

**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: OPG JBC Figure Setting
- Attachment 3: HB 22-1271. Concerning Ensuring Personal Rights of Protected Persons Through Required Duties of Guardians.
- Attachment 4: 2021 NGA Conference Brochure
- Attachment 5. Vaccine Policy for Boards and Commissions

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 occurred and Alfredo Kemm submitted the OPG JBC Figure Setting document, which supported all of our budget requests. **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

- c. 03.12.2022: Phone discussion with Alfredo Kemm regarding follow up information for him to provide to the JBC to support OPG budget requests such as an OPG Fact Sheet
- d. Various: Email correspondence with Hugh Wilson and Dave Grier SCAO Controller regarding the process for the appropriated transfer of funds from OBH for the dedicated Public Guardian.
 - i. 03.02.2022: Email correspondence with Deb Hutson regarding follow up to OBH/Momentum Budget Amendment
- e. 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 are under way with two out of the four scheduled to be completed by the Commission meeting and the last one scheduled for 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. Update: May turn this into a Staff Retreat and add OPG Career Track as another discussion point. I will invite staff to offer other discussion points.
- h. 02.17.2022: My plan is to still submit this grant. I met with a 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 finding 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. CORA requests have been completed. AAG Kidd-Aaron provided legal advice that Chair Bennett-Woods and I need to review and discuss
 - iii. 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
 - iv. 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.
 - 1. Update: I have had two very successful meetings with Megan Leppke – Manager, Hospital Care

Management, regarding discharge and care planning for various OPG clients. Our plan is to meet regularly, and we serve as each other's point of contact for any questions or concerns.

2. Chair Bennett-Woods met with Denver Health CEO – update will be in her Chair Report

II. Follow up from the OPG SMART Act Hearing presentation on January 24, 2022:

- a. Various email correspondence with Representative Weissman

III. Spring Legislative Update

- a. During the legislative season, I review various bills to determine their impact on the OPG. Two House Bills have been brought to my attention in the last two weeks:

- i. HB 22-1271. **See Attachment 3.** Concerning Ensuring Personal Rights of Protected Persons Through Required Duties of Guardians.

1. 03.03.2022: Virtual conference at the request of APS Mindy Gates, Stefanie Woodard, Kara Harvey regarding OPG input of HB 22-1271. I had not reviewed the bill yet, so they asked me to follow up with them if the OPG would take a position or attend the hearing scheduled on 03.22.2022

2. 03.14.2022: Email correspondence with Will Clark – Legislative Fiscal Analyst, Legislative Council Staff regarding fiscal impact to the OPG of the proposed bill. I provided Mr. Clark information so that he could estimate the time, and therefore, fiscal impact for tasks that the public guardians already do and additional tasks that the bill would require

3. 03.09.2022: Vice-Chair Garcia inquired as to whether I saw the bill

4. 03.21.2022: Inquiry about OPG involvement in the bill from Jarrett Hughes - Senior Policy Advisor on Aging, Office of the Governor
 - b. I continue to work with various SCAO officials to obtain OPG access to Judicialnet and Employee Self Service portal.
 - i. Various: Email correspondence with OIT Davyd Smith
 - ii. Various: Email correspondence with SCAO Ginger Hella – Payroll Supervisor
- IV. Various: No update - 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>
- V. I submitted a proposal for the 2022 NGA National Conference in Dallas, Texas: Establishing and Expanding the Colorado OPG Pilot Program During a Pandemic. The goal is to have most, if not all, of the office and Grant Yoder attend and present findings from our Final Report as a panel.
- 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

e. Intake Eligibility, Prioritization and Referral Process.

- i. Update on number of registered users, referrals, accepted cases, etc. as of **03.15.2022**
 1. 76 Active guardianships
 2. 4 referrals pending in court proceedings
 3. 9 Partial referrals
 4. 15 clients passed away since CO OPG appointment (1 possibly Covid related death)
 5. 19 New Hold status for 6 months (now includes OBH/CHMI-Ft. Logan/Pueblo referrals that are non-OBH/Momentum contract referrals)
 6. OBH/Momentum dedicated caseload:
 1. 3 Active guardianships
 2. 6 referrals pending in court proceedings
 7. 27 Declined referrals
 1. 21 Denver declined referrals
 - a. 4 - Family available to serve
 - b. 11 - Expired/Incomplete information
 - c. 1 – Not appropriate referral
 - d. 1 - Not adult
 - e. 1 - Withdrawn by Ft. Logan
 - f. 3 - No OPG Capacity
 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. Alamosa County - 1
 3. Arapahoe County – 10
 4. Boulder County – 4

5. Broomfield County - 1
6. "Denver County" - 2
7. El Paso County – 17
8. Garfield County – 1
9. Gunnison County – 1
10. Huerfano County - 3
11. Jefferson County – 4
12. Lake County - 1
13. La Plata County – 2
14. Larimer County - 4
15. Las Animas County - 2
16. Mesa County – 1
17. Montrose County – 2
18. Otero County – 3
19. Pueblo County - 3
20. Washington County - 1
21. 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; Email correspondence regarding focus group interviews
 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/departments-and-schools/departments-and-schools/departments-and-schools/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 reviewed the data, and it can be used to extrapolate directly to cost savings for moving to a lesser restrictive housing, but data can also be used for other data points.

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. 03.17.2022: Email correspondence with APS Mindy Gates, Stefanie Woodard, Kara Harvey regarding OPG focus group interviews

12. 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 asses Colorado’s unmet need for public guardianship services.

13. 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.

