

**OPG Commission meeting
Director Report
10.27.2021**

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 10.27.2021 meeting:

- Attachment 1: SCAO/Judicial provided FY 2021 Final Budget Summary and Monthly Budget Summary as of 09.10.2021
- Attachment 2: SCAO/Judicial provided FY 2021 Final Budget Summary and Monthly Budget Summary as of 10.07.2021
- Attachment 3: Executed OBH and OPG Memorandum of Understanding
- Attachment 4: FY 22-23 Budget Request Draft
- Attachment 5: Expansion and Discontinuation Plan

I. Budget Update.

- a. I previously provided the monthly budget reports for September and October that are provided to me from Hugh Wilson, Judicial Budget Manager. **See Attachments 1 and 2.**
- b. Due to the AAG's resignation, I completed minor updates to the contract with Colorado Fund for People with Disabilities (CFPD) to reflect changes in terms due to Next Fifty grant funds awarded to CFPD. CFPD is currently reviewing.
- c. After review with the AAG, I executed the Memorandum of Understanding with Office of Behavioral Health (OBH) Momentum Program. **See Attachment 3.**

- i. 08.31.2021: Kick off meeting with OBH for new PG serving CMHI clients Lindsey Lambert – Associate Director, Transitions Program and Deb Hutson – Manager of Momentum, Transitional Services, and ACT Program. We have caseload capacity for 10 referrals:
 - 1. We accepted 5 referrals: 2 Pueblo; 3 Ft. Logan. These referrals have not yet been referred to the CMHI Attorney General for filing.
 - 2. CHMI is gathering information for 4 Pueblo referrals so that we can determine acceptance.
- d. FY22-23 Budget Request Draft. **See Attachment 4.** This Budget Request is based on the Expansion Plan. See Attachment 7. I worked closely with Hugh Wilson, SCAO Budget Manager, and SCAO Budget Analyst, Mike Henthorn, on both the Budget Request and the Plan.
 - i. Judiciary Budget Committee Briefing is scheduled for 12.06.2021. Exact time for OPG – TBD.
 - ii. Judiciary Budget Hearing is scheduled for the afternoon of 12.15.2021. Exact time for OPG – TBD.
- e. Expansion and Discontinuation Plan. **See Attachments 4 and 5 and the Survey Data presentation.**
- f. Expansion: Our current funding supports expansion. As the Survey Data presentation shows, the 7th & 16th Judicial Districts indicate a need for public guardianship services.
 - i. Adding a Deputy Director will allow for some delegation of job duties. A Deputy Director that can focus on the oversight of the services and expansion/discontinuation plan while I primarily focus on the Director Report is one option.
 - ii. I have been working with Guardianship Alliance and Silver Key Senior Services to begin partnerships in those areas. As the FTEs won't begin until July 1, 2022, we can begin

convenings in these areas to further build partnerships to locate local Public Guardians and referring partners, etc.

g. Discontinuation: We will continue to build partnerships with agencies that are able and willing to become successor guardian of OPG clients. As I meet with agencies, I am collecting information about their structure, barriers and specialized needs to serve as guardian.

i. Guardianship Academy: Holding convenings in these areas will help us establish partnerships with agencies that already provide education related to advance planning, etc. The OPG can assist in educating volunteers to be available as less restrictive options (i.e. Powers of Attorney) as well as guardians. My goal is to use this as a potential statewide model.

II. **Stakeholder Engagement Plan – In progress.** We did not receive enough applications. Therefore, we are in the process of reaching out to more applicants to have a more diverse Stakeholder Advisory Panel. The goal is to have a SAP in place by Spring 2022. I believe expansion will also assist in this goal.

III. **Colorado OPG Pilot Program Operating Policies Updates – No updates.**

a. **Policy 8. Ensuring Systemic Equality Services Standards – Completed.**

b. **Policy 5. Colorado OPG Fiscal Policy – Client Emergency Fund – In Progress.** Will be considered with discontinuation plan proposal.

c. 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 Certified Guardian: In progress.
 - a. I passed the CGC exam on 09.28.2021.

