

**OPG Commission meeting
Director Report
02.23.2022**

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 02.23.2022 meeting:

- Attachment 1: SCAO/Judicial provided FY 2021 Final Budget Summary and Monthly Budget Summary as of 02.04.2022
- Attachment 2: FY23 Budget Amendment
- Attachment 3: State Audit letter
- Attachment 4: 2021 NGA Conference Brochure

I. Budget and Administrative Update.

- a. I previously provided the monthly budget reports for February that are provided to me from Hugh Wilson, Judicial Budget Manager. **See Attachment 1.**
- b. FY22-23 Budget Request Update. Figure setting is scheduled for 02.24.2022. I submitted a FY22-23 Budget Amendment to allow for spending authority for (**See Attachment 2**):
 - i. Additional 1.0 FTE dedicated OBH/Momentum Public Guardian
 - ii. 1.0 FTE UC Health, if a partnership is reached
 - iii. 1.0 FTE Case Management Aide
 - iv. 02.14.2022: Meeting with Hugh Wilson and Alfredo Kemm to discuss the Budget Amendments. Alfredo is supportive of our requests and will recommend our requests. However, he

suggests that we consider expanding only to one additional Judicial District.

- c. Executed the SCAO Controller Representation Letter to the Office of the State Auditor. This letter indicates that information that the Auditor utilized as of June 2021 audit of the Colorado OPG was provided, fairly represented, and in compliance, etc. See **Attachment 3**.
- d. 02.09.2022: Meeting with John Kane – Judicial Purchasing Manager regarding Procurement process for hiring Legislative Liaison
- e. 01.06.2022 – No update: Judicial Budget Structure meeting initiated by Alfredo Kemm, JBC Analyst. Preliminary meeting with Stephanie Villafuerte – Child Protection Ombudsman Executive Director, and Dino Ioannides – Independent Ethics Commission Executive Director.
- f. 2022 Staff Performance Reviews. Self-evaluations were emailed 01.04.2022 and are due back to me by 02.04.2022. Reviews will be completed no later than April 1, 2022.
- g. Spring 2022: I am scheduling meetings with staff and the staff assistant to assess the procedures, caseloads, etc. of the office. One idea generated from our December 2021 group conference was hiring a full-time Case Aide to assist with client management and PTO coverage. This need for this position has become especially important recently, as most of the staff has been ill, some with COVID, and coverage has been difficult. I have covered staff calls and client visits.

- h. 02.17.2022: Meeting with representative from NextFifty Initiative Flexible Support 2022 to support funding of a Case/Client Management Aide. Grant of up \$150,000.00 for goals for improving lives of older adults and how funding will support achievement of those goals. Representative felt that our request fits this grant and the goal to benefitting the lives of older vulnerable adults.
 - i. Aide can assist guardians with administrative tasks to allow guardians to focus of client management and/or aide can assist with client management, such as informal social visits with clients
- i. Various legal meetings with AAG Kidd-Aaron
 - i. Contract negotiations with a nursing home facility
 - ii. Legal issues have come up in the last few weeks related to unsafe discharges from facilities and hospitals. Some discharges have occurred due to COVID under the Governor's Order and Crisis Standards of Care that allows hospitals to discharge without family/guardian consent.
 - iii. 01.14.2022: I met with Denver Health (DH) Director of Health Management, Amanda Thompson, about this issue, among others. She was sympathetic, but it seems this issue will not be resolved. She is assisting with scheduling a meeting with DH Legal Department. No matter how many times I ask, I am not given a direct contact to a DH Legal Department representative.
 - 1. 02.24.2022: Meeting scheduled with Denver Health representatives Enid Wade, General Counsel, Amanda Thompson and Jacqueline Zheleznyak. AAG Kidd-Aaron, Commissioner Crona and I have been conducting research and will attend this meeting together.

- II. Follow up from the OPG SMART Act Hearing presentation on January 24, 2022:
 - a. 02.04.2022: Virtual meeting with Representative Bacon who is very supportive of the Office.
 - b. 01.28.2022: OPG hand-delivered a letter in response to the public comment offered by Denver Health. No direct response to the letter as of 02.11.2022.

- III. During the legislative season, I review various bills to determine their impact on the OPG.

- IV. I continue to work with various SCAO officials to obtain OPG access to Judicialnet and Employee Self Service portal.

- V. Various: Meetings with Kelly O'Connor for OPG marketing needs for permanency and caregiver coaching for staff.
<https://kellyoconnor.com/>
<https://www.youtube.com/watch?v=C1oJD4Lv1-U>

- VI. **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.

- VII. **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. Reviewing and updating protocols as part of the Spring meetings to assess the procedures, caseloads, etc. of the office.
- d. **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. 4 out of 6 staff are nationally certified.
 - iii. Self-paced dates: Arc of Aurora THINK+CHANGE I/DD Online Training Course:
Cultivate Learning That Advances Everyone; People with Intellectual and Developmental Disabilities (IDD) and You
 - iv. 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. **See Attachment 4.**
 - a. Guardians that attended will present at OPG Group Conferences
 - b. Guardians will each give a brief presentation at the February and March 2022 Commission meeting

- v. 02.25.2022: Pooled Trusts Presentation by Chanda McQueen – Colorado Fund for People with Disabilities, Intake and Board Coordinator

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

- i. Update on number of registered users, referrals, accepted cases, etc. as of **02.11.2022**
 - 1. 74 Active guardianships (updated number is different due to ward deaths in January and the date of guardianships being terminated by the court)
 - 2. 4 referrals pending in court proceedings
 - 3. 9 Partial/Incomplete referrals
 - 4. 14 clients passed away since CO OPG appointment (1 possibly Covid related death)
 - 5. 12 New Hold status for 6 months (now includes OBH/CHMI-Ft. Logan/Pueblo referrals that are non-OBH/Momentum contract referrals)
 - 6. 10 referrals pending in court proceedings - OBH/Momentum dedicated caseload

- 7. 22 Declined referrals
 - 1. 15 Denver declined referrals
 - a. 4 - Family available to serve
 - b. 9 - Expired/Incomplete information
 - c. 1 – Not appropriate referral
 - d. 1 - Not adult
 - e. 1 - Withdrawn by Ft. Logan
 - 2. Not incapacitated – 2
 - 3. Texas referral - 1
 - 4. Nebraska referral - 1
 - 5. Alaska referral – 2

8. 72 streamlined referrals (Non-Denver County) – Declined
 1. Adams County – 2
 2. Arapahoe County – 10
 3. Boulder County – 4
 4. Broomfield - 1
 5. “Denver County” - 2
 6. El Paso County – 17
 7. Garfield County – 1
 8. Gunnison County – 1
 9. Huerfano County - 3
 10. Jefferson County – 3
 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 - 3
 19. Washington County - 1
 20. Weld County – 7

f. **Data gathering - In progress.**

1. **Interim Report – Completed.** Presented at JBC hearing and posted on the website.
2. **Survey Data Highlights - Completed.** CRS 13-94-105 (4)(a):
 1. Closed the initial Survey on September 14, 2021.
 2. Grant started interviewing survey participants about the need for public guardianship services in their service areas, identifying stakeholders, and

identifying successor guardians for the discontinuation plan.

3. We are considering running a follow up survey in August 2022.

3. Grant and I are following up with stakeholders regarding cost analysis data. CRS 13-94-105 (4)(c); (4)(f):

1. Denver Department of Public Safety
2. Denver Housing Authority
3. Coalition for the Homeless
4. Denver Health: Hospital expenses and Medicaid/Medicare reimbursement
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.

4. 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. CRS 13-94-105 (4)(c); (4)(f).

1. Grant, our Research Assistant, and America, our Staff Assistant, have weekly Data meetings. Chair Bennett-Woods attended our meeting last week. Grant reported that he met with Prof. Teaster and based on her research and other studies of Public Guardianship programs and using the statewide

survey and CO county data, he completed a preliminary statewide assessment for public guardianship need. He needs to refine the study and he wants to review the research used by the initial OPG Task Force

5. 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. CRS 13-94-105 (4)(a).
6. I am reviewing various Funding Models of other Public Guardianship programs as well as other human service models. CRS 13-94-105 (4)(b); (4)(c); (4)(e); (4)(f); (4)(h).
7. We are gathering and reviewing the average annual cost of providing guardianship services. Costs will not be accurate and will need to be projected for mileage and time related to travel and time for attending court hearings since all court hearings have been held virtually due to the COVID-19 pandemic. CRS 13-94-105 (4)(b). Dr. Whitney LeBeouf suggested that we can apply a Sum of Cost methodology extrapolate this data.
8. Various: Meeting with Lara Vandenberg – Guardianship, Department of Veteran Affairs costs of housing veterans needing a guardian as well as data for the veteran need for guardianship. Ms. Vandenberg provided the data related to the cost savings of her guardianship program this month. I have yet to review the data.