14. I need to follow up with Christiano Sosa – Executive Director, The Arc of Colorado regarding data and collaboration, expansion and discontinuation plan.

15. 02.22.2022: Virtual meeting with various Arc Directors regarding interviews and data gathering. Grant may follow up with individual interviews.

16. 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.

17. I emailed Carl Glatstein regarding potential coordination efforts and focus groups with Colorado Bar Association.

18. 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.

19. 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 Dr. LeBoeuf 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 Dr. LeBoeuf again.
5. I emailed Dr. Whitney LeBeouf about conducting independent qualitative (impact on quality of life) client interviews

20. 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.

21. 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.

22. I emailed Paula Henry, Social Services QIS - Vivage 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 02.23.2022

- a. Various: Email correspondence and virtual conferences with Casey Todd – RMHS Transition Community Program regarding OBH/Momentum referrals
- b. Various: Email correspondence Kathleen Hermann – Director of Social Work Services, University of Colorado Hospital and Dani Andrade – Senior Director of Care Management regarding proposal for hospital funding to OPG for guardianships
 - i. 03.16.2022: Submitted preliminary proposal to UCH
- c. Various and 03.04.2022: Email correspondence and phone conference with Representative Julie McCulskie’s assistant, Maggie Larson, regarding expansion into, and data gathering, within her District. A meeting with Representative Julie McCulskie is scheduled for 04.29.2022
- d. 03.08.2022: Email correspondence with 16th Judicial District Court Executive CJ Montoya regarding OPG expansion meeting follow up
- e. Various: Email correspondence with Traci Pohlenz – Oasis Unit Social Worker, Denver Health regarding process for placing clients outside Denver County
- f. Various: Email correspondence with Marianne Goodland - Colorado Politics regarding CORA requests for information

related to OPG client deaths and OPG correspondence to Denver Health

- g. Various and 02.28.2022: Email correspondence and phone interview with Marianne Goodland - Colorado Politics.
- h. Various: Email correspondence with Jennifer Brown – Colorado Sun
- i. Various: Email correspondence with Rod Felzien – Attorney, founder of Chester House and Boulder County Guardianship Pilot Program
- j. 02.18.2022: Email correspondence to Pam Bisgelia – Executive Director, AdvocacyDenver regarding research related to unsafe discharges from hospitals
- k. 02.23.2022: Email correspondence to Representative Peter Lee regarding SMART Act hearing follow up
- l. 02.25.2022: Virtual conference with Lara Vandenberg regarding a potential referral
- m. 03.02.2022 and 03.08.2022: Email correspondence and virtual conference with Jackie Glover – Professor, Director of the Humanities, Ethics and Professionalism, UC Anschutz and Camille Price for an Ethics Consult
- n. Various: Email correspondence with Maureen Welch regarding CORA requests for information related to OPG communications with lobbyists
- o. 03.08.2022: Virtual conference with Jarett Hughes – Senior Policy Advisor on Aging, Office of the Governor and Chair Deb Bennett-Woods regarding office support

- p. 03.09.2022: Virtual conference with Robert McCallum – Public Information Office, Judicial Branch and Chair Bennett Woods regarding SCAO media support
- q. 03.04.2022: Interview with Jennifer Kovaleski and Joseph Vaccarelli - Denver 7 News about the OPG office
- r. 03.15.2022 and 03.31.2022: Email correspondence and virtual meeting with Kirsti Klaverkamp – Program Manage, Colorado Health Institute regarding workgroup panel
- s. 03.15.2022: Email correspondence with Devin Dennison – Director of Social Services, Park Forest Care Center regarding potential referrals and OPG office
- t. 03.16.2022: Email correspondence with Denver Probate Court regarding Motions to Intervene in Mental Health cases for OPG clients
- u. 03.21.2022: Email correspondence with Paula Henry, Social Services QIS - Vivage regarding the need for OPG services and willingness to provide data.
- v. Phone conference with Kate Power - Boulder County District Attorney's Office regarding OPG services – rescheduled TBD
- w. Various and 04.01.2022: Email correspondence and virtual conference with Gina Brown – Legal Assistance Developer for the Elderly, Disability Law Colorado

Attachment 1. OPG Budget Summary as of 03.09.2022

OPG Personal Services and Operating Summary - FY 2022

As of 3/8/2022

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)
Personal Services	\$653,000	\$ 646,535	\$ 6,465
Operating	\$188,253	\$ 107,106	\$81,147
Total Appropriation	\$841,253	\$753,641	\$87,612