- iii. CU Anschutz Emotional and Mental Health Webinar Series in Older Adults:
 - a. 09.23.2021: Activating Wellness: Linking Lifestyle to Quality of Life
 - b. 09.30.2021: Living with Pain as an Older Adult: Maintaining Vitality and Activity with Chronic Pain
 - c. 10.21.2021: The Influence of Lifestyle Activities on Cognitive Well-Being
 - d. 10.28.2021: Fall Prevention: A Balancing Act Emotionally & Mentally
 - e. 11.11.2021: Enjoying a Nip, Without Doing "Too Much"
 - f. 11.118:2021: Hearing Well and How it Keeps Us Connected

- iv. 08.27.2021: Presentation by Alison Joucovsky – Executive Director, Sunshine Home Share Colorado

- v. 09.02.2021: CU Anshutz webinar – Undue Influence: Conflicts of Interests Among Physicians and Patient Organizations

- vi. 09.09.2021: CU Anschutz Ethics Grand Rounds webinar – Does the Tempo of CODEs Matter? The Ethics of Slow Codes
- vii. 09.13.2021: Center for Public Health Practice webinar - Moral Distress in the Public Health Workforce
- viii. 09.14.2021: Colorado Guardianship Association webinar - Enriching Our Clients’ Lives Through Restored Social Connection
- ix. 09.17.2021: CU Anschutz webinar – Exploring the Impact of Arts and Cultural Engagement on Population Health Outcomes
- x. 09.28.2021: DRCOG webinar – Medicare Fraud and You: How to Spot it, Prevent it, and Report it
- xi. 10.22.2021: Presentation by Elizabeth Mullins – Director, Division of Veterans Community Living Centers, rescheduled
- xii. 10.24.2021 – 10.26.2021: National Guardianship Association Annual Conference. NGA is no longer able to provide a virtual conference option. Two public guardians will attend in person.

d. Intake Eligibility, Prioritization and Referral Process.

- i. Update on number of registered users, referrals, accepted cases, etc. as of **10.18.2021**. An update will be provided at the 10.27.2021 meeting.
 - 1. 68 Active guardianships
 - 2. 14 referrals pending in court proceedings

3. 10 Partial/Incomplete referral
4. 8 clients passed away since CO OPG appointment (all non-COVID related)
5. 6 “Hold” OBH/CHMI- Ft. Logan/Pueblo referrals
6. 16 Declined referrals
 1. Expired/Incomplete information – 4
 2. Withdrawn by Ft. Logan – 1
 3. Family available to serve – 5
 4. Not incapacitated – 2
 5. Texas referral - 1
 6. Nebraska referral - 2
 7. Alaska referral - 1
7. 68 streamlined referrals (Non-Denver County) – Declined
 1. Adams County – 2
 2. Arapahoe County – 9
 3. Boulder County – 4
 4. Broomfield - 1
 5. “Denver County” - 2
 6. El Paso County – 16
 7. Garfield County – 1
 8. Gunnison County – 1
 9. Huerfano County - 3
 10. Jefferson County – 2
 11. Lake County - 1
 12. La Plata County – 2
 13. Larimer County - 4
 14. Las Animas County - 2
 15. Mesa County – 1
 16. Montrose County – 2
 17. Otero County – 3
 18. Pueblo County - 4
 19. Washington County - 1
 20. Weld County – 7

e. **Data gathering - In progress.**

1. **Survey Data Highlights**

1. Closed the initial Survey on September 14, 2021.
2. Grant is interviewing survey participants about the need for public guardianship services in their service areas, identifying stakeholders, and identifying successor guardians for the discontinuation plan.

- Data collected from January 2021 through mid-September 2021
- Participation from *ALL* Judicial Districts
- Advance Planning and Least restrictive options not highly pursued
- Top identified obstacles to obtaining a guardianship:
 - 1. Lack of Family/Friends availability
 - 2. Lack of Guardianship services availability
- Overall: 88% of all participants indicated there was a High or Extremely High need for Public Guardianship Services in their community
- Additional findings will be provided at the 10.27.2021 Commission meeting

ii. Due to personal time off and the upcoming holidays I will have a first draft of the Director Report due to General Assembly to the Commission by February 1, 2022.

1. Grant and I are following up with stakeholders regarding cost analysis data:
 1. Denver Department of Public Safety
 2. Denver Housing
 3. Coalition for the Homeless

4. Denver Health: Hospital expenses and Medicaid/Medicare reimbursement
 - a. 10.11.2021: Meeting with Faraz Kahn – Chief Financial Officer-Denver Health regarding hospital rates for specific OPG clients
5. Various: Meeting with Deb Hutson regarding CMHI expenses and costs, collaboration, expansion and discontinuation plan.
6. We are also in the process of identifying other interviewees/case examples from all populations that OPG serves.

2. Grant continues to research and meet with Professor Pamela Teaster of Virginia Tech to discuss the cost analysis data collection (<https://liberalarts.vt.edu/departments-and-schools/department-of-human-development-and-family-science/faculty/pamela-teaster.html>). Dr. Teaster is known for her work with Public Guardianship programs. Dr. Teaster provided resources for Grant to review for cost analysis data.

