

**OPG Commission meeting  
Director Report  
03.22.2023**

Purpose: The Director Report will provide 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. Commissioners are encouraged to reach out to the Director directly regarding any questions in between meetings.

Attachments for the 003.22.2023 meeting:

- Attachment 1: SCAO/Judicial provided a FY 2023 Budget Summary as of 03.13.2023

**I. Budget and Administrative Update.**

- a. I previously provided the monthly budget summary report provided to me from Mike Henthorn, Judicial Budget Analyst II. **See Attachment 1.**
- b. COPG bill, SB23-064. SB23-064 was sent to Senate Appropriations Committee and there is no hearing date set. There will not be any testimony. Bills started moving last week, so we expect our bill to be set soon.
- c. We are considering a possible amendment to authorize us to automatically have spending authority for grant funds received. Our JBC Analyst suggested this to me because I inquired about the process if we were to receive grant funds. Senator Gardner is conducting research on the amendment
  - i. Our Legislative Liaison and I have met with the following regarding the bill and possible amendments:
  - ii. Colorado Counties, Inc. and various county APS regarding the bill
  - iii. Jarett Hughes, Director of Policy and Research, Governor's Office
  - iv. Disability Law Colorado
- d. I will continue preparing for the House Judiciary Committee hearing and reaching out to stakeholders for support even though we do not have a date yet
- e. Other 2023 Legislative Updates
  - i. Amended CORA Bill – LLS No. 23-0416.01 makes changes to the CORA and one aspect would subject agencies in the Judicial Branch to CORA. I will be providing feedback to our legislative liaisons after review

- ii. ASIA Bill (Administrative Services for Independent Agencies) - LLS No. 23-0870.01 was introduced 03.14.2023. Some of the Directors of the independent agencies, including myself, provided feedback to the JBC Analyst, Alfredo Kemm. I briefly heard back about some possible amendments. I will update you as this bill progresses
  - iii. JBC Analyst, Alfredo Kemm, provided that if the Commission supports the ASIA bill, a letter of support to the JBC is recommended
- f. I provided supportive public feedback on the Chief Justice Directive regarding virtual proceedings
- g. Human Resources Update
  - i. The OBH/Momentum guardian resigned effective 02.20.2023. This position was posted on 02.10.2023 with a closing date of 03.24.2023. We have one application.
  - ii. One guardian is on FMLA through at least the end of March 2023
  - iii. One guardian is on unexpected PTO, possible through early April 2023
  - iv. We are juggling case coverage, transfers and had to limit accepting new clients
  - v. America, our Staff Assistant, has been following up with referring parties for referrals on the Hold list
  - vi. We already accepted one referral for the second 2<sup>nd</sup> JD OBH/Momentum caseload
  - vii. Multiple facilities have reported COVID outbreaks so guardians and the Case Management Aid are attempting multiple client visits via in-person and virtual as well as multiple calls and check-ins with clients and medical staff and providers
  - viii. We met with 16<sup>th</sup> JD APS Directors on 03.13.2023 who confirmed our meet and greet idea planned for April. They provided us with contacts and additional resources for applicants. We will repost for the 16<sup>th</sup> Judicial District Public Guardian position after the new year. We have posted twice for this position. They indicated it may be difficult to find applicants with a bachelor's degree and encouraged us to consider equivalent education or experience, which is in our job description.
  - ix. I also recently learned that the mandatory State compliance trainings are no longer offered freely through the State. These trainings have to

be contracted with a third party and this will be an additional expense incurred by the COPG. I met with the third-party contractor on 02.03.2023. It was determined that the third-party contractor is through the Executive Branch and could not assist the COPG. The Judicial Department did not notify the COPG of this change. Therefore, I reached out to the Judicial Department Human Resources representative seeking information and assistance to ensure that COPG has access to the State compliance trainings. I have not received a response so I will follow up accordingly. I met with a Judicial HR representative on 03.14.2023. We discussed the MOU and if Judicial HR is required to provide training to the COPG. The Judicial HR representative is following up with her supervisor and will get back to me on 03.17.2023.