9. 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: 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. I need to follow up with Ms. Brown for the final data.

10. I need to follow up with Judy Ham – Executive Director – Ability Connections, Juanita Peterson – Program Manager, Ability Connections, and Grant Yoder regarding data and collaboration.

11. Various: Email correspondence Ann McKenzie – Manager of Companionship Services, Silver Key Senior Services, Inc., and Grant Yoder regarding data and collaboration, expansion and discontinuation plan. Specifically, Ms. McKenzie, through the Pikes Peak Elder Abuse Coalition offers continued support with a follow up statewide survey to assess Colorado's unmet need for public guardianship services.

12. I need to follow up with Natalie DeVille – Program Director Brian Brant, Loretta Bozeman, Lutheran Family Services LifeWork Aging Solutions regarding data and collaboration, expansion and discontinuation plan. We continue with follow up meetings for data gathering.

13. I need to follow up with Christiano Sosa – Executive Director, The Arc of Colorado regarding data and collaboration, expansion and discontinuation plan.
14. 02.22.2022: Virtual meeting with various Arc Directors regarding interviews and data gathering.
15. I need to follow up with Julie Reiskin – Executive Director and Chris Brock – Attorney, Colorado Cross-Disability Coalition regarding data and collaboration, expansion and discontinuation plan.
16. I need to follow up with Carl Glatstein regarding potential coordination efforts with Colorado Bar Association. We will likely schedule a meeting after the holidays.
17. I need to follow up with Jenny Bender – Executive Director of Colorado CASA regarding the need for OPG services for juveniles graduating from the foster system as well as CASA funding and volunteer models.
18. 01.25.2022: Meeting with Whitney LeBoeuf – Executive Director of Data Integrity and Analytics, Colorado Evaluation and Action Lab, Director, Linked Information Network of Colorado (LINC). <https://coloradolab.org/about-us/our-team/>

University of Denver - Colorado Evaluation and Action Lab – is a partnership with the Governor’s Office. Partners with State & local governments and conduct research, data and analytics to strengthen coordinated and efficient person-centered services. This Department also has developed contacts in the research community.

1. Grant and I met with Whitney and completed some brainstorming about the cost analysis. IT was very helpful. She offered to assist us in aggregating the data and complete a range of cost-saving methodology. She also offered to continue to pull in other colleagues for continued brainstorming and research. Also, she is willing to share relevant non-published cost data research they have completed.
2. She agreed that our methodology for the statewide assessment was sound
3. She agreed that our cost-saving methodology was sound considering that we did not have the resources for a full-time project manager
4. Grant and I are working on gathering data points and will be meeting with Whitney again.

19. I need to follow up with Susan Anderson – DRCOG, Case Manager-Case Management Program and Desiree Boelte, Area Agency on Aging - Manager, regarding Jefferson County data

20. I need to follow up with Gail Abeyta - Parkview Health System, Care Management Director, Pueblo Colorado regarding the need for OPG services and willingness to provide data

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

- IX. Stakeholder Meeting Update since 01.26.2022**
- a. 01.21.2022: Presented OPG JBC update to Pikes Peak Elder Abuse Coalition
 - b. 01.24.2022: Laurie Rose Kepros - Director of Sexual Litigation, Office of the State Public Defender regarding barriers OPG may face in serving her clientele
 - c. 01.24.2022: Attend Behavioral Health Crisis Response System Bill Stakeholder Meeting
 - d. 01.25.2022: Email correspondence with Representative Jennifer Bacon as follow up to the SMART Act hearing
 - e. 01.25.2022: Email correspondence with Representative Adrienne Benavidez as follow up to the SMART Act hearing
 - f. Various: Virtual meeting with Casey Todd – RMHS Transition Community Program regarding OBH/Momentum referrals and increasing caseload acceptance
 - g. Various and 01.27.2022: Email correspondence and virtual meeting with Judge Steven Patrick, 7th Judicial District Chief Judge and Judge Mary Deganhart, 7th Judicial District District Court Judge and Leslie German, 7th Judicial District Court Executive regarding potential OPG expansion
 - h. 02.09.2022: Attend Denver Forensic Collaborative meeting
 - i. Various: Email correspondence and virtual meeting with Melissa Gutierrez – Mesa County Supervisor Child Welfare & Chafee Program Supervisor, Mesa County Department of Human Services regarding OPG services for juveniles graduating from the foster care system and referrals
 - j. Various: Email correspondence and virtual meeting with Emily McDonnell and Kathleen Hermann – University of Colorado

Hospital regarding proposal for hospital funding to OPG for guardianships; Various email correspondence with Kathleen Hermann

- k. Various: Email correspondence with Whitney Nettleton – APS regarding streamline referrals process since OPG is at capacity
- l. Various and 01.10.2022: Email correspondence and phone conference with Kara Brown – Department of Corrections, Community Care Case Manager referral and education regarding decision-making standards and alternatives to guardianships
- m. Various: Email correspondence with Representative Julie McCulskie’s assistant, Maggie Larson, regarding expansion into, and data gathering, within her District
- n. Various and 02.04.2022: Email correspondence with and virtual conference with Andrea Roelofs – Texas Health and Human Services Commission – Office of Guardianship Services, Policy Analyst. Ms. Roelofs is reviewing policies for her office and requesting assistance from other guardianship offices. Ms. Roelofs offered assistance with data gathering
- o. Various and 02.07.2022: Email correspondence and virtual conference with Brooke Brestel regarding Boulder County Guardianship Pilot Program
- p. Various and 02.08.2022: Email correspondence and virtual meeting with Judge Mark MacDonnell, 16th Judicial District Chief Judge and 16th Judicial District Court Executive CJ Montoya regarding potential OPG expansion
- q. Various: Email correspondence related to CORA requests from Ms. Welch requesting revenues from various court fees and OPG client deaths

- r. 01.27.2022 and 02.09.2022: Email correspondence and virtual meeting with Theresa Campbell Archuleta County – Compliance and Program Manager, CDHS and various members of Archuleta and La Plata County APS and County Attorney Office regarding for public guardianship services, resources and data gathering
- s. 02.04.2022: Phone conference with Traci Pohlenz – Oasis Unit Social Worker, Denver Health regarding referrals
- t. 02.05.2022: OPG training presentation to Social Work Department at CMHI–Pueblo
- u. 02.01.2022 and 03.07.2022: Hope Carwile re DEI for LTC Ethics Committee
- v. 02.28.2022 and 02.07.2022: Virtual conference with Casey Todd and team regarding a CMHI-Ft. Logan referral
- w. 02.04.2022: Email correspondence with CMHI-Pueblo Social Work Case Manager Derek Karlinger regarding SSA Representative Payee agencies
- x. Various and 02.04.2022: Email correspondence and virtual conference with Whitney Nettleton – APS regarding unsafe discharges
- y. 02.07.2022 and 02.16.2022: Email correspondence and virtual meeting with with Jhandery "Jhan" Martinez and Kathy Browning, founders of Northern Colorado Guardianship, Inc. regarding guardianship need in Weld and Larimer Counties
- z. 02.16.2022: Email correspondence with Jessie Smith – Virtual Care Advocate, Medicare Plans.com regarding Medicare Plans Resource Guide for Veterans

- aa.02.16.2022: Email correspondence with Christiano Sosa – Director Arc of Colorado regarding research related to unsafe discharges from hospitals
- bb. 02.16.2022: Email correspondence with Commissioner Garcia regarding research related to unsafe discharges from hospitals
- cc.02.16.2022: Email correspondence with Gina Brown – Disability Law Colorado regarding research related to unsafe discharges from hospitals
- dd. 02.16.2022 and 02.17.2022: Email correspondence and phone conference with Jennifer Levin - Director of Public Policy, Arc of Colorado regarding research related to unsafe discharges from hospitals
- ee.02.17.2022: Email correspondence with Claire Dickson - Colorado Legal Services regarding research related to unsafe discharges from hospitals
- ff. 02.17.2022: Email request for interview with Marianne Goodland, Colorado Politics
- gg.02.17.2022: Email CORA request Marianne Goodland requesting information related to OPG client deaths
- hh. Various: Email correspondence with Dino Ioannides – Executive Director, Colorado Ethics Committee and Stephanie Villafuerte – Executive Director, Child Protection Ombudsman regarding Legislative Liaison information
- ii. Various: Email correspondence with Dom Breneman – VP of Risk Management & Business Operations, Searly Juniper facility regarding contract negotiations
- jj. Email correspondence with Lauren Snyder – VP for Government Affairs, Mental Health Colorado regarding Bill 27-65