3. I am reviewing SCAO data regarding regularly collected guardianship data to show trends in the overall Colorado appointments of guardians for adults and I/DD juveniles that may potentially need a guardian as adults.

4. I am reviewing various Funding Models of other Public Guardianship programs as well as other human service models.

5. 10.07.2021: Meeting with Lara VandenBergh – Guardianship, Department of Veteran Affairs costs of housing veterans needing a guardian as well as data for the veteran need for guardianship.

6. I am reviewing Department of Correction data related to costs of housing inmates needing a guardian as well as data for the inmate need for guardianship.
 1. Various and 09.15.2021: Email correspondence virtual conferences with Kara Brown – Community Care Case Manager, Department of Corrections and Dr. Janice Diaz Enriquez – Psychologist, Department of Corrections regarding referrals and data gathering collaboration. A follow up meeting is scheduled for 10.06.2021 and 10.20.2021.

7. Various and 09.09.2021: Email correspondence and virtual conference with Judy Ham – Executive Director – Ability Connections, Juanita Peterson – Title, Ability Connections, Brad Torch – Title, Ability Connections, and Grant Yoder regarding data and collaboration.

8. Various and 09.28.2021: Email correspondence and virtual conference with Dayton Ramirez – Executive Director – Silver Key Senior Services, Inc., Ann McKenzie – Title, Silver Key Senior Services, Inc., and Grant Yoder regarding data and collaboration, expansion and discontinuation plan.

9. Various and 10.18.2021: Email correspondence and virtual conference with Natalie DeVille – Program Director Brian Brant, Loretta Bozeman, Lutheran Family Services LifeWork Aging Solutions regarding data and collaboration, expansion and discontinuation plan.

10. Various and 10.21.2021: Email correspondence and virtual conference with Christiano Sosa – Executive Director, The Arc of Colorado regarding data and collaboration, expansion and discontinuation plan.

11. Various and 11.18.2021: Email correspondence and virtual conference with Julie Reiskin – Executive Director and Chris Brock – Attorney, Colorado Cross-Disability Coalition regarding data and collaboration, expansion and discontinuation plan.

12. Various: Email correspondence with Carl Glatstein regarding potential coordination efforts with Colorado Bar Association.

13. Various: Email correspondence with Jenny Denver – Executive Director of CASA regarding potential OPG services and funding and volunteer models.

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

V. **Stakeholder Meeting Update** since 08.17.2021.

a. Various: Email correspondence with Deborah Smith – Boulder County District Attorney’s Office and Community Justice Services regarding OPG services and training – TBD in December

b. 08.20.2021 and 09.07.2021: Email correspondence and phone conference with Senator Cleave Simpson regarding SAP and OPG services

c. 08.26.2021: Phone conference scheduled with Commissioner Chayet regarding convening in rural areas for data collection and relationship building

- d. 08.31.2021: Email correspondence with Susan Anderson – DRCOG, Case Manager-Case Management Program
- e. 08.31.2021: Email correspondence with Colorado Gives regarding whether a state agency can be a beneficiary. Yes, if agency has Colorado 501 3 (c) Public Charity status. OPG does not have this status
- f. 08.31.2021 and 9.07.2021: Email correspondence and virtual conference with Representative Mary Young
- g. Various and 08.31.2021: Email correspondence and virtual conference with Medical Legal Partnership regarding referral for emergency petition
- h. 09.01.2021: Virtual conference with Donella Guerrero – Managing Social Worker, CMHI-Pueblo, Arthur Yarbrough – Social Worker, CMHI-Pueblo, and Rhonda Sanchez – Public Guardian regarding discharge planning for OPG client
- i. 09.02.2021: OPG & Survey presentation to Aging & Adult SubPac group
- j. 09.02.2021: Attend Colorado Long-Term Community Ethics Committee meeting
- k. 09.03.2021 and 09.16.2021: Email correspondence and virtual conference with Elizabeth Mullins – Director, Division of Veterans Community Living Centers
- l. 09.03.2021 and 09.08.2021: Email correspondence and phone conference with Austin Snowbarger – Data, Learning and Evaluation Officer, NextFifty Initiative