- h. If our current budget process allows us to accept grant funding, I plan to Next Fifty Initiative Flexible Funding grant to hire two Patient Navigators/Escorts to attend client medical appointments and spend quality time with clients. This would benefit the clients by receiving more one-on-one time and person-centered care.
- i. The Attorney General's Office has been assisting our office with several matters:
  - i. The AG's Office filed one Motion to Intervene in Mental Health proceedings under CRS §27-65-111(6). The COPG will be notified of these proceedings and may present evidence
  - ii. I requested legal advice on three issues from the AG's Office which resulted in two Legal Memorandums and one letter is being drafted to a medical provider regarding our ability to consent to treatment on behalf of a client
  - iii. The AG's Office is working with us and two medical providers on safe discharge issues for two clients
- j. I am working again with University of Colorado Hospital on a budget proposal for a guardian to serve eligible discharging clients
- k. The Honorable Elizabeth D. Leith of the Denver Probate Court approached me about the 2<sup>nd</sup> Judicial District Court submitting a proposal for funding of

a COPG Public Guardian for the Criminal REACH Docket. Judge Leith submitted the proposal for funding and has kept me updated

II. **Stakeholder Engagement Plan.** This item is on hold until the Office is permanent.

III. **Colorado OPG Pilot Program Commission and Operating Policies Updates – No updates.** Please note that Commission and Operating Policies are available on the OPG website: <https://colorado-opg.org/opg-in-depth/>

a. **Commission policies were posted on the COPG website in January 2023.**

b. **All COPG policies were updated and posted on the COPG website in January 2023.**

c. **Trainings and Projects – Ongoing.** A list will be provided quarterly.

i. Janelle Cantu and I met with Allison Villegas on 03.16.2023 to discuss creating a training for our office. Ms. Villegas is a Physician Assistant with Longevity Health Plan, a specialized Medicare Advantage health plan serving people living in skilled nursing facilities. We discussed a program to discuss collaborative communication with the interdisciplinary team at nursing facilities and common medical and behavioral conditions that affect patients and how guardians can identify and follow up on treatment, etc. We will be following up with the guardians for input and scheduling of training. I will be following with Ms. Villegas on a contract for the training.

d. **Intake Eligibility, Prioritization and Referral Process.**

i. Update on number of registered users, referrals, accepted cases, etc. as of **03.15.2023**

1. 82 Active guardianships

2. 24 Partial referrals

3. 21 clients passed away since CO OPG appointment

4. 13 Hold status for 6 months (now includes OBH/CHMI-Ft. Logan/Pueblo referrals that are non-OBH/Momentum contract referrals)

5. One OBH/Momentum dedicated caseload is full and all 12 guardianships are active

6. The second OBH/Momentum dedicated caseload has accepted one referral and has there Partial referrals
  
7. Declined referrals – pre-Hold status
  1. 49 Denver declined referrals (some declined were prior to establishing the Hold status)
    - a. 6 - Family available to serve
    - b. 27 - Expired/Incomplete information
    - c. 6 – Not appropriate referral
    - d. 2 - Not adult
    - e. 4 - Withdrawn by Ft. Logan
    - f. 4 - No OPG Capacity
  2. Withdrawn, not incapacitated – 3++
  3. Texas inquiry - 1
  4. Nebraska referral - 1
  5. Alaska inquiries – 2
  6. Colorado inquiries - 8
  
8. 99 streamlined referrals (Non-Denver County) – Declined
  1. Adams County – 5
  2. Alamosa County - 1
  3. Arapahoe County – 17
  4. Boulder County – 6
  5. Broomfield County – 1
  6. Crowley - 2
  7. “Denver County” – 2
  8. El Paso County – 19
  9. Garfield County – 1
  10. Gunnison County – 1
  11. Huerfano County - 3
  12. Jefferson County – 9
  13. Lake County - 1
  14. La Plata County – 2
  15. Larimer County - 5
  16. Las Animas County - 2
  17. Mesa County – 1
  18. Montrose County – 2
  19. Otero County – 6