Modifications to Civil Involuntary Commitments and adding requirement of service and notice and involvement of guardians of adults

kk. 01.14.2022: Phone conference with Kate Power - Boulder County District Attorney's Office regarding OPG services – rescheduled to 02.25.2022

ll. TBD - rescheduled: Interview with Jennifer Kovaleski and Joseph Vaccarelli - Denver 7 News about the OPG office

Attachment 1. OPG Budget Summary as of 02.04.2022

OPG Personal Services and Operating Summary - FY 2022

As of 2/4/2022

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)
Personal Services	\$653,000	\$ 646,535	\$6,465
Operating	\$188,253	\$ 99,717	\$88,536
Total Appropriation	\$841,253	\$746,252	\$95,001

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	\$1,150,000
Total Expenditures	\$662,072	\$841,253
Net Change	\$474,584	\$308,747
Beg Fund Balance	\$819,590	\$1,294,174
= Fund Balance	\$1,294,174	\$1,602,921

spending authorit
projected fund ba

Salaries	Pos. #	Actuals						Projections						Year-to-Date
		July	August	September	October	November	December	January	February	March	April	May	June	
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	\$ 14,529	\$ 14,529	\$ 14,529	\$ 14,529	\$ 14,529	\$ 14,529	\$ 173,691
Total Personal Services		\$ 51,916	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,046	\$ 54,066	\$ 54,066	\$ 54,066	\$ 54,066	\$ 54,066	\$ 54,066	\$ 54,066	\$ 646,535
		Actuals						Projections						
1920 -Other Professional Services		\$ -	\$ 90	\$ 90	\$ 90	\$ 450	\$ -	\$ 180						\$ 900
1935 - Attorneys		\$ -	\$ -	\$ 198	\$ -	\$ 198	\$ -	\$ 31						\$ 427
1940 -Medical Services		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ -
1950 -Professional Services from Other Colorado Departments		\$ -	\$ 10	\$ 25	\$ -	\$ -	\$ -	\$ -						\$ 35
1960 -Professional IT Services		\$ 600	\$ 5,319	\$ 300	\$ 5,418	\$ 548	\$ -	\$ 910						\$ 13,095
2255 -Rental of Meeting Rooms & Leased Space		\$ 1,802	\$ -	\$ 3,600	\$ 1,800	\$ -	\$ -	\$ 5,700						\$ 12,902
2510 -General Travel (Employee)		\$ 15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ 15
2513 -Mileage Reimbursement (Employee)		\$ 72	\$ 140	\$ 717	\$ 94	\$ 797	\$ 163	\$ 428						\$ 2,410
2530 -General Travel		\$ -	\$ -	\$ -	\$ 897	\$ -	\$ 125	\$ -						\$ 1,022
2531 -Common Carrier Fares		\$ -	\$ -	\$ -	\$ 432	\$ -	\$ -	\$ -						\$ 432
2631 -Communication Services from Outside Sources		\$ -	\$ 257	\$ 257	\$ 383	\$ -	\$ 1,984	\$ -						\$ 2,882
2680 -Printing & Reproduction Services - Vendors		\$ 146	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ 146
3113 -Clothing & Uniforms		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 36	\$ -						\$ 36
3118 -Food & Food Services Supplies		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 77	\$ -						\$ -
2820 -Monitoring Services		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ -
3110 -Identification & Safety Supplies		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ -
3120 -Books / Periodicals / Subscriptions		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ -
3121 -Case Jackets		\$ 933	\$ 333	\$ 178	\$ -	\$ -	\$ 341	\$ 6						\$ 1,791
3123 -Postage		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 812	\$ -						\$ 812
3140 -Noncapitalized IT Software		\$ 1,861	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ 1,861
3145 -Noncapitalized IT Purchases		\$ -	\$ 5,940	\$ 155	\$ -	\$ -	\$ 1,496	\$ 10,118						\$ 17,709
4140 -Dues & Memberships		\$ -	\$ 110	\$ -	\$ -	\$ -	\$ -	\$ -						\$ 110
4170 -Miscellaneous Fees & Fines		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 33	\$ -						\$ 33
4220 -Registration Fees		\$ -	\$ 24	\$ -	\$ 900	\$ -	\$ 550	\$ -						\$ 1,474
4256 -Other Employee Benefits - Eco Pass		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ -
Total		\$ 5,428	\$ 12,223	\$ 5,520	\$ 10,013	\$ 1,993	\$ 5,616	\$ 17,373	\$ 8,310	\$ 8,310	\$ 8,310	\$ 8,310	\$ 8,310	\$ 99,717
		Avg. Operating thru January												
Total - YTD + Projections Program Line		\$ 57,344	\$ 66,268	\$ 59,566	\$ 64,059	\$ 56,038	\$ 59,662	\$ 71,438	\$ 62,375	\$ 62,375	\$ 62,375	\$ 62,375	\$ 62,375	\$ 746,252
		Over/(under) Program Line \$95,001												

COLORADO OFFICE OF PUBLIC GUARDIANSHIP

Sophia Alvarez
Executive Director

FY 2023 Budget Amendment

February 14, 2022

Department Priority: BA #1
Request Title: Request for 3.0 FTE for the Office of Public Guardians
Program: Office of Public Guardianship
Statutory Authority: 13-94-101 C.R.S.

Schedule 13

	Fund	FY23 Nov 1st Request	FY23 Budget Amendment	FY23 Revised Request
Total All Line Items	Total	1,336,695	\$253,479	1,590,174
	FTE	11.0	3.0	14.0
	GF	-	-	-
	CF	1,243,918	163,795	1,407,713
	RF	92,777	89,684	182,461
	FF	-	-	-
Office of Public Guardianship	Total	1,336,695	253,479	1,590,174
	FTE	11.0	3.0	14.0
	GF	-	-	-
	CF	1,243,918	163,795	1,407,713
	RF	92,777	89,684	182,461
	FF	-	-	-

Emergency Technical Error New Data Unforeseen Contingency

Request Summary:

The Office of Public Guardianship requests \$234,855 and 3.0 FTE of which \$149,209 is Cash Fund spending authority and \$85,646 is Reappropriated spending authority to provide guardianships to qualified Office of Behavioral Health (OBH) clients; in anticipation of an agreement with a major Health Center and a case management aid position. The source of funding for this request is a transfer from the OBH/Momentum Program in the Department of Human Services and the Office of Public Guardianship Cash Fund. A major health provider wishes to grant the Office funds (to be deposited in the OPG Cash Fund) to provide guardianship services to clients within their hospital system. Current statute allows the Office of Public Guardianship to receive gifts, grants, and donations.

Background:

Last year the Joint Budget Committee approved 1.0 FTE and \$89,684 R/A spending authority for providing a public guardian to clients of the Office of Behavioral Health at CMHS Ft Logan. This initial guardian FTE has worked well, and it was recently determined that another dedicated public guardian is needed to keep up with the demands of CMHI/Momentum clientele transitioning to the community.

Historically, individuals placed at CMHI Ft. Logan and CMHI Pueblo have complex mental health diagnoses. Once an individual is ready for discharge to a less restrictive environment, the CMHI often cannot discharge without a guardian in place. It is the policies of less restrictive environments, such as assisted living facilities or nursing homes, to accept an individual from a CMHI facility only with a guardian in place.

This limits the CMHI ability to discharge individuals, adding to their waiting list for accepting new individuals. This also limits the ability to discharge to an appropriate level of care, which is not conducive to the success of the individual.

A CMHI/Momentum client typically has complex medical and mental health needs. The Colorado OPG uses an internal policy to measure the level of complexity and time necessary to adequately serve a client. This allows the OPG to set appropriate caseloads based on the national best standards and practices. A current caseload is twenty based on the national best standards and practices. Due to the high intensity of the CHMI clients and to provide appropriate and ethical public guardianship services, the new 1.0 FTE will have a similar caseload to the FTE appropriated in FY22 to provide services to CMHI/Momentum clients.

This reappropriation from OBH 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.

Additionally, because of the on-going successful working relationship between Colorado OPG and a major Health Center, they recently approached the OPG about an innovative partnership. The Health Center would like to develop a model guardianship program that could be adapted by other medical providers across the state in collaboration with the Colorado OPG. Under this model OPG would provide a dedicated public guardian for eligible Health Center patients. This will require a new 1.0 FTE to handle an anticipated caseload of up to twenty clients.