- m. 09.07.2021: Email correspondence and phone conference with Stephanie Villafuerte – Executive Director, Child Protection Ombudsman of Colorado regarding Director and Board Resources
- n. 09.08.2021: Virtual conference with Daniel Gospodarek – Social Worker, CMHI-Ft. Logan, etc. and Camille Price – Public Guardian regarding discharge planning for OPG client
- o. 09.17.2021: Michael Tessean - Director of Leadership of Organizational Development, CHMI, Dawn Tripp – Managing Social Worker, and Erin McGavin – Public Guardian regarding communication concerns with CHMI-Pueblo team
- p. 09.17.2021: Rhonda Quintana - Pueblo County Adult Protective Services Case Manager and Corrina Carcellero Pueblo County Adult Protective Services Supervisor regarding potential referral and OPG services
- q. 09.17.2021: Email correspondence with Commissioner Garcia related to Pueblo County referral from Pueblo APS (see above)
- r. 09.20.2021: Attend CU Anschutz Vulnerable Elder Services, Protection & Advocacy Team (VESPA) Elder Abuse Stakeholders Meeting
- s. 09.29.2021: Phone conference with Lois R., parent of adult with intellectual disability, living in Larimer County. She reached out after listening to the OPG presentation at the Colorado Healthcare Ethics Forum on 06.24.2021
- t. 10.01.2021: Email correspondence with attorney Ayo Labode regarding potential referral
- u. Various and 09.20.2021: Email correspondence with Meg Donahue – Director of Family Services, Alzheimer’s Association regarding OPG presentation on 09.20.2021 and information for

availability of least restrictive services such as Power of Attorney for indigent and incapacitated older adults.

- v. Various and 10.05.2021: Email correspondence and with Christiano Sosa – Arc of Colorado, Executive Director regarding OPG virtual presentation to statewide Arc chapters.
- w. 10.12.2021: Email correspondence with Representative Kim Ransom. During a conversation with Representative Ransom and Denver 7 News’ Jennifer Kovalski and Joseph Vaccarelli, Rep. Ransom asked that I reach out to her to discuss guardianship
- x. 10.13.2021: Attend Denver Forensic Collaborative for At-Risk Adults meeting
- y. 10.15.2021: Survey data presentation to Pikes Peak Elder Abuse Coalition
- z. Various: Email correspondence and virtual conferences with Dina Rouff – Mission Supports Case Manager, Colorado Fund for People with Disabilities (CFPD), and Arnie Swenson – Director of Mission Supports, CFPD regarding emergency referral
- aa. Various: Email correspondence and virtual conference with Victoria Cardova – Associate Director, Senior Behavioral Health Services Banner Health McKee Medical Center regarding OPG services and training
- bb. Various: Email correspondence and virtual conference with Dr. Randolph Maul – Chief Medical Officer, Department of Corrections and Kara Brown - Department of Corrections, Transitions Program and Christine Reifenrath – Certified Care Manager, Human Network Services regarding OPG referral partnership
- cc. Various: Email correspondence Natalie DeVille – Lutheran Family Services regarding potential referral

- dd. Various: Check-in meetings with Emily Brager – COO and Megan Brand – Executive Director, Colorado Fund for People with Disabilities
- ee. Various: Email correspondence with attorney Michael Graetz regarding Ft. Logan referral
- ff. Various: Email correspondence with attorney Lisa DiPonio regarding potential referrals
- gg. Various: Email correspondence with Dana Underwood – PRN Case Management Social Work, Swedish Hospital regarding OPG services and presentation. OPG presentation scheduled for 11.03.2021
- hh. Various: Emails correspondence with Jennifer Kovaleski and Joseph Vaccarelli - Denver 7 News regarding interview about the OPG office. Interview scheduled for 01.27.2022.
- ii. Various: Emily McDonnell is shadowing me at various meetings. Emily is a Licensed Clinical Social Worker with the Guardianship Support Program at University of Colorado Hospital. As part of their Social Work Advancement Pathway for Inpatient Social Workers she requested to shadow community partner leaders.

Attachment 1. OPG Budget Summary as of 09.10.2021

OPG Personal Services and Operating Summary - FY 2022

As of 9/10/2021

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)
Personal Services	\$653,000	\$ 646,417	\$6,583
Operating	\$188,253	\$ 105,606	\$82,647
Total Appropriation	\$841,253	\$752,023	\$89,230

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

	Cash Fund Balance	
	PRIOR YEAR (FY 2021)	Projected Revenue less YTD Expenses
Total Revenue	\$1,136,656	\$1,200,000
Total Expenditures	\$662,072	\$841,253
Net Change	\$474,584	\$358,747
Beg Fund Balance	\$819,590	\$1,294,174
= Fund Balance	\$1,294,174	\$1,652,921