20. Pueblo County – 6

21. Weld County – 7

- IV. **Colorado OPG Strategic Plan.** Draft previously provided – no updates.
- V. **Stakeholder Outreach – Ongoing.** A list can be provided if requested.
- VI. **Data gathering and Final Report – Completed.** The Final Report was submitted to the Legislative Council Staff on 12.27.2022, 01.01.2023 and again on 01.18.2023. LSC is backlogged. I received confirmation on 02.27.2023 that the report was received, but no confirmation that it was distributed yet.
  - i. We will continue to update our data to provide current data at legislative hearings
- VII. The Chair forwarded a media inquiry via email from Brett Darken who indicated that he writes about families and finance. He stated that he is researching a story about guardianships in Colorado. Due to the nature of his request, I referred him to the SCAO data on guardianships in Colorado and to the JBC budget requests on our website

# Attachment 1. FY23 OPG Budget Summary as of 03.13.2023

OPG Personal Services and Operating - FY 2023 - Through 3/13/2023

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)
Personal Services	\$1,360,000	\$ 1,037,951	\$322,049 YTD
Operating	\$360,586	\$ 254,874	\$105,712
<b>Total Appropriation</b>	<b>\$1,720,586</b>	<b>\$1,292,825</b>	<b>\$427,761</b>

Balance remaining for operating  
Total remaining in program line

	Cash Fund Balance	
	PRIOR YEAR (FY 2022)	Projected Revenue less YTD Expenses
Total Revenue	\$1,220,753	\$1,100,000
Total Expenditures	\$780,395	\$1,292,825
Net Change	\$440,358	(\$192,825)
Beg Fund Balance	\$1,294,174	\$1,734,532
<b>= Fund Balance</b>	<b>\$1,734,532</b>	<b>\$1,541,707</b>

Salaries	Pos. #	Current Salaries	Actuals							Projections				
			July	August	September	October	November	December	January	February	March	April	May	June
Director	87001	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167
Staff Assistant	87002	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718
Public Guardian	87003	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 482	\$ -	\$ -	\$ 5,305	\$ 5,305	\$ 5,305
Public Guardian	87004	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128
Public Guardian	87005	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128
Public Guardian	87006	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128
Public Guardian	87007	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150
Deputy Director	87008	\$ 8,833	\$ 7,992	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833
Public Guardian	87009	\$ 5,000	\$ -	\$ -	\$ -	\$ 3,064	\$ 5,003	\$ 4,983	\$ 4,983	\$ 4,983	\$ 4,983	\$ 4,983	\$ 4,983	\$ 4,983
Public Guardian	87010	\$ 5,000	\$ -	\$ -	\$ -	\$ 3,095	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Case Management Aide	87011	\$ 4,533	\$ -	\$ -	\$ -	\$ -	\$ 5,357	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500
Public Guardian	87012	\$ 4,983	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,586	\$ 4,983	\$ 4,983	\$ 4,983	\$ 4,983	\$ 4,983
Vacant, Public Guardian	87XXX	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Vacant, Public Guardian	87XXX	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
<b>Total Salaries</b>			\$ 48,714	\$ 49,556	\$ 49,556	\$ 55,715	\$ 64,916	\$ 64,039	\$ 60,802	\$ 63,717	\$ 63,717	\$ 79,022	\$ 79,022	\$ 79,022
<b>Employee Benefits</b>			\$ 16,878	\$ 18,910	\$ 18,869	\$ 21,018	\$ 24,971	\$ 24,769	\$ 24,061	\$ 24,839	\$ 24,839	\$ 27,000	\$ 27,000	\$ 27,000
<b>Total Personal Services</b>			\$ 65,592	\$ 68,465	\$ 68,424	\$ 76,733	\$ 89,887	\$ 88,807	\$ 84,863	\$ 88,556	\$ 88,556	\$ 106,022	\$ 106,022	\$ 106,022