Staff Help

The recent Omicron variant surge was especially challenging to the Colorado OPG. The COVID-19 Pandemic issues have escalated and intensified case complexity. Public Guardians work 24/7 and are hesitant to take time away from their clients and worry about burdening their colleagues with additional caseloads. However, staff need to utilize their paid-time-off to prevent compassion fatigue and burnout. Hiring a 1.0 FTE Case Management Aide will be beneficial for the Public Guardians and Colorado OPG clients. The Case Management Aide will support Public Guardians in the performance of their professional work and ensure administrative support to ensure quality, effective, and efficient public guardianship services are provided to Colorado OPG clients. This request for 1.0 FTE will be paid from the Office of Public Guardianship Cash Fund.

Anticipated Outcomes:

The OPG will be able to assist individuals with high complex needs to discharge to less restrictive and more appropriate placements, in line with national best standards and practices. The OPG will be able to assist the Institutions in opening more beds for those in need of the Institutions.

The partnership with a major Health Care center could serve as a model for program expansion statewide.

Assumptions for Calculations:

- That to implement this request will cost \$234,855 in total of which \$149,209 is Cash Funds (from the Office of Public Guardianship Cash Fund and \$85,529 in reappropriated funds for 3.0 FTE
- That the Public Guardian FTE are requested at the minimum of the salary range \$5,714
- That the Case Management Aid salary is equivalent to a Program Analyst I salary and is requested at the minimum which is \$4,092/month
- That this request DOES NOT include HLD (which is included in this single line appropriation). The Office may do a supplemental request for HLD once the FTE and hired and their HLD selections are known.
- That in FY24 this request annualizes to \$214,455 a reduction of \$20,400 of which \$13,600 is CF and \$6,800 is RA spending authority.
- The source of reappropriated funding is the Department of Human Services, Office of Behavioral Health, Momentum Program.
- The Cash Fund source the Office of Public Guardian Cash Fund. A major Health system will make a grant for the provision of guardianship services which will be sufficient to pay for the requested guardianship FTE and overhead charges of 20% (\$104,488)
- Details of the costs are provided below

<i>PERSONAL SERVICES</i>		Public Guardian	Case Management Aid	FY23	Year 2 Total (FY24)
Number of FTE per class title		2.0	1.0	3.00	3.00
Monthly base salary		\$ 5,714	\$ 4,092	\$ -	\$ -
Number of months charged in FY23		12	12	12	12
Salary		\$ 137,136	\$ 49,104	\$ 186,240	\$ 186,240
PERA (Staff, GF)	11.40%	\$ 15,634	\$ 5,598	\$ 21,231	\$ 21,231
Medicare (Staff, GF)	1.45%	\$ 1,988	\$ 712	\$ 2,700	\$ 2,700
Sub-total Base Salary		\$ 154,758	\$ 55,414	\$ 210,172	\$ 210,172
Health/Life/Dental	\$10,042				
Short-Term Disability	0.17%	\$233	\$83	\$233	\$233
Subtotal Personal Services		\$ 154,991	\$ 55,497	\$ 210,405	\$ 210,405
TOTAL PERSONAL SERVICES		\$ 154,991	\$ 55,497	\$ 210,405	\$ 210,405
FTE		2.0	1.0	3.0	3.0
OPERATING					
Phone (staff)	\$ 450	\$ 900	\$ 450	\$ 1,350	\$ 1,350
Supplies (staff)	\$ 500	\$ 1,000	\$ 500	\$ 1,500	\$ 1,500
Subtotal Operating	\$ 950	\$ 1,900	\$ 950	\$ 2,850	\$ 2,850
CAPITAL OUTLAY					
Office Furniture (staff)	\$ 5,000	\$ 10,000	\$ 5,000	\$ 15,000	
Computer/Software (staff)	\$ 2,200	\$ 4,400	\$ 2,200	\$ 6,600	\$ -
Ongoing Subscription	\$ 400	\$ 800	\$ 400		\$ 1,200
Capital Subtotal	\$ 7,600	\$ 14,400	\$ 7,200	\$ 21,600	\$ 1,200
CENTRAL APPROPRIATIONS					
AED	5.00%	\$ 6,857	\$ 2,455	\$ 9,312	\$ 10,159
SAED	5.00%	\$ 6,857	\$ 2,455	\$ 9,312	\$ 10,159
Central Appropriations Subtotal		\$ 13,714	\$ 4,910	\$ 18,624	\$ 20,317
TOTAL COSTS		\$ 171,291	\$ 63,647	\$ 234,855	\$ 214,455

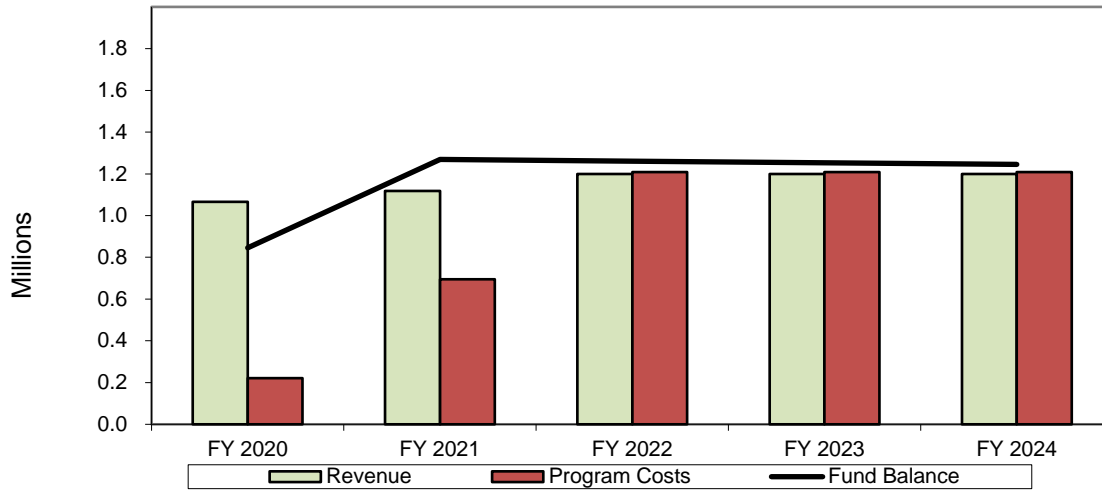
Impact to Other State Government Agencies:

Office of Behavioral Health Department of Human Services.

Cash Fund Projections:

Office of Public Guardianship Cash Fund #OPGF*

	Actual FY 2020	Actual FY 2021	Projected FY 2022	Projected FY 2023	Projected FY 2024
<u>Beginning Fund Balance</u>	<u>1,712</u>	<u>845,723</u>	<u>1,269,229</u>	<u>1,261,334</u>	<u>1,253,439</u>
Revenue	1,065,585	1,117,987	1,200,000	1,200,000	1,200,000
Program Costs	221,574	694,481	1,207,895	1,207,895	1,207,895
Fund Balance	845,723	1,269,229	1,261,334	1,253,439	1,245,544
% Reserve	n/a	n/a	181.6%	103.8%	103.1%
Reserve increase/(decrease)	844,011	423,506	(7,895)	(7,895)	(7,895)



Attachment 3.. OPG Financial Representation Letter

Colorado Office of Public Guardianship

Director, Sophia M. Alvarez

Commissioners

Deb Bennett-Woods, Chair
Stephanie Garcia, Vice-Chair
Kelsey Lesco
Spencer Crona
Patrick Thiessen



3900 East Mexico Avenue
Suite 300
Denver, CO 80210
(720) 552-5215
Info@Colorado-opg.org

January 27, 2022

Office of the State Auditor
Attn: Marisa L. Edwards, Deputy State Auditor
1525 Sherman Street, 7th Floor
Denver, CO 80203

This representation letter is provided in connection with your audit of the financial statements of the State of Colorado which comprise the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the State of Colorado as of June 30, 2021 and the respective changes in financial position and, where applicable, cash flows for the period then ended, and the related notes to the financial statements, for the purpose of expressing opinions as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States (U.S. GAAP). All representations or acknowledgements in this correspondence are for the time period under audit and when indicated from that period until the date of this correspondence. We confirm that we are responsible for the fair presentation of the previously mentioned financial information related to the Office of Public Guardianship, a component of the State of Colorado, in conformity with U.S. GAAP. We are also responsible for adopting sound accounting policies consistent with the State's Fiscal Rules and Fiscal Procedures Manual, establishing, designing, and maintaining effective internal control over financial reporting, and establishing internal controls to assist in preventing and detecting fraud.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of January 27, 2022, the following representations made to you during your audit(s) regarding the Office of the Public Guardianship.