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Salaries	Pos. #	Actuals		Projections											
		July	August	September	October	November	December	January	February	March	April	May	June	Year-to-Date	
Director	87001	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 118,450	
Staff Assistant	87002	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 54,965	
Public Guardian	87003	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 61,800	
Public Guardian	87004	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740	
Public Guardian	87005	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740	
Public Guardian	87006	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740	
Public Guardian	87007	\$ 3,409	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 58,409	
Total Salaries		\$ 37,945	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 472,844	
Employee Benefits		\$ 13,970	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 173,573	
Total Personal Services		\$ 51,916	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 646,417	
		Actuals													
1920 -Other Professional Services		\$ -	\$ 90	\$ -										\$ 90	
1940 -Medical Services		\$ -	\$ -	\$ -										\$ -	
1950 -Professional Services from Other Colorado Departments		\$ -	\$ 10	\$ -										\$ -	
1960 -Professional IT Services		\$ 600	\$ 5,319	\$ -										\$ 5,919	
2255 -Rental of Meeting Rooms & Leased Space		\$ 1,802	\$ -	\$ 3,600										\$ 5,402	
2510 -General Travel (Employee)		\$ 15	\$ -	\$ -										\$ -	
2513 -Mileage Reimbursement (Employee)		\$ 72	\$ 140	\$ 93										\$ 304	
2631 -Communication Services from Outside Sources		\$ -	\$ 257	\$ -										\$ 257	
2680 -Printing & Reproduction Services - Vendors		\$ 146	\$ -	\$ -										\$ 146	
2820 -Monitoring Services		\$ -	\$ -	\$ -										\$ -	
3110 -Identification & Safety Supplies		\$ -	\$ -	\$ -										\$ -	
3120 -Books / Periodicals / Subscriptions		\$ -	\$ -	\$ -										\$ -	
3121 -Case Jackets		\$ 933	\$ 333	\$ -										\$ 1,266	
3123 -Postage		\$ -	\$ -	\$ -										\$ -	
3140 -Noncapitalized IT Software		\$ 1,861	\$ 203	\$ -										\$ 2,064	
3145 -Noncapitalized IT Purchases		\$ -	\$ -	\$ -										\$ -	
4140 -Dues & Memberships		\$ -	\$ 110	\$ -										\$ 110	
4170 -Miscellaneous Fees & Fines		\$ -	\$ -	\$ -										\$ -	
4220 -Registration Fees		\$ -	\$ 24	\$ -										\$ 24	
4256 -Other Employee Benefits - Eco Pass		\$ -	\$ -	\$ -										\$ -	
Total		\$ 5,428	\$ 6,485	\$ 3,693	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 105,606	
		Avg. Oper													
Total - YTD + Projections Program Line		\$ 57,344	\$ 60,531	\$ 57,738	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 752,023	
		Over/(under) Program Line													
		\$89,230													

Attachment 2. OPG Budget Summary as of 10.10.2021

OPG Personal Services and Operating Summary - FY 2022

As of 10/7/2021

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)
Personal Services	\$653,000	\$ 646,417	\$6,583
Operating	\$188,253	\$ 113,171	\$75,082
Total Appropriation	\$841,253	\$759,588	\$81,665

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

	Cash Fund Balance	
	PRIOR YEAR (FY 2021)	Projected Revenue less YTD Expenses
Total Revenue	\$1,136,656	\$1,200,000
Total Expenditures	\$662,072	\$841,253
Net Change	\$474,584	\$358,747
Beg Fund Balance	\$819,590	\$1,294,174
= Fund Balance	\$1,294,174	\$1,652,921