			Actuals							Projections				
			July	August	September	October	November	December	January	February	March	April	May	June
1920 -Other Professional Services			\$ 6,872	\$ (4,685)	\$ 315		\$ 12,555	\$ 12,315	\$ 5,334	\$ 12,052				\$ 44,758
1935 - Attorneys			\$ 202	\$ 342			\$ 301	\$ 62						\$ 908
1940 -Medical Services														\$ -
1950 -Professional Services from Other Colorado Departments														\$ -
1960 -Professional IT Services			\$ 890	\$ 4,923	\$ 2,474	\$ 300	\$ 2,076	\$ 550	\$ 550	\$ 13,858				\$ 25,620
2250 -Miscellaneous Rentals														\$ -
2255 -Rental of Meeting Rooms & Leased Space			\$ 2,000		\$ 3,614		\$ 3,900	\$ 2,175	\$ 1,900	\$ 1,900	\$ 3,390			\$ 18,879
2510 -General Travel (Employee)				\$ 162	\$ 439	\$ 527	\$ 172	\$ 26						\$ 1,327
2511 -Common Carrier Fares														\$ -
2512 -Meals (Employee)					\$ 58					\$ 246				\$ 304
2513 -Mileage Reimbursement (Employee)			\$ 928	\$ 164	\$ 1,079	\$ 445		\$ 956	\$ 612	\$ 848	\$ 355			\$ 5,386
2530 -General Travel							\$ 747							\$ 747
2531 -Common Carrier Fares						\$ 221								\$ 221
2532 -Meals			\$ -	\$ -	\$ -	\$ -	\$ 127							\$ 127
2610 -Advertising Services			\$ -	\$ -	\$ 273	\$ 58	\$ 809	\$ 61	\$ 100					\$ 1,301
2631 -Communication Services from Outside Sources			\$ -	\$ 574	\$ 675	\$ 649	\$ 674	\$ 653	\$ 1,449	\$ 868				\$ 5,542
2641 -ADP Services from Outside Sources			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,883				\$ 25,883
2680 -Printing & Reproduction Services - Vendors					\$ 47			\$ 45	\$ 16,790	\$ 168				\$ 17,050
3113 -Clothing & Uniforms														\$ -
3118 -Food & Food Services Supplies				\$ 583		\$ 27	\$ 104		\$ 362					\$ 1,075
2820 -Monitoring Services			\$ 5,119	\$ 5,119	\$ 119	\$ 119	\$ 136	\$ 136	\$ 136	\$ 146				\$ 5,911
3110 -Identification & Safety Supplies			\$ 3		\$ 44	\$ 6	\$ 3		\$ 3					\$ 59
3120 -Books / Periodicals / Subscriptions														\$ -
3121 -Case Jackets				\$ 344		\$ 622	\$ 352	\$ 1,174		\$ 169				\$ 2,661
3123 -Postage			\$ 6	\$ -				\$ 20	\$ 93	\$ 42				\$ 162
3140 -Noncapitalized IT Software				\$ 198	\$ 1,272	\$ 5,034	\$ 17,940	\$ 312	\$ 2,859	\$ 793				\$ 28,408
3145 -Noncapitalized IT Purchases														\$ -
4140 -Dues & Memberships					\$ -			\$ 2,250						\$ 2,250
4170 -Miscellaneous Fees & Fines			\$ 150	\$ 10				\$ 52						\$ 211
4220 -Registration Fees			\$ 15	\$ 249	\$ 765				\$ 45					\$ 1,074
4256 -Other Employee Benefits - Eco Pass														\$ -
<b>Total</b>			\$ 10,901	\$ 7,888	\$ 10,668	\$ 8,773	\$ 39,897	\$ 20,788	\$ 30,232	\$ 56,727	\$ 23,000	\$ 23,000	\$ 23,000	\$ 254,874
<b>Total - YTD + Projections Program Line</b>			\$ 76,493	\$ 76,353	\$ 79,092	\$ 85,506	\$ 129,785	\$ 109,596	\$ 115,095	\$ 145,283	\$ 111,556	\$ 129,022	\$ 129,022	\$ 1,292,825
														Over/(under) Program Line \$427,761