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated June 28,2021, including our responsibility for the preparation and fair presentation of financial information as it relates to the State’s financial statements and supplementary information included therein, including providing the auditor with all relevant information and access to financial information.
2. The financial information referred to above is fairly presented in conformity with U.S. GAAP and includes all properly classified funds, information for the notes to the financial statements, and other financial information of the Office of Public Guardianship.
3. We acknowledge our responsibility for the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of financial information in support of the State’s financial statements that are free from material misstatement, whether due to fraud or error.
4. We acknowledge our responsibility for the design, implementation, and maintenance of programs and internal controls to prevent and detect fraud.
5. We have provided you with—
 - a. Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial information of the Office of Public Guardianship, such as records (including information obtained from outside of the general and subsidiary ledgers), documentation, and other matters [~~and all audit or relevant monitoring reports, if any, received from funding sources~~].
 - b. ~~Minutes of the meetings of [Name of Governing Body such as a specific board] and summaries of actions of recent meetings for which minutes have not yet been prepared.~~
 - c. Unrestricted access to persons within the Office of Public Guardianship from whom you determined it necessary to obtain audit evidence.
 - d. Additional information that you have requested from us for the purpose of the audit.
6. There have been no written or official verbal communications from regulatory agencies concerning noncompliance with, or deficiencies in, accounting, internal control, or financial reporting practices.

7. All material transactions have been properly recorded in the accounting records underlying the financial statements [~~and the Schedule of Expenditures of Federal Awards as it relates to our Exhibit K1 which we provided to the Office of the State Controller~~].
8. ~~We understand that as part of your audit, you proposed posting the attached adjusting journal entries, and we acknowledge that we have reviewed, approved, and made those entries to the accounting records and accepted responsibility for them. The Office of the State Controller has [approved / rejected the entries in CORE.]~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
9. ~~We have considered the effects of the uncorrected financial statement misstatements which are immaterial, both individually and in the aggregate, to the financial statements as a whole and for each opinion unit. These uncorrected financial misstatements are summarized in the attached schedule.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
10. We have disclosed to you the results of our assessment of the risk that the Office of Public Guardianship's financial information used for the State's financial statements may be materially misstated as a result of fraud.
11. We have no knowledge of any fraud or suspected fraud that affects the Office of Public Guardianship and involves:
 - a. Management,
 - b. Employees who have significant roles in internal control, or
 - c. Others when the fraud could have a material effect on the financial statements.
12. We have no knowledge of any allegations of fraud or suspected fraud affecting the Office of Public Guardianship's financial information received in communications from employees, former employees, analysts, regulators, or others.
13. ~~We have taken timely and appropriate steps to remedy identified and suspected fraud or noncompliance with provisions of laws, regulations, contracts, or grant agreements that you have reported to us.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
14. ~~We have a process to track the status of audit findings and recommendations.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.

15. ~~We are responsible for and have accurately prepared the summary schedule of prior audit findings (Exhibit K3) including all findings required to be included by the Uniform Guidance, and we have provided you with all information on the status of the follow up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
16. We have identified and communicated to you any previous audits, attestation engagements, internal or external monitoring, and other studies related to the objectives of the audit and whether related recommendations have been implemented.
17. ~~We have identified and communicated to you any investigations or legal proceedings that have been initiated with respect to the period under audit.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
18. ~~We will provide our views on reported findings, conclusions, and recommendations, as well as our planned corrective actions, for the report.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
19. The Office of the Public Guardianship has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, and deferred inflows of resources, and fund balance or net position.
20. We have determined there are no related parties for the Office of Public Guardianship.
21. We have determined there are no related parties or guarantees for the Office of Public Guardianship that require disclosure in the financial statements in accordance with U.S. GAAP:
 - a. All related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties.
 - b. Guarantees, whether written or oral, under which the Office of Public Guardianship is contingently liable.
22. Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable. The measurement processes we used in determining the accounting estimates are appropriate and consistent. The assumptions appropriately reflect our intent and ability to carry out specific courses of action.

23. The Exhibits submitted to the Office of the State Controller related to accounting estimates are complete and appropriate. No subsequent event has occurred that would require adjustment to the accounting estimates or disclosures included in the financial statements.
24. We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds; and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives, including legal and contractual provisions for reporting specific activities in separate funds.
25. We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing financial statements.
26. We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we believe have a material effect on the financial statements.
27. There are no—
 - a. Violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
 - b. Known actual, pending or threatened litigation, claims, assessments, or unasserted claims or assessments that our lawyer has advised us are probable of assertion and must be accounted for and disclosed in accordance with U.S. GAAP.
 - c. Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by U.S. GAAP.

- ~~28. The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed to the Office of the State Controller.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
29. The Office of Public Guardianship has satisfactory title to all owned assets, and, there are no liens or encumbrances on such assets nor has any asset or future revenue been pledged as collateral.
30. The Office of Public Guardianship has complied with all aspects of grant agreements and other contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- ~~31. The financial information submitted to the Office of the State Controller includes information on all component units, majority equity interests in legally separate organizations, and joint ventures with an equity interest, and we have properly disclosed to the Office of the State Controller all component units, joint ventures, and other related organizations.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
- ~~32. The financial information submitted to the Office of the State Controller includes all fiduciary activities required by GASB Statement No.84, Fiduciary Activities.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
33. All funds and accounting records are properly classified in CORE.
- ~~34. All funds that meet the quantitative criteria in GASB Statement Nos. 34, 37 as amended, and 65 for presentation as major are identified and presented as such and all other funds that are presented as major are considered important to financial statement users.~~ Not applicable for the Office of Public Guardianship.
35. Components of Net Position (net investment in capital assets; restricted; and unrestricted) and classifications of fund balance (non-spendable, restricted, committed, assigned, and unassigned) are properly classified within CORE and, if applicable, approved.
- ~~36. We are following GASB Statement No. 54, paragraph 18, to determine the fund balance classifications for financial reporting purposes.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
- ~~37. We are following the established accounting policy regarding which resources (that is, restricted, committed, assigned, or unassigned) are considered to be spent first for~~

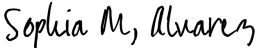
~~expenditures for which more than one resource classification is available. That policy determines the fund balance classifications for financial reporting purposes. Not applicable for the Office of Public Guardianship for Fiscal Year 2021.~~

38. Provisions for uncollectible receivables have been properly identified and recorded.
39. We understand that the net pension liability and the other postemployment benefit (OPEB) liability are calculated by a specialist and we are not aware of any facts or circumstances that would impact the calculation of the net pension liability or the OPEB liability.
40. The significant elements of census data reported in the Central Payroll and Personnel System (CPPS) to the Public Employees' Retirement Association of Colorado (PERA) during the calendar year ended December 31, 2020 were complete and accurate based on the criteria included in Colorado Revised Statutes (C.R.S.) 24-51-101 (42), 24-51-301 through 24-51-310, 24-51-401, 24-51-411, and 24-51-413, as well as the related PERA Rules. Note: This representation applies only to the data entered into CPPS by the Office of Public Guardianship, and not programmable elements handled by the Office of the State Controller.
41. We are responsible for the completeness and accuracy of all payroll and census data, including the following that are significant elements: name, payroll period, social security number, PERA includable salary, employee contribution for period, employer contribution for period (calculated on a total basis), and gender (only applicable for employees who started employment on or after January 1, 2020).
42. All eligible individuals have been correctly reported in the Central Payroll and Personnel System (CPPS) as PERA members and ineligible individuals have been correctly excluded from membership.
43. We have correctly reported in the Central Payroll and Personnel System (CPPS) PERA-includable salary for all individuals.
44. We acknowledge that if it is determined at a later date that membership and/or includable salary were not correctly reported to PERA, we will be liable under C.R.S. 24-51-402 to PERA for employer contributions and interest on the employer and member contributions.
45. ~~With regards to pensions and OPEB, increases in benefits, elimination of benefits and all similar amendments have been disclosed in accordance with U.S. GAAP or disclosed as a subsequent event. Not applicable for the Office of Public Guardianship.~~