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Salaries	Pos. #	Actuals			Projections										
		July	August	September	October	November	December	January	February	March	April	May	June	Year-to-Date	
Director	87001	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 118,450	
Staff Assistant	87002	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 54,965	
Public Guardian	87003	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 61,800	
Public Guardian	87004	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740	
Public Guardian	87005	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740	
Public Guardian	87006	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740	
Public Guardian	87007	\$ 3,409	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 58,409	
Total Salaries		\$ 37,945	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 39,536	\$ 472,844	
Employee Benefits		\$ 13,970	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 14,509	\$ 173,572	
Total Personal Services		\$ 51,916	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 646,417	
		Actuals													
1920 -Other Professional Services		\$ -	\$ 90	\$ 90										\$ 180	
1935 - Attorneys		\$ -	\$ -	\$ 198											
1940 -Medical Services		\$ -	\$ -	\$ -											
1950 -Professional Services from Other Colorado Departments		\$ -	\$ 10	\$ 25											
1960 -Professional IT Services		\$ 600	\$ 5,319	\$ 300										\$ 6,219	
2255 -Rental of Meeting Rooms & Leased Space		\$ 1,802	\$ -	\$ 3,600										\$ 5,402	
2510 -General Travel (Employee)		\$ 15	\$ -	\$ -											
2513 -Mileage Reimbursement (Employee)		\$ 72	\$ 140	\$ 717										\$ 929	
2631 -Communication Services from Outside Sources		\$ -	\$ 257	\$ 257										\$ 514	
2680 -Printing & Reproduction Services - Vendors		\$ 146	\$ -	\$ -										\$ 146	
2820 -Monitoring Services		\$ -	\$ -	\$ -										\$ -	
3110 -Identification & Safety Supplies		\$ -	\$ -	\$ -										\$ -	
3120 -Books / Periodicals / Subscriptions		\$ -	\$ -	\$ -										\$ -	
3121 -Case Jackets		\$ 933	\$ 333	\$ 178										\$ 1,444	
3123 -Postage		\$ -	\$ -	\$ -										\$ -	
3140 -Noncapitalized IT Software		\$ 1,861	\$ -	\$ -										\$ 1,861	
3145 -Noncapitalized IT Purchases		\$ -	\$ 5,940	\$ 155										\$ 6,095	
4140 -Dues & Memberships		\$ -	\$ 110	\$ -										\$ 110	
4170 -Miscellaneous Fees & Fines		\$ -	\$ -	\$ -										\$ -	
4220 -Registration Fees		\$ -	\$ 24	\$ -										\$ 24	
4256 -Other Employee Benefits - Eco Pass		\$ -	\$ -	\$ -										\$ -	
Total		\$ 5,428	\$ 12,223	\$ 5,520	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 113,171	
		Avg. Oper													
Total - YTD + Projections Program Line		\$ 57,344	\$ 66,268	\$ 59,566	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 64,046	\$ 759,588
		Over/(under) Program Line													
		\$81,665													

**Memorandum of Understanding
Guardianship Program**

**Office of Behavioral Health (OBH) and
Office of Public Guardianship (OPG)**

July 1, 2021 – June 30, 2022

The State of Colorado shall be referred to as “the State” for purposes of this Memorandum of Understanding (“Agreement”).

The Office of Behavioral Health, 3824 West Princeton Circle, Denver, CO 80236 shall be referred to as "OBH" for purposes of this Agreement.

The Office of Public Guardianship, 3900 East Mexico Avenue, Suite 300, Denver, CO 80210 shall be referred to as "OPG" for purposes of this Agreement.

Therefore, it is agreed that as agencies within the State, OBH and OPG desire to enter a Memorandum of Understanding to provide OPG guardianship services to OBH Momentum/Transition Specialist Program clients.

The term of this agreement is from July 1, 2021, through June 30, 2022. OBH has both the authority and the funding necessary to carry out this Agreement.

The parties agree to the following Statement of Work:

I. Background

1. The Transition Specialist Program (TSP), created by Senate Bill 18-270, is a statewide program that refers high-risk individuals to community transition services after receiving treatment in an acute treatment center, crisis services facility, withdrawal management facility or hospital.
2. The Momentum Program (Momentum) is a statewide program that receives referrals to community transition services for high-risk individuals from the Colorado Mental Health Institutes, Forensic Services, other hospitals and Acute Treatment Units.
3. The goal of TSP and Momentum is to ensure that comprehensive, coordinated, easily accessible, culturally informed, trauma informed, and integrated services are available in this community for the high-risk individuals and minimize the risk of readmissions to hospitals, withdrawal management, arrest and to ensure an individual’s stability in the community.
4. Clients who are part of either Momentum or TSP may require a guardian during their time in Momentum or TSP.

II. Objectives

1. The Office of Public Guardianship (OPG or the Contractor) shall provide guardianship services to Momentum/TSP clients.

III. Activities, Roles and Responsibilities

1. The Contractor shall provide 1 FTE to serve a minimum of 10 clients per year in Momentum and/or TSP, with the potential to serve more clients.
2. The Contractor will receive client referrals from OBH or their Momentum/Transition Specialist Program provider contract via email.
3. The Contractor shall provide one client site visit each year with OBH and OBH's Momentum/TSP contractor to review client charts and provide records to the OBH Program Manager upon request.
4. The Contractor shall serve clients in the Denver metro area. In the event a client is later placed outside of the Denver metro area, the Contractor shall continue to serve the client until another appropriate placement is available.

IV. Confidentiality

1. Both OBH and OPG acknowledge they are fully bound by the Health Insurance Portability and Accountability Act (HIPAA) and agree to comply with the requirements of HIPAA concerning any uses and disclosures of protected information.