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						
		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	\$ 14,529	\$ 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	\$ 54,046	\$ 54,065	\$ 54,065	\$ 54,065	\$ 54,065	\$ 54,065	\$ 54,065	\$ 646,535
		Actuals						Projections						
1920 -Other Professional Services		\$ -	\$ 90	\$ 90	\$ 90	\$ 450	\$ -	\$ 180	\$ 90					\$ 990
1935 - Attorneys		\$ -	\$ -	\$ 198	\$ -	\$ 198	\$ -	\$ 31	\$ 198					\$ 625
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	\$ 8,253					\$ 21,347
2255 -Rental of Meeting Rooms & Leased Space		\$ 1,802	\$ -	\$ 3,600	\$ 1,800	\$ -	\$ -	\$ 5,700	\$ 1,800					\$ 14,702
2510 -General Travel (Employee)		\$ 15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125					\$ 140
2511 -Common Carrier Fares		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 110					\$ 110
2512 -Meals (Employee)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 149					\$ 149
2513 -Mileage Reimbursement (Employee)		\$ 72	\$ 140	\$ 717	\$ 94	\$ 797	\$ 163	\$ 428	\$ 753					\$ 3,162
2530 -General Travel		\$ -	\$ -	\$ -	\$ 897	\$ -	\$ 125	\$ -	\$ -					\$ 1,022
2531 -Common Carrier Fares		\$ -	\$ -	\$ -	\$ 432	\$ -	\$ -	\$ -	\$ -					\$ 432
2631 -Communication Services from Outside Sources		\$ -	\$ 257	\$ 257	\$ 383	\$ -	\$ 1,984	\$ -	\$ 498					\$ 3,380
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		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 76					\$ 76
3120 -Books / Periodicals / Subscriptions		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -
3121 -Case Jackets		\$ 933	\$ 333	\$ 178	\$ -	\$ -	\$ 341	\$ 6	\$ 732					\$ 2,523
3123 -Postage		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 812	\$ -	\$ -					\$ 812
3140 -Noncapitalized IT Software		\$ 1,861	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 1,861
3145 -Noncapitalized IT Purchases		\$ -	\$ 5,940	\$ 155	\$ -	\$ -	\$ 1,496	\$ 10,118	\$ 155					\$ 17,864
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	\$ 12,938	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ 107,106
Avg. Operating thru February														
Total - YTD + Projections Program Line		\$ 57,344	\$ 66,268	\$ 59,566	\$ 64,059	\$ 56,038	\$ 59,662	\$ 71,438	\$ 67,003	\$ 63,065	\$ 63,065	\$ 63,065	\$ 63,065	\$ 753,641
Over/(under) Program Line \$87,612														

(11) OFFICE OF PUBLIC GUARDIANSHIP

The Office of Public Guardianship (OPG), which is overseen by the Public Guardianship Commission, was created by H.B. 17-1087 and subsequently modified by H.B. 19-1045. The provisions governing the program, which are contained in Article 94 or Title 13, C.R.S., establish a pilot program in Denver to provide legal guardianship services for indigent and incapacitated adults who:

- Have no responsible family members or friends who are available and appropriate to serve as a guardian;
- Lack adequate resources to compensate a private guardian and pay the costs and fees associated with an appointment proceeding; and
- Are not subject to a petition for appointment of a guardian filed by a county adult protective services unit or otherwise authorized by law.

The Office is funded by an approximately 50-50 mixture of General Fund and cash funds, with the cash funds deriving from increased probate fees that were imposed by H.B. 19-1045.

The Office is now fully staffed; its staff assistant and four public guardians have been attending training since the end of January. The OPG's case management system and web site are anticipated to be active in March and the Office expects to begin accepting clients sometime in March.

Current statute requires the pilot program to be evaluated by the General Assembly during the 2023 session based in part on a detailed report that the Office must submit by January 1, 2023. At that time the General Assembly will decide whether the pilot should be continued, discontinued, or expanded.

If the General Assembly decides not to renew the OPG in 2023, the wind-down process may be lengthy. Based on the Office's projected caseload, the OPG will have 80 wards at that time and those wards cannot be abandon; the OPG will need to continue operating until substitute guardians can be found, a process that could take months. The program will continue to need revenue and appropriations during the wind-down period.

OFFICE OF PUBLIC GUARDIANSHIP						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 Appropriation						
SB 21-205 (Long Bill)	\$841,253	\$0	\$751,569	\$89,684	\$0	7.0
TOTAL	\$841,253	\$0	\$751,569	\$89,684	\$0	7.0
FY 2022-23 RECOMMENDED APPROPRIATION						
FY 2021-22 Appropriation	\$841,253	\$0	\$751,569	\$89,684	\$0	7.0
Centrally appropriated line items	21,261	0	18,872	2,389	0	0.0
Annualize prior year budget actions	0	0	0	0	0	0.0
Annualize prior year legislation	2,372	0	2,072	300	0	0.0
Indirect cost assessment	14,382	0	14,382	0	0	0.0
OPG R1/BA1 staff requests	769,922	0	663,346	106,576	0	7.0

OFFICE OF PUBLIC GUARDIANSHIP						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
TOTAL	\$1,649,190	\$0	\$1,450,241	\$198,949	\$0	14.0
INCREASE/(DECREASE)	\$807,937	\$0	\$698,672	\$109,265	\$0	7.0
Percentage Change	96.0%	0.0%	93.0%	121.8%	0.0%	100.0%
FY 2022-23 EXECUTIVE REQUEST	\$1,589,073	\$0	\$1,407,016	\$182,057	\$0	14.0
Request Above/(Below) Recommendation	(\$60,117)	\$0	(\$43,225)	(\$16,892)	\$0	0.0

DECISION ITEMS – OFFICE OF PUBLIC GUARDIANSHIP

→ OPG R1/BA1 STAFF REQUESTS

REQUEST: The Office of Public Guardianship (OPG) requests an increase of \$709,805 total funds, including \$620,121 cash funds from the OPG Cash Fund and \$89,684 reappropriated funds from a transfer from the Office of Behavioral Health Momentum Program in the Department of Human Services, for staff requests outlined in the following table.

OPG STAFF REQUESTS				
AGENCY REQUEST	CASH FUNDS	REAPPROPRIATED FUNDS	TOTAL FUNDS	FTE
OPG R1 staff request	\$456,326	\$0	\$456,326	4.0
OPG BA1 staff request	163,795	89,684	253,479	3.0
Total	\$620,121	\$89,684	\$709,805	7.0

RECOMMENDATION: Staff recommends that the Committee approve the requests as outlined in the following table.

