

**OPG Commission meeting  
Director Report  
07.26.2023**

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 07.26.2023 meeting:

- Attachment 1: SCAO/Judicial provided a FY 2023 Budget Summary as of 07.17.2023

**I. Budget and Administrative Update.**

- a. I previously provided the monthly budget summary report provided to me from Mike Henthorn, Judicial Budget Analyst II. This Summary is not final as it still needs to be reconciled with the end of the 2023 fiscal year. A final summary should be provided in August 2023. **See Attachment 1.**
- b. I met with the Capitol Complex facilities to initiate the process for an estimate of space and costs for FY25 budget proposal considerations.
- c. I am meeting with the Behavioral Health Guardianship/Momentum Team on 07.25.2023 to discuss CMHI's ongoing critical needs for guardianship and to determine if there are other avenues, funding, or partnerships we can explore.
- d. Board update: No new confirmations. The Governor's Office reports that they are working on finding an appointee from the 2<sup>nd</sup> Congressional District and would appreciate any recommendations.
- e. State Audit: While not scheduled until 2027 – 2030, I reached out to the State Auditor for a meeting to ensure that I understand the process and can lay the groundwork for a successful audit. A meeting has not been scheduled yet.
- f. I met with Grant Yoder on 07.07.2023 to discuss further research opportunities and options for FY25 budget proposal considerations. Grant

provided me with another third-party evaluation center at the University of Colorado Denver: <https://www.the-evaluation-center.org/>

- i. Additionally, I reached back out to the Colorado Action Lab as they provided us with assistance during the writing of the 2023 Final Report to the Legislature. Dr. Courtney Everson responded with information about formalized projects and partnerships to review. I will begin reviewing this information for FY25 budget proposal considerations: <https://coloradolab.org/working-with-us/how-we-can-help/>
- g. Renegotiation for Judicial MOU: AG Finke and I are meeting on July 24, 2023 to strategize for support outlined in SB23-064 and until ASIA is up and running. I am also meeting with our Legislative Liaisons on strategy regarding the renegotiation.
- h. Office of Administrative Services for Independent Agencies (ASIA) updates.
  - i. Through June 30, 2024, the Administrative Board is chaired by the Director of the Office of Child Protection Ombudsman.
  - ii. The CPO sent out a survey requesting each agency indicate its needs of ASIA.
  - iii. I attended an initial meeting of all agencies on 07.11.2023. We worked on creating a job posting for the Director of ASIA while the CPO, initial Chair of ASIA Board, works on gathering information to contract with an HR Consultant to locate the Director of ASIA. The next meeting will be in August.
- i. Human Resources Update
  - i. We continue case coverage, transfers and had to limit accepting new clients. Our 7<sup>th</sup> JD guardian is covering cases while the Director, Deputy Director, and Case Management Aid conduct client visits and additional support as needed.
  - ii. Vannesa Cruz resigned as she decided to return to working with children instead of adults.
  - iii. Angelina Gonzales joined our office on 07.03.2023. Ms. Gonzales has been a Social Services Director and Clinical Liaison for several skilled nursing facilities across Colorado.

- iv. We continue to post for 2<sup>nd</sup> JD guardians and will interview as we receive qualified applicants. The individual that we reached the final reference for decided to accept another position.
- v. 16<sup>th</sup> JD Guardian position: We have two interviews scheduled during the week of July 24, 2023.
- vi. Update: The new Director for the Center for Organizational Effectiveness, through DPA, reached out to me about our training needs. Our meeting was rescheduled to 08.07.2023.
  - 1. The COPG Personnel Rules do not include the Judicial Department mandatory state compliance education rule. The COPG Personnel Rules and trainings include the topics under the rule. Since the courses were available and free, new COPG employees completed the courses: equity, diversity and inclusion, ethics and conflict of interest, preventing discrimination and harassment in the workplace, preventing sexual harassment in the workplace. Since these became unavailable in the usual way and through the Judicial Department, I reached out to the other independent state agencies, and they referred me to resources on the State Employee Assistance Program website and we discussed working together through ASIA. I also reaching back out to the original agency, Colorado Division of Human Resources (DPA), for a possible contract to access state trainings.
- j. Updates: The Attorney General's Office has been assisting our office with several matters:
  - i. The AG's Office has been working on a trial where the issue is level of and placement for a client. We have been waiting on the AG's Office to file a Motion to hold Ft. Logan accountable for fees/costs related to a formal evaluation required to determine level of placement.
  - ii. The AG's Office is working on placement and level of care issues for another client.
  - iii. The AG's Office filed two Motions to Intervene in Mental Health proceedings under CRS §27-65-111(6). These Motions have been successful.
  - iv. The AG's Office initially offered to hire an AG specific to the COPG. This AG supports two programs, the COPG and the BRIDGES Program. The job posting went live on 06.19.2023 and I believe the AG's Office sent that out to the Commission. The job is posted on the COPG website.