V. Subcontractors

1. All subcontractors must be approved by OBH and those payments shall be reflected in the monthly invoice.

VI. Payment and Payment Terms

1. The amount of the funding to be transferred to OPG from OBH for Fiscal Year 2022 and payment pursuant to this Agreement shall be made from available funds in the amount not to exceed \$89,684 for purchase of the within described services.
2. OPG will invoice OBH in August 2021 via a CORE transaction and OBH will pay OBH directly through CORE using transfer code 700J.

VII. Additional Provisions

1. For purposes of this agreement the persons named below are designated the representative of the parties. All notice required to be given by the parties shall be given by registered or certified mail to the representative named below. The parties may designate in writing a new or substitute representative:

Office of Behavioral Health
Deb Hutson
3824 W. Princeton Circle
Denver, CO 80236
Phone: 303-866-7501

Office of Public Guardianship
Sophia Alvarez
3900 East Mexico Avenue, Suite 300
Denver, CO 80210
Phone: 720-552-5215

2. In the event that a conflict arises between the parties, it is understood that the Directors of the Divisions shall attempt to resolve the conflict through negotiations. If negotiation fails, the Deputy Executive Directors of the offices or designee shall resolve the dispute.
3. Either of the parties shall have the right to terminate this Agreement by giving the other party 30 days written notice. If notice is given, the agreement shall terminate at the end of 30 days and the liabilities of the parties hereunder for further performance of the terms of the agreements shall thereupon cease, but the parties shall not be released from duty to perform up-to-the-date of termination.
4. Changes to this Agreement shall be accomplished through a written amendment signed by both parties.

The following parties agree to all terms in the Memorandum of Understanding:

OFFICE OF BEHAVIORAL HEALTH:

DocuSigned by:

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8/25/2021

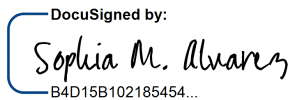
Authorized Signatory

Date

Carie Gaytan, Director of Finance

Typed Name of Signatory

OFFICE OF PUBLIC GUARDIANSHIP:

DocuSigned by:

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8/31/2021

Authorized Signatory

Date

Sophia M. Alvarez Director

Typed Name of Signatory

COLORADO OFFICE OF PUBLIC GUARDIANSHIP

Sophia Alvarez
Executive Director

FY 2023 Decision Item Request

November 1st, 2021

Department Priority:	Dec Item #1
Request Title:	Request for
Program:	Office of Public Guardianship
Statutory Authority:	

Request Summary:

The Office of Public Guardianship requests \$ in reappropriated spending authority and 4.0 FTE to add a Deputy Director and 3 Public Guardians to continue to provide and expand guardianship services to qualified clients in the statutory authorized 2nd, 7th, and 16th Judicial Districts. The source of funding is the Office of Public Guardianship General Fund.

Background:

The original 2017 Office of Public Guardianship (OPG) legislation sought to serve in the 2nd/7th/16th Judicial Districts as well as to gather data related to the State's unmet need for public guardianship services. The 2019 Office of Public Guardianship legislation narrowed the Pilot Program to the 2nd Judicial District. The Pilot Program is near capacity, serving nearly 80 clients with a demonstrated and continued need for services in the 2nd Judicial District.

The 7th and 16th Judicial Districts' need for public guardianship services: The legislative history outlined in 13-94-102 C.R.S. indicates the need for public guardianship services for incapacitated and indigent adults and the need to collect data to further assess the statewide need. These two Judicial Districts populations, services, and needs vary which allow for diverse data gathering and reporting for the 2023 Director Report to the General Assembly.

A Deputy Director will assist the Executive Director in all statutory requirements as well as supervising expansion into the additional Judicial Districts. 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.

The new FTE positions will also allow for the creation of a Guardianship Academy, a collaborative program to educate volunteers in the areas of guardianship standards and best practices, least restrictive options, advance planning, successor guardianship planning, and supported decision-making options. A goal of the Guardianship Academy is to establish a cadre of volunteer Guardians/Powers of Attorney/Representative Payee/Supports to serve as another resource for indigent and incapacitated adults.

Anticipated Outcomes:

This reappropriation will benefit clients that need to be placed in a lesser restrictive environment based on a lack of available family/friends or guardianship services or due to a lack of funds to pay for guardianship services. Clients will also benefit from standardization and supervision of best practices of guardianship services.

This reappropriation will benefit service providers in three Judicial Districts that lack availability of guardianship services by allowing them to transition clients to guardianship and thereby open their services to new clients.

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.

Assumptions for Calculations:

Judicial Budget will complete this section.