OPG STAFF REQUESTS - JBC STAFF RECOMMENDATIONS								
AGENCY REQUEST	FY 2022-23 RECOMMENDATION				OUT-YEAR ANNUALIZATIONS			
	CASH FUNDS	REAPPROPRIATED FUNDS	TOTAL FUNDS	FTE	CASH FUNDS	REAPPROPRIATED FUNDS	TOTAL FUNDS	FTE
OPG R1 staff request	\$474,841	\$0	\$474,841	4.0	\$451,084	\$0	\$451,084	4.0
OPG BA1 staff request	188,505	106,576	295,081	3.0	176,458	100,614	277,072	3.0
Total	\$663,346	\$106,576	\$769,922	7.0	\$627,542	\$100,614	\$728,156	7.0

ANALYSIS

R1 STAFF REQUEST includes \$456,326 cash funds from the OPG Cash Fund and 4.0 FTE for a deputy director and three public guardian positions.

BACKGROUND

The OPG was authorized by H.B. 17-1087, *Office of Public Guardianship Pilot Program*, as a pilot program to serve clients in the 2nd, 7th, and 16th Judicial Districts – Denver, Southwest Colorado, and Southeast Colorado – and gather data about the State’s unmet need for public guardianship services for incapacitated and indigent adults. House Bill 19-1045, *Office of Public Guardianship Operation Conditions*, provided a cash funded revenue source from probate fees and required that the Office begin operations in the 2nd Judicial District (Denver) but did not repeal the original scope of judicial districts to be served.

Currently, the Denver program at capacity for current public guardian staff, serving nearly 80 clients with four guardian staff. The Office also includes one director and one staff assistant. With the request for three additional public guardians, OPG would expand the program to the 7th and 16th Judicial Districts as included in and still required by statute:

13-94-105. Office of public guardianship - duties - report. (1) *The director shall establish, develop, and administer the office to serve indigent and incapacitated adults in need of guardianship in the second, seventh, and sixteenth judicial districts and shall coordinate its efforts with county departments of human services and county departments of social services within those districts. The director shall administer the office in accordance with the memorandum of understanding described in section 13-94-104 (4). Notwithstanding any other provision of this section, upon receiving funding sufficient to begin operations in the second judicial district, the office must begin operations in that judicial district prior to operating in any other district.*

Expanding services to these two districts may enable the Office to gather additional data from a more diverse client population and thereby augment and enrich the information collected for the program evaluation required by Section 13-94-105(4), C.R.S., which is due to the General Assembly in January 2023. To make this expansion possible, the Office is also requesting a deputy director who will assist the executive director in fulfilling all statutory requirements and supervise program expansion into the two additional districts.

The OPG states that additional FTE will also allow the OPG to create a Guardianship Academy. This collaborative program would educate volunteers in several key areas including guardianship standards, best practices, least restrictive options, advance planning, successor guardianship planning, and supported decision-making options. A central goal of the Guardianship Academy is to establish a cadre of volunteer guardians/powers of attorney/representative payees/supports to serve as additional community-based resources for indigent and incapacitated adults.

Generally, the OPG serves clients who do not have available family, friends, or existing services to help care for them and lack the funds to pay for guardianship services.

OPG CASH FUND

House Bill 19-1045, *Office of Public Guardianship Operation Conditions*, established in Section 15-12-623 (1)(c), C.R.S., that \$19 of the \$108 probate docket fee be deposited in the OPG Cash Fund.

The following table outlines the OPG Cash Fund balance analysis.

OPG CASH FUND ANALYSIS					
	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Beginning Balance	\$1,712	\$845,723	\$1,269,229	\$1,717,660	\$1,617,220
Revenue					
probate docket fees	1,065,585	1,117,987	1,200,000	1,200,000	1,200,000
UC-Health grant				106,576	100,614
Program Costs (base)	(221,574)	(694,481)	(751,569)	(786,895)	(786,895)
R1 Staff request				(456,326)	(456,326)
BA1 Staff request				(163,795)	(163,795)
Program base + requests subtotal				(1,407,016)	(1,407,016)
End Balance	\$845,723	\$1,269,229	\$1,717,660	1,617,220	1,510,818

As outlined in the table, based on projected revenue of \$1.3 million per year and total cash funded program expenses of \$1.4 million per year, the OPG cash fund can sustain the requested expenditures from both request items – staff estimates for up to about 17 years (at the estimated starting balance of \$1.7 million).

STAFF OBSERVATIONS

Based on the requirements set forth in statute to serve the three specified judicial districts, staff recommends that the Committee approve the request.

Staff is aware that there are concerns expressed generally regarding the OPG, that appear to have a foundation in mistrust of legal guardianship generally. The larger, inchoate concern expressed is that guardians take advantage of their clients. In the case of public guardianship, these are clients who lack resources and family or friends to engage in assistance or function in a supervisory capacity for these individuals. As previously stated, the OPG serves clients who do not have available family, friends, or existing services to help care for them and lack the funds to pay for guardianship services. The OPG does not earn revenue from the clients they serve and does not seek access or legal claim to the generally meager client assets that a client may possess.

There have also been concerns expressed regarding OPG responsiveness to the needs of community health centers. Staff is not in a position to sort out relationship disagreements between an agency and community partners. However, having assessed the issues that were communicated, staff is not concerned that there are critical organizational failures that would otherwise increase the risk or liability of the State in the function and operations of the OPG.

Additionally, it is staff's opinion that much of the concern expressed is related to a desire and need for more resources for community health center patients who would be well served with a public guardian. On that basis, staff recommends that the Committee approve the additional guardians requested – in the R1 request as well as in the BA1 request – in order to provide greater capacity community-wide.

