a guardian is appointed, the majority of clients are either in high acuity settings such as hospital beds or experiencing homelessness. Some are at the end of their life when we are first appointed, soon passing away in a hospital or nursing home under the direct care and supervision of medical professionals.

As a newly created independent agency operating in seven counties, we have served more than 105 clients in the past 2 years with a small staff of four guardians and a case management aid. Clients are seen monthly and guardian to staff ratios are within best practice standards. We have helped clients with mental health challenges and cancer find hospice care, a woman suffering from severe psychosis make a successful transition from a private home after a parent's death to an assisted living facility, helped remove a client with dementia and other medical problems from her unsafe environment with her family to a skilled nursing facility, and provided emotional support and appropriate placement for a client in his 20s with severe mental illness, traumatic brain injury, substance abuse issues and multiple arrests.

Not only does appointing a guardian improve the quality of life for clients but it also helps ensure taxpayer money is used effectively and efficiently. For instance, by moving only nine clients from mental health institutions to assisted living and nursing homes, the state saved more than \$3.5 million and opened up beds for those individuals that truly needed them. Guardians have decreased average days in the hospital by 57% for their clients and placed 15 people who were chronically homeless into stabilized housing. Beyond the costs avoided through placement of clients into appropriate housing settings, guardians also relieve some of the burdens borne by emergency rooms, 911

operators and calls to law enforcement.

Our guardians are on call 24/7 throughout the week and alternate on-call weekends. Like first responders and healthcare workers, guardians are underpaid, overworked and operate in crisis mode at all times, which can take a toll. While some guardians have left over the last two years, others have joined, and we have long-term staff. We are actively recruiting more as our agency has a mandate to expand statewide by 2030. We face the same hurdles in recruiting and retaining employees as other public agencies since the pandemic. The state of Colorado had a 23% vacancy rate across the board last year and a 13% turnover rate overall. In human services, which also works with some of the state's most vulnerable populations, that turnover rate was 20%.

We are confident that we will be successful in expanding our services to people across the state, because in all honesty, we must be.

To thousands of Coloradans, our guardians are their last hope.”

**V. Adjourn**

Board Member Young **moved** to adjourn the meeting. Board Member Matthews **seconded** the motion. The motion **passed** unanimously. The meeting was adjourned at 3:50 p.m.

**ATTESTATION**

As the Board Chair attests, these minutes of the open public meeting of the Colorado Office of Public Guardianship Board substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Board.

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Stephanie Garcia, Chair

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Date

\_\_\_\_\_  
Brandon Fields, Vice-Chair

\_\_\_\_\_  
Date