Consequences if not Funded:

The consequences of this not being funded means that limited guardianship services in the three Judicial Districts will continue. This may also lead to limited 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.

Attachment 5. Expansion and Discontinuation Plan

Expansion and Discontinuation Plan

10.2021

Expansion Plan – July 1, 2022

- I. **Strengthen guardianship services in 2nd Judicial District.** Add 1.0 FTE Public Guardian that is responsible for a caseload of approximately 20 clients. Currently we have 17 eligible referrals and 14 potential CMHI referrals that are eligible to be served by a new FTE Public Guardian. The Office is at caseload capacity (80 clients) including referrals that are pending court proceedings and we continue to receive eligible referrals.
- II. **Expand to 7th and 16th Judicial Districts.** The legislative history outlined in 13-94-102 C.R.S. indicates the need for public guardianship services for incapacitated and indigent adults and the need to collect data to further assess the statewide need. These Judicial Districts populations, services, and needs vary which allow for diverse data gathering for the 2023 Director Report to the General Assembly.
 - a. Add 1.0 FTE Public Guardian that is responsible for a caseload of approximately 20 clients for each Judicial District. Each Public Guardian will be local to their Judicial District. Each Public Guardian will work remotely and be directly supervised by the Deputy Director. The Public Guardian will be responsible for establishing and maintaining the discontinuation plan with the Deputy Director.
 - b. Current collaboration with agencies such as Guardianship Alliance and Silver Key Senior Services and others will allow for convening efforts in the 7th and 16th Judicial Districts to begin in early in 2022, so that referrals can be submitted and accepted as soon as FTEs are hired and trained.
- III. **1.0 FTE for Deputy Director.** A Deputy Director will assist the Executive Director in all statutory requirements as well as supervising the expansion and discontinuation plans. Will add research/data qualifications
 - a. Draft qualifications: Baccalaureate degree from an accredited institution with a focus on social work, counseling, psychology, gerontology, related behavioral science, or client support business services and at least two years' experience in a discipline pertinent to the provision of guardianship services which must include decision-making judgment for the benefit of others in the area of legal, guidance and counseling, healthcare, probation and parole, public administration with a focus on developmental disabilities, and/or persons with mental illness and/or with disruptive behaviors. Equivalent education or experience will be considered; Preferred: National Certified Guardian and/or National Master Guardian Certification through the National Guardianship Association/Center for

Guardianship Certification; Ph.D.; or master's degree in Social Work, Counseling, Clinical Psychology, Gerontology or related behavioral science or equivalent advanced degree which includes a supervised field placement providing social casework or counseling services to elderly, vulnerable or dependent adults, and their families.

- IV. **General Notes.** Expansion plans will indirectly benefit other agencies that I spoke with by offering more placement options when discharging clients: VA Hospitals, Office of Behavioral Health, Department of Corrections. There are likely many more agencies that can benefit.

Discontinuation Plan

- I. **Funds to organizations to support successor guardianships of OPG clients.** If the Pilot Program is discontinued, I am working with Hugh Wilson, Judicial Budget Manager, on a plan to introduce new legislation to provide OPG with new spending authority or to create a new fund to appropriate the remaining OPG funds to other organizations/agencies. There is precedence for an entity such as SCAO to “own a program” and distribute grants to non-profits. Potential programs to support successor guardianships of OPG clients:
- i. Lutheran Family Services
 - ii. Silver Key Services, Inc.
 - iii. Guardianship Alliance
 - iv. Arc of Colorado Chapters
 - v. Colorado Guardianship Association members
 - vi. Other guardianship agencies – To be determined
- II. **Other opportunities for using OPG funds.**
- a. Continue to use funds to contract with attorneys. In this case, to file petitions to terminate guardianships and petitions for successor guardianships.
 - b. Funds for emergency client funds. There may be instances where locating successor guardians may require the use of locating emergency housing or services.
- III. **Establish a Guardianship Academy,** a volunteer education program. Deputy Director and Public Guardians will assist in providing education opportunities to volunteers. Volunteers are lay persons willing learn National Guardianship Association best practices and standards, least restrictive alternatives, advance planning resources, successor guardianship planning, etc. Volunteers will be available to serve local agencies as Powers of Attorney, guardians, etc. OPG will collaborate and partner with

local agencies that offer similar education programs. Examples: I was invited to speak about guardianship and advance directives with the Colorado Gerontological Society webinar series; Silver Key Senior Services has a successful volunteer program to simulate.

- a. Public guardianship services will continue to search for clients' family friend and other support to potentially serve as successor guardians.

DRAFT