46. Expenses, as reported in CORE, have been appropriately classified. ~~Expenses are allocated to functions and programs in the statement of activities or in the statement of revenues, expenses and changes in fund net position and allocations have been made on a reasonable basis.~~
47. Revenues, as reported in CORE, have been appropriately classified. ~~and are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal or in the statement of revenues, expenses and changes in fund net position.~~
48. Interfund (i.e. interaction with other state agencies), internal, and intra-entity activity and balances have been appropriately classified and reported.
49. ~~Special and extraordinary items are appropriately classified and reported on the appropriate exhibit.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
50. ~~Deposits and investment securities and derivative instruments, if applicable, are properly classified as to risk, and investments, derivative instruments, and land and other real estate held by endowments are properly valued and disclosed on Exhibits submitted to the Office of the State Controller. Risk disclosures associated with deposit and investment securities and derivative instrument transactions are presented in accordance with GASB requirements.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
51. With regard to investments and other instruments reported at fair value: Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
 - a. ~~The underlying assumptions are reasonable, and they appropriately reflect management's intent and ability to carry out its stated courses of action.~~
 - b. ~~The measurement methods and related assumptions used in determining fair value are appropriate in the circumstances and have been consistently applied.~~
 - c. ~~The disclosures related to fair values are complete, adequate, and in accordance with U.S. GAAP.~~
 - d. ~~There are no subsequent events that require adjustments to the fair value measurements and disclosures in the financial statements.~~

52. Capital assets, including infrastructure assets and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.
53. ~~We have properly recognized asset retirement obligations associated with tangible capital assets in accordance with GASB Statement No. 83.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
54. ~~We acknowledge our responsibility for the required supplementary information (RSI) in accordance with U.S. GAAP. The RSI, including its form and content, is measured and fairly presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.~~ Not applicable for the Office of Public Guardianship for Fiscal Year 2021.
55. We acknowledge our responsibility for the accuracy of information submitted to the Office of the State Controller for use in preparing the Schedule of TABOR Revenue, as required by Article X, Section 20 of the State Constitution.
56. No material events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements (~~or in the Schedule of Findings and Questioned Costs~~).
57. ~~With respect to the [Identify supplementary information on which an in relation to opinion is issued (e.g., combining statements, individual fund statements).]~~ Not applicable for the Office of Public Guardianship.

Sincerely,

DocuSigned by:

B4D15B102185454...
01/27/22 | 8:37 AM MST

Sophia M. Alvarez, J.D., M.S., Director

DocuSigned by:

4E013A4C5F6E49A...
01/27/22 | 8:12 AM MST

Dave Grier, Controller



NATIONAL CONFERENCE ON GUARDIANSHIP

October 23 – 26, 2021

ATLANTIS CASINO RESORT SPA
RENO, NV

Navigating the High Stakes of Guardianship

Welcome to the National Guardianship Association's 2021 National Conference on Guardianship. After the past year, we are excited to offer an in-person conference experience, and we are pleased to offer video recordings that will be available for purchase by people who are unable to travel for the in-person conference. Complete details are available in this brochure.

As you've come to expect from NGA, this year's program features outstanding presentations that will appeal to professional and family guardians, public and private guardians, and participants at every level of experience.

Our host city of Reno, Nevada offers the best of both worlds, urban and mountain. Besides boasting a myriad of activities within the city limits, once you're there, you're less than an hour away from all that Northern Nevada has to offer. Although Reno has long been known for gambling, "The Biggest Little City" is changing with the times. An influx of tech companies has led to the development of innovative restaurants, craft breweries, and a thriving art scene. Within an hour's drive lies spectacular Lake Tahoe, thousands of mountain biking and hiking trails, several lakes that are perfect for fishing and boating, and much more.

SATURDAY CONFERENCE INTENSIVES

National Conference on Guardianship | October 23 – 26, 2021



**These conference intensives are not included in the conference fee.
Additional registration fees apply to attend these programs.**

7:00 am – 5:00 pm **Registration Area Open**

8:15 am – 11:30 am **Positively Influencing the Behavior of Persons Living with Dementia:
A Merger of Art and Science**
Eric Collett | A Mind For All Seasons, LLC

Many care partners struggle to find non-pharmacological interventions that are effective for people living with dementia who exhibit out-of-character and disruptive behavior. This insightful presentation will introduce participants to five key principles from which all good interpersonal techniques are derived, along with cutting-edge, research-based interventions that reduce out-of-character responses by improving physical and cognitive functioning.

8:15 am – 11:30 pm **Legal and Legislative Review, Part 1**
12:45 pm – 4:00 pm **Legal and Legislative Review, Part 2**

Steven D. Fields, JD | Tarrant County Probate Court Two
Terry W. Hammond, JD, NCG | Texas Guardianship Association
Sally Balch Hurme, JD | Sally Balch Hurme LLC
Gregory W. MacKenzie, JD | Hurley Toevs Styles Hamblin & Panter, PA
Elizabeth A. Moran, JD | ABA Commission on Law and Aging
Arin Norris, JD, NMG | Lutheran Services Florida
Ira Salzman, JD | Retired

A panel of legal guardianship experts will summarize the major reported court decisions and legislation in the United States during the past year that concern guardianship issues relevant to both professional and family guardians and the attorneys who represent them.

12:45 pm – 4:00 pm **The Millstone of Monitoring Guardianships**

Lisa Wawrzonek, MS | Alaska Court System
Amy Willoughby Bryant, Esq. | Office of Conservatorship Management
**Anthony Palmieri, JD, CIA, CIG, CIGA, CCSA | Clerk of the Circuit Court
and Comptroller, Palm Beach County**
Christen Findley, BS | Idaho Supreme Court
Charina A. Newell, Esq. | Idaho Administrative Office of the Courts

Guardianship abuse is a hot topic with headlines that stretch across our nation about wrongdoing; all with court orders that are meant to support, advocate and protect. The three branches of state government, the judiciary, the executive, and the legislature, are at the heart of how to handle this overwhelming, costly and at times, complicated role. The role of guardian is not one size fits all and neither should monitoring. Our panel will provide cross country views and resources for monitoring to stimulate our shared experiences.

CONFERENCE SCHEDULE

National Conference on Guardianship | October 23 – 26, 2021



SATURDAY, OCTOBER 23

4:00 pm – 5:30 pm

State Affiliates Meeting

5:30 pm – 6:30 pm

Welcome Reception

Celebrate the return to an in-person conference at the welcome reception. Greet old friends (from a respectful distance) and make new connections as we gather to kick off this year's event.

SUNDAY, OCTOBER 24

7:00 am – 5:30 pm

Registration Area Open

7:15 am – 8:20 am

Breakfast

7:15 am – 8:15 am

New Member Breakfast

8:20 am – 8:30 am

Welcome and Opening Remarks

Sally Balch Hurme, 2021 Conference Chair

8:30 am – 10:00 am

National Guardianship Summit Recommendations

Jeff Ohlson, M.A., MSW, NCG | Illinois Office of State Guardian

David Godfrey, JD | American Bar Association Commission on Law and Aging

David Hutt, Esq., Ph.D. | National Disability Rights Network

Mary Galvez, MA, CMC, NMG, CSA | Guardianship and Care Management Services, LLC

Elizabeth A. Moran, JD | American Bar Association Commission on Law and Aging

Moderated by Sally Balch Hurme, JD

More than 100 guardians, lawyers, judges, aging and disability advocates, federal agency representatives, and international observers participated in the 4th National Guardianship Summit the week of May 10, 2021. The summit's goal, like the three previous national summits, was to take a close look at current guardianship systems and practices and recommend what they should look like going forward. This consensus conference, a once-every-10-years event, developed groundbreaking recommendations. The panelists, participants in the summit, will share the recommendation highlights.

10:00 am – 10:30 am

Break with Exhibitors

YOUR SAFETY IS A PRIORITY

NGA and the Atlantis Casino Resort Spa take the safety of our attendees, NGA volunteers and staff, and hotel staff very seriously. We have increased breaks between breakout sessions to allow for cleaning of each room between breakout sessions. We will also carefully follow all federal, state, and local direction regarding safely holding a meeting.

While details may change as the situation continues to evolve, precautions taken may include social distancing of seats, mask requirements, servers at buffet lines, and more. In addition, Atlantis received the Forbes Travel Guide Health Security Verified Property recognition. It is the only property in Reno to meet the stringent standards set by industry experts. [Learn more.](#)



NATIONAL CONFERENCE ON GUARDIANSHIP

10:30 am – 11:45 am Concurrent Breakout Sessions

Enhancing Client Quality of Life Through Virtual Creative Connections

Kari Rogenski, LMFT
The Hummingbird Project

Join this inspiring presentation on using technology to enhance quality of life! Learn about seven holistic quality of life domains and ways to use technology to connect with clients. Leave inspired and with a list of resources to use in practice.

Flying Beyond WINGS: Next Steps in Improving Guardianship Policy and Practice

David Godfrey, JD
ABA Commission on Law and Aging
Elizabeth A. Moran, JD
ABA Commission on Law and Aging

Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS) proved successful, but struggle with sustainability. A guardianship court improvement project modeled on success in child welfare issues may be the answer. This session will detail some successful strategies from WINGS projects and show participants how guardianship court improvement projects may improve guardianship practice in their states.