Finally, if there are organizational lapses or managerial issues that surround the operation of the OPG, it is more likely a function of a lack of executive management resources within the Office. Staff believes the OPG would be well served to add an additional executive management team member to build organizational strength and trust among community partners. On that basis, staff recommends that the Committee approve the request for a deputy director.

While the OPG is still situated as a pilot program for at least one more year, there is an aspect of risk in building staff resources for a program which may not be renewed. However, it is staff's opinion that the OPG will better serve its current statutory purpose with these staff resources. It is staff's opinion that an assessment of the OPG pilot would have been better served by having more than one year for these additional resources. However, staff does not believe that that sense of disappointment or lost opportunity should be used as a reason to delay OPG access to these additional staff resources at this time.

The deputy director position is aligned to a Deputy Court Executive classification in the Judicial Branch with a salary range of \$8,089 to \$11,253 (\$97,068 to \$135,036 annually). The appropriation is requested at the salary range minimum plus 10 percent, or \$8,898 monthly, in order to provide the OPG with some room to negotiate salary for a preferred candidate.

Due to the executive level of leadership for this position, staff recommends appropriating at the requested above-minimum salary.

The Public Guardian position is an established OPG classification with a salary range of \$5,714 to \$7,714 (\$68,568 to \$92,568 annually). The appropriation is requested at the minimum of the range.

Staff recommends that the Committee approve the R1 request as outlined in the following table, including the following out-year annualizations.

R1 OPG STAFF						
	FY 2022-23 REQUEST		FY 2022-23 RECOMMENDATION		FY 2023-24 REC. ANNUALIZATION	
	FTE	Cost	FTE	Cost	FTE	Cost
Personal Services - Dep Director	1.0	\$120,496	1.0	\$124,222	1.0	\$124,222
Personal Services - Public Guardian	3.0	236,985	3.0	239,313	3.0	239,313
POTS		72,353		81,106		82,149
Operating Expense		3,800		5,400		5,400
Capital Outlay		22,692		24,800		0
R1 Total	4.0	\$456,326	4.0	\$474,841	4.0	\$451,084

BA1 STAFF REQUEST includes \$253,479 total funds, including \$163,795 cash funds from the OPG Cash Fund and \$89,684 reappropriated funds from a transfer from the Office of Behavioral Health Momentum Program in the Department of Human Services and 3.0 FTE for two public guardian positions and one case management aide position. Although BA1 was submitted on February 14, 2022, staff was made aware of this request conceptually by mid-January.

BACKGROUND

Last year the Joint Budget Committee approved 1.0 FTE and \$89,684 reappropriated funds spending authority to provide a public guardian to clients of the Office of Behavioral Health at the Colorado Mental Health Institute at Fort Logan (CMHIFL). The OPG states that the initial guardian has worked well, and it was recently determined that another dedicated public guardian is needed to keep up with the demands of CMHIFL-Momentum clientele transitioning to the community.

Individuals placed at Fort Logan and at the mental health institute in Pueblo (CMHIP) have complex mental health diagnoses. Once an individual is ready for discharge to a less restrictive environment, the institutes 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 only guardian-represented individuals from the institutes. This limits the institutes' 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 CMHIFL-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. Due to the high intensity of the CHMI clients and to provide appropriate and ethical public guardianship services, the additional public guardian will have a similar caseload of 20 clients. Funding for this public guardian position will be provided from a transfer from the Office of Behavioral Health Momentum Program.

The OPG states that because of the successful working relationship between OPG and UC-Health, the UC-Health would like to develop a model guardianship program that could be adapted by other medical providers across the state in collaboration with the OPG. Under this model OPG would provide a dedicated public guardian for eligible UC-Health patients to handle an anticipated caseload of up to 20 clients. Grant funding from UC-Health would be deposited in the OPG Cash Fund and the position would be funded from that source.

The requested case management aide position will support public guardians in the performance of their professional work and provide administrative support. Unlike the guardian positions, which are paid for outside of primary OPG Cash Fund revenue, this position will be paid from primary OPG Cash Fund revenue.

Based on the discussion included for R1, staff recommends that the Committee also approve the BA1 request.

The Public Guardian position is an established OPG classification with a salary range of \$5,714 to \$7,714 (\$68,568 to \$92,568 annually). The appropriation is requested at the minimum of the range.

The case management aide position is aligned to a Program Assistant I classification in the executive branch with a salary range of \$4,092 to \$5,773 (\$49,104 to \$69,276 annually). The appropriation is requested at the minimum of the range.

The request was submitted without a request for Health, Life, and Dental (HLD) in the POTS amount and included a statement that OPG may request HLD as a supplemental. Staff has instead included a standard amount for HLD in the staff recommendation and recommends that all POTS be funded for this request.

Staff recommends that the Committee approve the BA1 request as outlined in the following table, including the following out-year annualizations.

BA1 OPG STAFF						
	FY 2022-23 REQUEST		FY 2022-23 RECOMMENDATION		FY 2023-24 REC. ANNUALIZATION	
	FTE	COST	FTE	COST	FTE	COST
Personal Services - Public Guardian	2.0	\$154,758	2.0	\$159,542	2.0	\$159,542
Personal Services - Case Mgt Aide	1.0	55,414	1.0	57,127	1.0	57,127
POTS		18,857		55,762		56,353
Operating Expense		2,850		4,050		4,050
Capital Outlay		21,600		18,600		0
BA1 Total	3.0	\$253,479	3.0	\$295,081	3.0	\$277,072
OPG Cash Fund	2.0	163,795	2.0	188,505	2.0	176,458
Reappropriated Funds	1.0	89,684	1.0	106,576	1.0	100,614

LINE ITEM DETAIL – OFFICE OF PUBLIC GUARDIANSHIP

PROGRAM COSTS

This is a consolidated line item that includes all funding for the Office of Public Guardianship, including personal services, employee benefits, legal, and operating expenses.