- v. As previously mentioned, I am exploring hiring a Staff Attorney to better meet the client and Office's day-to-day needs such as contract review, admission packet review, court report review, weekend/emergency on-call, emergency 24/7 issues (i.e. discharge issues, elopement/missing persons, criminal issues, etc.). It is the AG's position that the COPG is not allowed to hire a Staff Attorney. I asked the AG's Office to provide a written opinion.
      - k. No update: 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. I will be updating this in the coming months and would like the new Board to be a part of this, possibly as part of the Strategic Planning.
- 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. Once the Office is permanent a review and update of Personnel and Operating Policies is needed. AG Finke suggested that I reach out to AG Alison Kyles, whose focus is Human Resources, for assistance.
  - b. Expansion Plan: This will need to be updated from the proposed plan in the 2023 Final Report to the Legislature.
  - 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 training modules 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.

1. Our first training was on 04.19.2023 entitled Communication and Collaboration and focused on working with healthcare professionals as an interdisciplinary team.
  2. Our second training was on 06.21.2023 entitled UTIs and focused on identifying symptoms of all types of bacteria in the urine, identifying symptoms and evaluate medical evidence and ask questions to identify if a client has a UTI or other medical issue.
  3. Upcoming session: Advance Planning (Code Status)/Hospice/Palliative Care
- ii. Internal trainings/Procedures:
1. Ft. Logan Process
  2. Code Status and Hospice Procedure
  3. Fax Training
  4. Strategic Planning – Workforce Wellness and Development
- iii. Articles with Chair Bennett-Woods and Research Assistant Grant Yoder. We met on 06.15.2023 to brainstorm articles we could publish from our experiences establishing the COPG Pilot through the 2023 Final Report. Please see the Chair’s June 2023 Report for details.
- d. **Intake Eligibility, Prioritization and Referral Process.**
- i. Update on number of registered users, referrals, accepted cases, etc. as of **07.24.2023**
    - 1.81 Active guardianships
    - 2.1 referral pending in court proceedings (accepted 2 Hold referrals)
    - 3.31 Partial referrals
    - 4.3 Registered
    - 5.23 clients passed away since COPG appointment
    - 6.17 Hold status (now includes OBH/CHMI-Ft. Logan/Pueblo referrals that are non-OBH/Momentum contract referrals)
    - 7.The OBH/Momentum dedicated caseload for one guardian is full and all 12 guardianships are active
  - 8.7<sup>th</sup> Judicial District
    - a. Partial 5
      - i. Delta 1
      - ii. Montrose 4
  - 9.Declined referrals – pre-Hold status

1. 67 Denver declined referrals (some declined were prior to establishing the Hold status)
  - a. 7 - Family available to serve
  - b. 36 - Expired/Incomplete information
  - c. 8 – Not appropriate referral
  - d. 4 - Not adult
  - e. 4 - Withdrawn by Ft. Logan
  - f. 4 - No OPG Capacity
  - g. 4 - Withdrawn, not incapacitated
2. Texas inquiry - 1
3. Nebraska referral - 1
4. Alaska inquiries – 2
5. Colorado inquiries - 9