Person-Centered Financial Planning

Peter J. Wall
True Link Financial

Investing and financial planning for people under guardianship or with a disability should be quite distinct from traditional wealth management planning. In this session, Peter J Wall, a nationally recognized SNT expert, will review holistic financial planning for all fiduciaries to help beneficiaries and their families plan for the future. Topics will include available services, investment options, tax ramifications, legal planning, government benefits, and more. He will also review the fiduciary's duties under the Uniform Prudent Investor Act.

11:45 am – 1:15 pm Lunch and Annual Meeting

1:15 pm – 1:30 pm Break with Exhibitors

1:30 pm – 2:45 pm Concurrent Breakout Sessions

Lessons Learned From COVID

Heather Connors, PhD, NCG
The Center for Guardianship Excellence

NGA's Standard 14 instructs the guardian to "[m]aximize the participation of the person" when making medical decisions. During COVID-19, guardians experienced an unprecedented challenge – how to involve the individual in a decision without being able to visit. This research-based presentation shares experience gained from COVID for gathering information, explaining complex medical topics, and making effective decisions when in-person contact is not possible.

Liability-Proof Your Practice in Three Easy Steps

Lawrence D. Hilton
Dominion Insurance Services, Inc.

Let's face it. Fiduciaries often find themselves in the crosshairs of a claim. So how can you best prepare for that seemingly inevitable day when the process server comes knocking? We'll explore the surprisingly simple steps that can dramatically improve outcomes.

Guardianship Assistance Program

Lisa Wawrzonek, MS
Alaska State Association for Guardianship & Advocacy/Alaska Court System

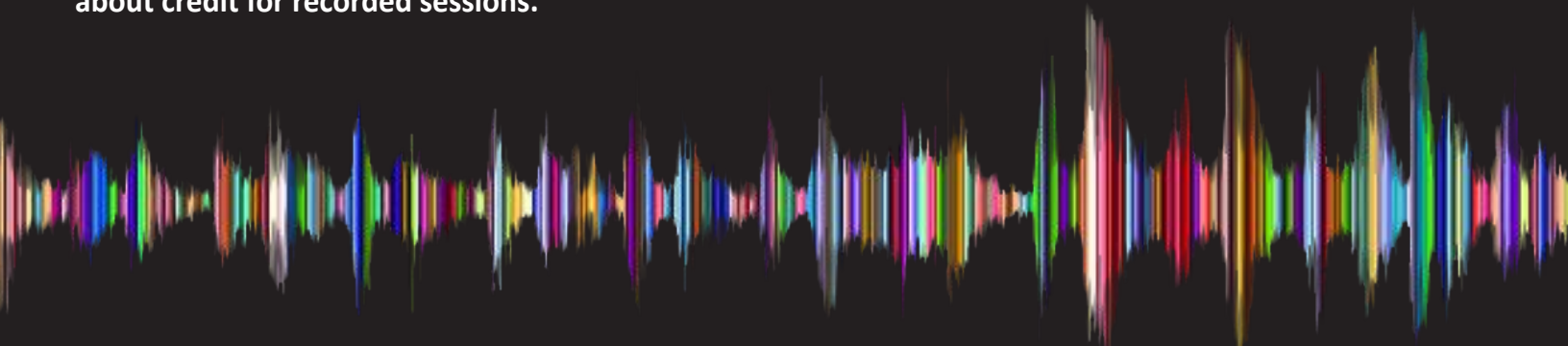
In July 2016, the Alaska State Association for Guardianship & Advocacy (ASAGA) started a guardianship assistance program for families and others navigating the adult guardianship system. In one year, there was a 625% increase in contacts, proving that Alaska needed a guardianship assistance program. Learn how the program works, and what tools might help you recreate in your state.

2:45 pm – 3:15 pm Break with Exhibitors



RECORDING THE PRESENTATIONS

NGA will video record all sessions presented live. Recordings will be available to all in-person attendees, included with the regular conference registration fee. Recordings will also be sold to people who are unable to attend in person. Please review the Continuing Education section on page 9 of this brochure for details about credit for recorded sessions.



NATIONAL CONFERENCE ON GUARDIANSHIP

3:15 pm – 4:30 pm **Concurrent Breakout Sessions**

Representative Payee Best Practices, Pitfalls, Solutions, Fees, and Audits

Emily Smith, CSW, NCG

Wyoming Guardianship Corporation

Barb Helm, LBSW, NCG

Arcare, Inc.

From accepting payments, providing money management, and protecting people from abuse and fraud, representative payees have an important role. In this session, the presenters will discuss how you or your organization can fulfill the duties of a representative payee, and be paid for the service. The presentation will address best practices, including finding solutions to common problems, preparing for an SSA audit, and much more!

Special Needs Trust Administration: Avoiding Common Mistakes

Scott M. MacDonald

Merrill Lynch Special Needs Team

Michele P. Fuller, JD

Michigan Law Center, PLLC

Kevin Urbatsch, JD

The Urbatsch Law Firm

This distinguished panel of leaders in the Special Needs Trust (SNT) arena will provide guardians with insight and tools related to administering SNTs. The presentation will focus on actual client examples to provide an interactive learning experience designed to make you proficient in managing SNT issues, and protecting and enhancing the lifestyle of beneficiaries.

Missouri Public Guardianship Report

Carol Johnson

Dallas County, Missouri

Karen Digh Allen, Esq., NCG

MO Public Administrator's Association

John Pruitt Killian, Esq.

Jackson Co., MO Public Administrator

Amanda Huffman

MO Assn. of Public Administrators

In 2019, the Missouri Association of Public Administrators commissioned a study of its public guardianship system. Consultants conducted interviews of public guardians and key stakeholders, creating a comprehensive report on the current status of Missouri's public guardianship system, including opportunities for improvements. These representatives from the Show-Me State will show YOU what they learned, and how you can implement these lessons in your own program.

6:00 pm – 7:30 pm **Reception with Exhibitors and Live Auction**

Spend a fun evening with your fellow participants, visit with exhibitors who are available to answer your questions about their products and services, and enjoy some great food! A highlight of this event is the live auction of donated items; the proceeds benefit scholarships for public and family guardians.

MONDAY, OCTOBER 25

7:00 am – 5:00 pm **Registration Area Open**

7:15 am – 8:10 am **Breakfast**

8:10 am – 8:15 am **Daily Opening Remarks**
Sally Hurme, Conference Chair

8:15 am – 9:45 am **Enhancing Professional and Cultural Competence Through Reflective Self-Awareness**

Rex M. Swanda, Ph.D., ABPP-CN

Clinical Neuropsychologist

Guardianship matters call on professionals to work with persons of diverse cultural backgrounds, but it is neither realistic nor possible to know all of the unique cultural identities of the persons they serve. Reflective Self-Awareness offers an approach for enhancing culturally competent practice by increasing awareness of culturally-based biases, beliefs, and underlying assumptions that the professional brings to their interactions. This presentation reviews the rationale behind this approach and offers examples and practical tools for improving culturally competent practice with persons from diverse cultural backgrounds.

9:45 am – 10:00 am **Break with Exhibitors**



NATIONAL CONFERENCE ON GUARDIANSHIP

10:00 am – 11:15 am Concurrent Breakout Sessions

IRA Rules Every Guardian Must Know

Frank R. Acuña
Acuña ❖ Regli, LLP
Tracy S. Regli
Acuña ❖ Regli, LLP

The SECURE Act turned IRA beneficiary planning on its head! Whereas we used to avoid placing retirement accounts in special needs trusts, families may now save a great deal of income tax over multiple generations by directing them to special needs trusts and beneficiaries. Cutting-edge special needs trust funding strategies will be discussed.

Working with Challenging Families: How to Increase Transparency and Partner with Families

Joyce McHugh, BSW, CCM, CM
Advocate Care Services
Victoria Lloyd, Esq.
Athena Advocacy

Client families can be challenging. Dealing with members who interfere with care, challenge decisions, and manipulate the client adds a complex level to a case. Drawing on two case studies, the presenters will teach strategies to communicate clearly and transparently with families and other parties to ensure the best possible outcome. This session will include small group work and role play, as well as templates.

Overprotected: Guardianship Overreach + Preferred Alternatives

Ronna Caras
The Center for Guardianship Excellence

Overprotected: What happens when a diagnosis determines the course of an individual's life? Is guardianship meant to be a life sentence? In this presentation, we examine the diagnosis that led to conservatorship for performer Britney Spears. We will look at the importance of using a functional definition of capacity when determining whether, and to what extent, a person is in need of guardianship. Participants will consider alternatives to guardianship and best practices for helping people gain the appropriate freedoms their civil rights demand.