STATUTORY AUTHORITY: Section 13-94-101, C.R.S., and following sections.

REQUEST: The Office requests an appropriation of \$1,589,073 total funds, including \$1,407,016 cash funds and \$182,057 reappropriated funds and 14.0 FTE.

RECOMMENDATION: Staff recommends the appropriation outlined in the following table.

OFFICE OF PUBLIC GUARDIANSHIP, PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 APPROPRIATION						
SB 21-205 (Long Bill)	\$841,253	\$0	\$751,569	\$89,684	\$0	7.0
TOTAL	\$841,253	\$0	\$751,569	\$89,684	\$0	7.0
FY 2022-23 RECOMMENDED APPROPRIATION						
FY 2021-22 Appropriation	\$841,253	\$0	\$751,569	\$89,684	\$0	7.0
OPG R1/BA1 staff requests	769,922	0	663,346	106,576	0	7.0
Centrally appropriated line items	21,261	0	18,872	2,389	0	0.0
Indirect cost assessment	14,382	0	14,382	0	0	0.0
Annualize prior year legislation	2,372	0	2,072	300	0	0.0
Annualize prior year budget actions	0	0	0	0	0	0.0
TOTAL	\$1,649,190	\$0	\$1,450,241	\$198,949	\$0	14.0
INCREASE/(DECREASE)	\$807,937	\$0	\$698,672	\$109,265	\$0	7.0
Percentage Change	96.0%	0.0%	93.0%	121.8%	0.0%	100.0%
FY 2022-23 EXECUTIVE REQUEST	\$1,589,073	\$0	\$1,407,016	\$182,057	\$0	14.0
Request Above/(Below) Recommendation	(\$60,117)	\$0	(\$43,225)	(\$16,892)	\$0	0.0

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0026.02 Jane Ritter x4342

HOUSE BILL 22-1271

HOUSE SPONSORSHIP

Ransom,

SENATE SPONSORSHIP

(None),

House Committees

Public & Behavioral Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING ENSURING PERSONAL RIGHTS OF PROTECTED PERSONS
102 THROUGH REQUIRED DUTIES OF GUARDIANS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes certain rights for a person who is protected through a legal guardianship relationship (protected person) and duties of a guardian or conservator (guardian). With certain exceptions, a guardian shall notify within 7 days one or more of the protected person's close family members and any person designated by the protected person when the protected person:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- Changes place of residence;
- Resides at a location other than the protected person's residence for more than 48 hours;
- Is admitted to a medical facility for acute care or emergency care; or
- Dies.

The guardian, in conjunction with the protected person and any close family members, shall develop an initial care plan, to be updated annually. The care plan must include why the guardianship is necessary, any necessary restrictions placed on visitation or access to reporting, how the protected person's finances will be handled, and how the protected person and close family members can obtain answers to questions that arise.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 15-14-102, **amend**
3 the introductory portion and (11); and **add** (10.3) as follows:

4 **15-14-102. Definitions.** AS USED in parts 1 to 4 of this article 14,
5 UNLESS THE CONTEXT OTHERWISE REQUIRES:

6 (10.3) "PERSONAL RIGHTS OF A PROTECTED PERSON" MEANS THE
7 RIGHT TO PERSONAL AUTONOMY AND OTHER RIGHTS THAT ALL
8 INDIVIDUALS ARE ENTITLED TO UNDER THE CONSTITUTION AND LAWS OF
9 THE UNITED STATES AND OF THIS STATE, WHICH RIGHTS INCLUDE, BUT ARE
10 NOT LIMITED TO, EQUALITY OF JUSTICE, FREEDOM OF SPEECH, FREEDOM OF
11 RELIGION, FREEDOM OF ASSOCIATION, RIGHT TO COUNSEL, RIGHT TO
12 PETITION, AND DUE PROCESS OF LAW FOR THE PROTECTION OF LIFE,
13 LIBERTY, AND PROPERTY.

14 (11) "Protected person" means a minor or other individual,
15 INCLUDING A WARD, for whom a conservator OR GUARDIAN has been
16 appointed or other protective order has been made.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 15-14-102.7 and
18 15-14-119.5 as follows:

1 **15-14-102.7. Personal rights of protected persons.**

2 **(1) Obligation of the courts.** THE COURT SHALL CONSTRUE AND APPLY
3 THIS PART 1 AND PARTS 3 AND 4 OF THIS ARTICLE 14, AND OTHER
4 PROVISIONS OF THIS CODE THAT RELATE TO A PROTECTED PERSON, IN A
5 MANNER THAT MAXIMIZES THE PROTECTION OF THE PERSONAL RIGHTS OF
6 EACH PROTECTED PERSON.

7 **(2) Declaration - uniform law comments.** THE GENERAL
8 ASSEMBLY DECLARES THAT THE COURTS SHOULD EMBRACE THE
9 COMMENTS OF THE UNIFORM LAW COMMISSION THAT ACCOMPANIED THE
10 REENACTMENT OF THIS ARTICLE 14 IN 2000, WHICH ARE SUPPORTIVE OF
11 THE PERSONAL RIGHTS OF A PROTECTED PERSON.