10. 112 streamlined referrals (Non-Denver County) – Declined

1. Adams County – 6
2. Alamosa County - 1
3. Arapahoe County – 18
4. Boulder County – 6
5. Broomfield County – 1
6. Crowley - 2
7. “Denver County” – 2
8. El Paso County – 25
9. Garfield County – 1
10. Gunnison County – 1
11. Huerfano County - 3
12. Jefferson County – 11
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 – 3 \*
19. Otero County – 6
20. Pueblo County – 8
21. Weld County – 7

\*Montrose County: Two referrals were declined prior to April 2023. 1 referral was declined in May 2023 due to the AIP residing in Otero County

- IV. **Colorado OPG Strategic Plan.** Draft previously provided. Once the new Board is created, facilitated Strategic Planning sessions may be optimal.
  
- V. **Stakeholder Outreach – Ongoing.** A list can be provided if requested.

OPG Personal Services and Operating - FY 2023 - Through 7/17/2023

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)	YTD
Personal Services	\$1,360,000	\$ 977,651	\$382,349	
Operating	\$360,586	\$ 279,801	\$80,785	Balance remaining for operating
<b>Total Appropriation</b>	<b>\$1,720,586</b>	<b>\$1,257,452</b>	<b>\$463,134</b>	Total remaining in program line

Cash Fund Balance		
	PRIOR YEAR (FY 2022)	Projected Revenue less YTD Expenses
Total Revenue	\$1,220,753	\$1,313,426
Total Expenditures	\$780,395	\$1,257,452
Net Change	\$440,358	\$55,974
Beg Fund Balance	\$1,294,174	\$1,734,532
<b>= Fund Balance</b>	<b>\$1,734,532</b>	<b>\$1,790,506</b>

Salaries	Pos. #	Current Salaries	Actuals												
			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	\$ 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	\$ 4,718
Vacant - Public Guardian	87003	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 482	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ 5,128
Vacant - 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	\$ 5,128
Vacant - 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	\$ 5,995	\$ -	\$ -
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	\$ 3,980
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	\$ 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	\$ 4,983
Vacant - Public Guardian	87010	\$ 5,000	\$ -	\$ -	\$ -	\$ 3,095	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 3,827	\$ -	\$ -
Case Management Aide	87011	\$ 4,533	\$ -	\$ -	\$ -	\$ -	\$ 5,357	\$ 4,500	\$ 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	\$ 4,983
Vacant, Public Guardian	87XXX	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Vacant, Public Guardian	87XXX	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Salaries</b>			\$ 48,714	\$ 49,556	\$ 49,556	\$ 55,715	\$ 64,916	\$ 64,039	\$ 60,802	\$ 63,717	\$ 63,717	\$ 61,867	\$ 53,590	\$ 52,419	\$ 52,419
<b>Employee Benefits</b>			\$ 16,878	\$ 18,910	\$ 18,869	\$ 21,018	\$ 24,971	\$ 24,769	\$ 24,061	\$ 25,496	\$ 24,785	\$ 27,737	\$ 19,701	\$ 40,306	\$ 40,306
<b>Total Personal Services</b>			\$ 65,592	\$ 68,465	\$ 68,424	\$ 76,733	\$ 89,887	\$ 88,807	\$ 84,863	\$ 89,213	\$ 88,502	\$ 89,604	\$ 73,290	\$ 92,725	\$ 92,725