11:15 am – 12:00 pm Networking Lunch

12:00 pm – 12:30 pm Dessert with Exhibitors

12:30 pm – 1:45 pm Concurrent Breakout Sessions

An Introduction to Sexual Education for People with Developmental Disabilities

Clayton Parks, PhD, HS-BCP, CCTP
The ARC of North Carolina
Crissy Stewart, MA
The ARC of North Carolina

This training will introduce the topic of sexual education for those with I/DD. The presenters will explore how people with I/DD define sexual self-advocacy and discuss the messages they receive from others regarding their sexuality. The presenters will address sexual development for those with I/DD as well as look at sex and gender and what is the same or different for people with I/DD. They will also discuss barriers, values, and attitudes around sexuality, and suggest ways to manage those different barriers.

Hoarding in Older Adults

Marilyn Halpern, MSW, LSW
Aspen Guardianship and Care Services

The challenges of hoarding in older adults are pervasive and complex. The disorder harms seniors socially, mentally, physically, emotionally and can threaten housing security. This session will explore the multifaceted reasons hoarding begins, persists, and what treatment options have the best outcomes. This interactive and stimulating presentation infuses facts and humor to create an environment that promotes learning and engagement. Participants will review actual case studies and develop strategies to create an action plan. This session will also review recent research and innovations in assisting older adults, who are disproportionately affected by hoarding.

What is Better for Your Beneficiaries: An ABLÉ Account, a Special Needs Trust, or Both?

Peter J. Wall
True Link Financial
Stephen W. Dale, Esq. LLM
The Dale Law Firm, PC
Golden State Pooled Trust

Nationally recognized SNT planners Peter J. Wall and Steve Dale, JD, LLM will discuss ABLÉ accounts and their utility in disability trust administration and short- and long-term planning for a loved one with disabilities. Coordination with Special Needs Trusts (SNTs) and ABLÉ account facilitation will be reviewed, including facets of distribution mechanisms. The presenters will provide case studies and recent case law as examples of prudent utilization of ABLÉ accounts.

1:45 pm – 2:15 pm Break with Exhibitors



NATIONAL CONFERENCE ON GUARDIANSHIP

2:15 pm – 3:30 pm Concurrent Breakout Sessions

Mental Health Service Navigation and CARE

Robin V. Reedy

National Alliance on Mental Illness,
Nevada

This presentation will provide information on system navigation, diagnoses, medication use and side effects, and the use of a Psychiatric Advance Directive. The session will also include tips for crisis de-escalation and how to communicate with first responders, and will utilize tools such as “hearing voices” headphones to provide information to make the average person more aware of barriers that exist but we just don’t see.

Insurance and Bonding: What They Do and When You Need Them!

Frank R. Acuña

Acuña ❖ Regli, LLP

Tracy S. Regli

Acuña ❖ Regli, LLP

Many fiduciaries and their clients are confused. What does a bond do? What is the difference between malpractice insurance and a bond? Who gets protected by what? And, perhaps most important, which one pays the lawyers? This class reviews the ins and outs of insurance and bonding for fiduciaries and the most important things to remember if you ever need to make a claim.

Seize the Data! How Data Can Be Used to Improve Guardianship

Joanne Tompkins, PhD

The Center for Guardianship Excellence

This session approaches guardianship with a data-driven mindset by considering what data states should collect, how to collect it, and the challenges of analyzing incomplete data. We provide a national comparison of annual guardianship reports and suggest a new report form that adheres to NGA’s Standards. Properly managed data can be a valuable resource in providing better oversight of guardians and better data on guardianship nationwide.

3:30 pm – 4:00 pm Break

4:00 pm – 5:15 pm Concurrent Breakout Sessions

Homage to Alex: Ethics Jeopardy 2021

Frank R. Acuña

Acuña ❖ Regli, LLP

Tracy S. Regli

Acuña ❖ Regli, LLP

Join us in a lighthearted game that is guaranteed to be thought-provoking and fun! Ethics Jeopardy! And remember, your response must be in the form of a question!

Connecting the Dots of Financial Exploitation

Erin Droll, BA, NCG

Heartland Fiduciary Services

Guardians are often appointed as the result of financial exploitation. Many of us are not forensic accountants, but nonetheless are called on to analyze bank statements, locate assets, and determine how and by how much someone was exploited. This presentation offers methods and strategies for reviewing financial information to identify patterns, locate assets, organize information, and how to involve the probate courts and criminal justice system.

The Why and What of Certification

Sally Balch Hurme, JD

Sally Balch Hurme LLC

Julia Riley Nack, NMG Emeritus, M.Ed.

Guardianship Consultant

Since 1997, the Center for Guardianship Certification has certified more than 4,600 guardians. If you are not already a National Certified Guardian, you should be. Find out why you should, what it takes to become an NCG, and how you go about it. If you are already an NCG, it’s time you took the next step to be a National Master Guardian. Find out why you should, what it takes to become an NMG, and how you go about it.

5:30 pm

Open Evening and Dine-Around in Reno

Reno and the surrounding area has an outstanding restaurant scene, and this is your chance to experience it! We will make reservations for small groups at various local restaurants. Once you arrive at the conference, visit the local area information table to view menus and sign up for one of the restaurants. This is a great opportunity to explore downtown Reno and the surrounding area, continue networking, visit with old friends, and make new connections.



OUR SILENT AND LIVE AUCTIONS ARE FUN AND IMPORTANT!

Conference attendees always look forward to the lively auctions that add sparkle to the event and needed income to the Special Projects Fund. Donated items, ranging from jewelry to electronics and fabulous vacations, are auctioned to raise money for NGA to fund worthy projects that are outside of the regular budget. The annual conference [scholarships](#) for family and public guardians come from the auction proceeds.

Even if you can’t attend, you are invited to be part of the auction.

View our [donation form](#) to learn more.



NATIONAL CONFERENCE ON GUARDIANSHIP

TUESDAY, OCTOBER 26

- 7:00 am – 11:30 am Registration Area Open
- 7:15 am – 8:10 am Breakfast
- 8:10 am – 8:15 am Daily Opening Remarks
Sally Hurme, Conference Chair

8:15 am – 9:45 am
Guardianship Deflection and Rights Restoration Using Supported Decision-Making

Carleton F. Coleman | Georgia DHS Division of Aging Services
Dana Lloyd | Georgia Advocacy Office
John McCarty | Georgia Advocacy Office

Supported decision-making enables people experiencing a variety of disabilities to make their own decisions with the help of trusted supporters. This interactive workshop will provide practical tools for identifying alternatives to guardianship and rights restoration using supported decision-making.

9:45 am – 10:00 am Break

10:00 am – 11:30 am
**When Guardianship Moves to Advocacy:
How Change Grows an Agency, and an Agency Grows Change**

Dr. Mary L. Milano | Illinois Guardianship and Advocacy Commission
Teresa Parks, MSW, NCG | Illinois Guardianship and Advocacy Commission

This presentation will demonstrate how a state guardianship program ventured into the public policy arena and made significant gains on behalf of individuals served, including in areas consistent with the NGA Standards of Practice, such as sexual rights, substituted judgement, guardian training, and more. Of particular interest and emphasis are the ways in which public policy advocacy evolved from what our clients and their experiences brought to us that compelled us to seek and develop legislative and policy solutions as a significant component of our work. It will also examine the impact on staff and personnel and the ways in which they accompanied the agency and interacted with multiple voices, ranging from self-advocates to providers and families in reimagining the possibilities of becoming a change agent to advance legislation that would support the rights of persons with disabilities.

11:30 am Final Remarks, Conference Concludes



CONFERENCE SCHOLARSHIPS

Each year, NGA offers three scholarships for the National Conference on Guardianship, which are supported by the silent and live auctions held each year at the conference. Each scholarship provides one complimentary registration to the conference, and limited travel and lodging expenses. **The application deadline for all scholarships is Friday, July 9.**

NGA Family Guardian Scholarship

This scholarship has been created to reward a family guardian who is a member of NGA or who holds membership in one of NGA's affiliate state organizations.

Fred Kretz Memorial Scholarship for Public Guardians

This scholarship rewards a public guardian who is a member of NGA, or who holds membership in one of NGA's state affiliate associations, and who has earned certification from the Center for Guardianship Certification.

NGA Board Legacy Scholarship

The Board Legacy Scholarship honors past directors of NGA's board and committee volunteers who have worked to establish and execute the mission of the organization.

View complete details and apply online [here](#).