12 **15-14-119.5. Guardians required to provide notice - exception**

13 **- definition.** (1) (a) EXCEPT AS DESCRIBED IN SUBSECTIONS (2) AND (3)
14 OF THIS SECTION, A GUARDIAN SHALL NOTIFY, WITHIN SEVEN DAYS, ONE
15 OR MORE CLOSE FAMILY MEMBERS OF THE PROTECTED PERSON, ALL
16 PERSONS OF COURT RECORD, AND ANY OTHER PERSON DESIGNATED BY THE
17 PROTECTED PERSON TO BE NOTIFIED WHEN THE PROTECTED PERSON:

18 (I) CHANGES PLACE OF RESIDENCE, INCLUDING BUT NOT LIMITED
19 TO A CHANGE OF RESIDENCE TO OR FROM ONE NURSING HOME OR ASSISTED
20 CARE FACILITY TO OR FROM ANOTHER NURSING HOME OR ASSISTED CARE
21 FACILITY;

22 (II) RESIDES AT A LOCATION OTHER THAN THE PROTECTED
23 PERSON'S RESIDENCE FOR MORE THAN FORTY-EIGHT HOURS;

24 (III) IS ADMITTED TO A MEDICAL FACILITY FOR ACUTE CARE OR FOR
25 EMERGENCY CARE; OR

26 (IV) DIES.

27 (b) THE GUARDIAN SHALL NOTIFY ONE OR MORE CLOSE FAMILY

1 MEMBERS OF THE PROTECTED PERSON IN PERSON OR BY TELEPHONE IN THE
2 CASE OF ANY OF THESE EVENTS. FOR ALL PERSONS OF COURT RECORD AND
3 ANY OTHER PERSON DESIGNATED BY THE PROTECTED PERSON TO BE
4 NOTIFIED, THE GUARDIAN SHALL PROVIDE NOTIFICATION BY WRITTEN
5 CORRESPONDENCE.

6 (c) A NOTIFICATION PROVIDED PURSUANT TO SUBSECTION (1)(b)
7 OF THIS SECTION MUST INCLUDE THE CURRENT LOCATION OF THE
8 PROTECTED PERSON.

9 (2) A GUARDIAN IS NOT REQUIRED TO PROVIDE NOTICE TO A
10 PERSON IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION IF:

11 (a) THE PERSON INFORMS THE GUARDIAN IN WRITING THAT THE
12 PERSON DOES NOT WISH TO RECEIVE SUCH NOTICE; OR

13 (b) THE PROTECTED PERSON OR A COURT ORDER HAS EXPRESSLY
14 PROHIBITED THE GUARDIAN FROM PROVIDING NOTICE TO THE PERSON.

15 (3) A GUARDIAN SHALL NOT PROVIDE CONTACT INFORMATION FOR
16 THE PROTECTED PERSON TO ANY PERSON IF AN ORDER OF PROTECTION OR
17 A RESTRAINING ORDER HAS BEEN ISSUED AGAINST THE PERSON ON BEHALF
18 OF THE PROTECTED PERSON.

19 (4) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT
20 OTHERWISE REQUIRES, "CLOSE FAMILY MEMBER OF THE PROTECTED
21 PERSON OR WARD" MEANS:

22 (I) A SPOUSE OF THE PROTECTED PERSON OR A PARTNER OF THE
23 PROTECTED PERSON IN A CIVIL UNION;

24 (II) AN ADULT CHILD OF THE PROTECTED PERSON;

25 (III) A PARENT OF THE PROTECTED PERSON; OR

26 (IV) AN ADULT NEAREST IN KINSHIP TO THE PROTECTED PERSON.

27 (b) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION,

1 "CLOSE FAMILY MEMBER OF THE PROTECTED PERSON" DOES NOT INCLUDE
2 AN INDIVIDUAL WHO IS A GUARDIAN OF THE PROTECTED PERSON.

3 (c) IF MORE THAN ONE PERSON QUALIFIES AS A CLOSE FAMILY
4 MEMBER OF THE PROTECTED PERSON PURSUANT TO SUBSECTION (4)(a) OF
5 THIS SECTION, THEN NOTICE MUST BE PROVIDED TO ALL SUCH PERSONS.

6 **SECTION 3.** In Colorado Revised Statutes, 15-14-314, **amend**
7 (2)(e), (2)(f), and (2)(g); and **add** (1.5) as follows:

8 **15-14-314. Duties of guardian - initial care plan - ongoing.**

9 (1.5) WITHIN SIXTY DAYS AFTER APPOINTMENT OR AS OTHERWISE
10 DIRECTED BY THE COURT, A GUARDIAN SHALL DEVELOP, IN CONJUNCTION
11 WITH THE PROTECTED PERSON OR WARD AND ANY CLOSE FAMILY MEMBERS
12 OF THE PROTECTED PERSON OR WARD, AS DEFINED IN SECTION 15-14-119.5
13 (4), AN INITIAL CARE PLAN FOR THE PROTECTED PERSON OR WARD. THE
14 CARE PLAN MUST INCLUDE, AT A MINIMUM, WHY THE GUARDIANSHIP IS
15 NECESSARY, ANY NECESSARY RESTRICTIONS PLACED ON VISITATION OR
16 ACCESS TO REPORTING, HOW THE PROTECTED PERSON'S OR WARD'S
17 FINANCES ARE TO BE HANDLED, AND HOW THE PROTECTED PERSON OR
18 WARD AND CLOSE FAMILY MEMBERS CAN OBTAIN ANSWERS IF QUESTIONS
19 ARISE. THE GUARDIAN, IN CONJUNCTION WITH THE PROTECTED PERSON OR
20 WARD AND ANY CLOSE FAMILY MEMBERS OF THE PROTECTED PERSON OR
21 WARD, SHALL UPDATE THE CARE PLAN CREATED PURSUANT TO THIS
22 SUBSECTION (1.5) ANNUALLY PURSUANT TO SECTION 15-14-317.