	Actuals												Projections			
	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October
1920 -Other Professional Services	\$ 6,872	\$ (4,685)	\$ 315			\$ 12,555	\$ 12,315	\$ 5,334	\$ 12,052	\$ 494	\$ 992	\$ 13,442	\$ 2,700	\$ -	\$ -	\$ -
1935 - Attorneys	\$ 202	\$ 342				\$ 301	\$ 62				\$ 216		\$ 216			
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	\$ 495	\$ 1,100	\$ 852	\$ 495	\$ -	\$ -	\$ -	\$ -
2250 -Miscellaneous Rentals																
2255 -Rental of Meeting Rooms & Leased Space	\$ 2,000		\$ 3,614		\$ 3,900	\$ 2,175	\$ 1,900	\$ 1,900	\$ 3,390	\$ 3,800	\$ 2,150	\$ -	\$ -	\$ -	\$ -	\$ -
2510 -General Travel (Employee)		\$ 162	\$ 439	\$ 527	\$ 172	\$ 26			\$ 1,454		\$ 30		\$ -	\$ -	\$ -	\$ -
2511 -Common Carrier Fares																
2512 -Meals (Employee)			\$ 58							\$ 294						
2513 -Mileage Reimbursement (Employee)	\$ 928	\$ 164	\$ 1,079	\$ 445		\$ 956	\$ 612	\$ 848	\$ 856	\$ 669	\$ 716	\$ 305	\$ -	\$ -	\$ -	\$ -
2530 -General Travel					\$ 747											
2531 -Common Carrier Fares				\$ 221												
2532 -Meals	\$ -	\$ -	\$ -	\$ -	\$ 127											
2610 -Advertising Services	\$ -	\$ -	\$ 273	\$ 58	\$ 809	\$ 61	\$ 100		\$ 382	\$ 574	\$ 520	\$ -	\$ -	\$ -	\$ -	\$ -
2631 -Communication Services from Outside Sources	\$ -	\$ 574	\$ 675	\$ 649	\$ 674	\$ 653	\$ 1,449	\$ 868	\$ 1,028	\$ 2,063	\$ 1,012	\$ -	\$ -	\$ -	\$ -	\$ -
2641 -ADP Services from Outside Sources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,883	\$ 7,359	\$ 10,524	\$ 11,515	\$ -	\$ -	\$ -	\$ -	\$ -
2680 -Printing & Reproduction Services - Vendors			\$ 47			\$ 45	\$ 16,790	\$ 168	\$ 11	\$ 18	\$ 35	\$ -	\$ -	\$ -	\$ -	\$ -
3113 -Clothing & Uniforms																
3118 -Food & Food Services Supplies		\$ 583		\$ 27	\$ 104		\$ 362		\$ 69							
2820 -Monitoring Services		\$ 5,119	\$ 119	\$ 119	\$ 136	\$ 136	\$ 136	\$ 146	\$ 261	\$ 272.00	\$ 231	\$ -	\$ -	\$ -	\$ -	\$ -
3110 -Identification & Safety Supplies	\$ 3		\$ 44	\$ 6	\$ 3		\$ 3		\$ 107							
3120 -Books / Periodicals / Subscriptions									\$ 35							
3121 -Case Jackets		\$ 344		\$ 622	\$ 352	\$ 1,174		\$ 169	\$ 182	\$ 1,273	\$ 175	\$ 56	\$ -	\$ -	\$ -	\$ -
3123 -Postage	\$ 6	\$ -				\$ 20	\$ 93	\$ 42	\$ 48	\$ 154	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3140 -Noncapitalized IT Software		\$ 198	\$ 1,272	\$ 5,034	\$ 17,940	\$ 312	\$ 2,859	\$ 793	\$ 13,068	\$ 620	\$ 3,915	\$ 404	\$ -	\$ -	\$ -	\$ -
3145 -Noncapitalized IT Purchases																
4100 -Other Operating Expenditures									\$ 173							
4140 -Dues & Memberships			\$ -			\$ 2,250			\$ 1,140				\$ 225	\$ -	\$ -	\$ -
4170 -Miscellaneous Fees & Fines		\$ 150	\$ 10			\$ 52			\$ 10		\$ 952	\$ -	\$ -	\$ -	\$ -	\$ -
4220 -Registration Fees		\$ 15	\$ 249	\$ 765			\$ 45		\$ (21)	\$ 577	\$ 295	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ 29,600	\$ 23,920	\$ 35,053	\$ 5,354	\$ -	\$ -	\$ -
<b>Total - YTD + Projections Program Line</b>		\$ 76,493	\$ 76,353	\$ 79,092	\$ 85,506	\$ 129,785	\$ 109,596	\$ 115,095	\$ 145,940	\$ 118,102	\$ 113,524	\$ 108,343	\$ 98,079	\$ -	\$ -	\$ -

Over/(under) Program Line