23 (2) A guardian shall:

24 (e) ~~Immediately~~ WITHIN SEVEN DAYS notify the court AND ANY
25 CLOSE FAMILY MEMBERS OF THE PROTECTED PERSON OR WARD, AS
26 DEFINED IN SECTION 15-14-119.5 (4), if the PROTECTED PERSONS'S OR
27 ward's condition has changed so that the PROTECTED PERSON OR ward is

1 capable of exercising rights previously removed;

2 (f) WITHIN SEVEN DAYS inform the court AND ANY CLOSE FAMILY
3 MEMBERS OF THE PROTECTED PERSON OR WARD, AS DEFINED IN SECTION
4 15-14-119.5 (4), of any change in the PROTECTED PERSON'S OR ward's
5 custodial dwelling or address; and

6 (g) ~~Immediately~~ WITHIN SEVEN DAYS notify the court AND ANY
7 CLOSE FAMILY MEMBERS OF THE PROTECTED PERSON OR WARD, AS
8 DEFINED IN SECTION 15-14-119.5 (4), in writing of the PROTECTED
9 PERSON'S OR ward's death.

10 **SECTION 4.** In Colorado Revised Statutes, 15-14-317, **amend**
11 (1) introductory portion; and **add** (1)(h) as follows:

12 **15-14-317. Reports - monitoring of guardianship - court access**
13 **to records.** (1) Within sixty days after appointment or as otherwise
14 directed by the court, a guardian shall report to the court AND TO ANY
15 CLOSE FAMILY MEMBERS OF THE PROTECTED PERSON OR WARD, AS
16 DEFINED IN SECTION 15-14-119.5 (4), in writing on the condition of the
17 PROTECTED PERSON OR ward, the guardian's personal care plan for the
18 PROTECTED PERSON OR ward, and account for money and other assets in
19 the guardian's possession or subject to the guardian's control, AND THE
20 INITIAL CARE PLAN DEVELOPED PURSUANT TO SECTION 15-14-314 (1.5). A
21 guardian shall report at least annually thereafter and whenever ordered by
22 the court. The annual report must state or contain:

23 (h) ANY UPDATES MADE BY THE GUARDIAN, IN CONJUNCTION WITH
24 THE PROTECTED PERSON OR WARD AND ANY CLOSE FAMILY MEMBERS OF
25 THE PROTECTED PERSON OR WARD, TO THE INITIAL CARE PLAN DEVELOPED
26 PURSUANT TO SECTION 15-14-314 (1.5).

27 **SECTION 5. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly; except
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V
4 of the state constitution against this act or an item, section, or part of this
5 act within such period, then the act, item, section, or part will not take
6 effect unless approved by the people at the general election to be held in
7 November 2022 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.



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](#).





GUIDANCE TO BOARDS & COMMISSIONS REGARDING
COVID-19 VACCINATIONS AND TESTING
FEBRUARY 21, 2022 UPDATE

I want to begin by congratulating you and your teams for your work navigating the challenges of the COVID-19 pandemic. Around every blind curve, you have stayed true and stalwart in your resolve to provide a healthy work environment and innovate to provide essential services to the people of Colorado when they needed it most. Operationally, what we have accomplished as a state is unprecedented.

We are providing you with updated guidance as it relates to Boards and Commissions. In summary:

Colorado has made tremendous progress in terms of containing and treating COVID-19 infection and distributing the lifesaving COVID-19 vaccine. Over 85% of Colorado's eligible population has now received at least one dose of the vaccine, and we are beginning to see life return to a new normal.. Containing and ultimately ending the pandemic is possible if as many people as possible roll up their sleeves and get the vaccine.

Beginning February 22nd, 2022 Boards and Commission guidance for in-person meetings will be updated to reflect current COVID-19 conditions and updated policy.

The Governor's strong recommendation is that:

- 1) Boards and commissions may resume in-person meetings with the following recommendations:
- 2) A virtual participation option should be offered for board members and the public
- 3) Meetings should follow local restrictions, including mask mandates and room capacity limits.
- 4) We encourage all members attending the meeting in person to attest to their vaccination status to the board administrator, but it is not required.
- 5) Anyone feeling sick or exhibiting COVID-19 symptoms, even if mild, must not attend a meeting in person.
- 6) All members of boards and commissions attending meetings in person, as well as members of the public attending the meeting in person, may wear a mask if they choose and should always follow local guidance.

With these updates, it is important to note that we are developing a process for reinstatement of masking and the return to all virtual meetings based on the latest public health data and recommendations from CDPHE. If necessary, we maintain the option to make necessary changes to this guidance if warranted.

Again, thanks to you and your employees for your continued support and flexibility as we've navigated through the toughest times of this pandemic. Our intent has always been to protect



COLORADO
Governor Jared Polis

the health of our workforce and the public we serve. We know you and your workforces are ready for a sense of normalcy and continuity, and this is one step in that direction.

For additional information, please see CDPHE Guidance

For indoor events: <https://covid19.colorado.gov/indoor-events>

For workplaces: <https://covid19.colorado.gov/office-based-businesses>