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# Colorado Office of Public Guardianship

**Director**, Sophia M. Alvarez

**Commissioners**  
Kelsey Lesco, Chair  
Karen Kelley, Vice-Chair  
Deb Bennett-Woods  
Marco Chayet  
Alison Zinn



1300 Broadway  
Denver, CO 80203

(303) 606-2500  
Info@Colorado-opg.org

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## **PUBLIC MEETING**

**March 5, 2020**

### **RECORD OF PROCEEDINGS**

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#### **CONVENE**

The emergency meeting of the Colorado Office of Public Guardianship Commission was convened in the Ralph Carr Judicial Building at 1300 Broadway, Conference Room 1F in Denver, Colorado at 3:00 PM by Commission Chair Kelsey Lesco.

A quorum of the Commission was present.

#### **Commission Members Present**

Kelsey Lesco, Chair  
Karen Kelley, Vice-Chair  
Deb Bennett-Woods  
Alison Zinn\*

#### **OPG Director**

Sophia M. Alvarez

#### **Others Present**

Debbie Enck, Office of the Attorney General\*  
Rhonda Sanchez, Office of Public Guardianship  
Camille Prize, Office of Public Guardianship  
America Paz Pastrana, Office of Public Guardianship  
Erin McGavin, Office of Public Guardianship

#### **Public Attendance**

None

\*Appeared/Participated by Telephone

## **AGENDA ITEMS**

### **I. Call to Order**

The meeting was called to order.

### **II. Discussion of Operating Policies (Sophia M. Alvarez)**

Operating Policies were distributed electronically via email and discussed. Discussion included but limited to:

a. Policy 1, Mission and values

No comments or amendments.

b. Policy 2

No comments or amendments.

c. Policy 3

- Discussion of Organization and Standards. It was recommended to remove Director's name this policy.
- Recommendation to align definitions with existing statute and National Guardianship Association Standards.

d. Policy 4

- Discussion of on call procedure.
- Discussion of Volunteer or Interns Policy 4.17. Chair Lesco recommended to have interns sign confidentiality agreement. AG Enck stated that she is unsure whether we could use volunteers and interns, but she will research.
- Recommendation to address Policy 4.2, gifting from client to employees in more detail.
- Discussion of Policy 4.33 CMS policies. This section is incomplete until the CMS is finalized and will be examined when completed.

e. Policy 5

- Fiscal Standards
  - A. Recommendation to incorporate by reference.
  - B. Recommendation to look at policies of the Office of the Child's Representative (OCR) to the basic fiduciary responsibilities.
  - C. Director will reach out to OCR for Fiscal Rules

f. Policy 6

- Chair Lesco recommend to proof read section when completed.
- Section 6.2 - Eligibility and Prioritization-
  - A. Discussion of definition of homeless and resident of Denver. Definition was taken from APS; Discussion to add that individual must have been a resident of Denver County prior to institutionalization/hospitalization.
  - B. Discussion regarding who will take priority between a Denver county resident, hospitals or someone released from a Denver institution, (acute center or jail).
  - C. Recommendation to add an immediate Medical decision making to priority 1.
- Section 6.3 - Intake and Referral Process
  - A. Recommendation to add that intake can also be completed by phone.
  - B. Recommendation to add streamline referrals from outside Denver.
  - C. Concern regarding U.S. Citizenship status- prioritization of U.S. citizens over undocumented residents? Recommendation from Commissioner Bennett-Wood to research if there are Statutes or law limiting services to undocumented.
  - D. Section regarding Incomplete Referrals will be updated when have established process.
  - E. Discussion regarding Acceptance of referrals. Director Alvarez will determine what referrals will be accepted. It was suggested to have a backup plan when Director is not available. Recommendation to assign a person or have a team process.
- Section 6.5 - Caseload
  - A. Discussion of providing data that justifies caseloads.
  - B. Recommendation for a multi-tier category about weighing cases and factors. This will be helpful to demonstrate to legislature.
- Section 6.6 - Individualized Guardianship Process
  - A. Discussion regarding contact with clients. Recommendation to engage to greatest extend possible with client and a section on initial assessment for client comments.
  - B. Recommendation to have time frame of 10 business days but not longer than 30 days for first meeting with client.
- Section 6.7 - Person Centered Planning. Recommendation from Chair Lesco to rename section.
  - A. Discussion regarding Informed Consent. Recommendation to add section as to the process for forced psychotropic medications.
  - B. Discussion of End of Life Matters section. Recommendation from Commissioner Bennet-Woods to have Healthcare Surrogate Acts

align with the medical decision act in Colorado, (Title 15 -18.5-103), instead of generic language.

- C. Recommendation to have a complete copy of Patient Rights in the manual.
  - Section 6.7.5.a- Successful communication with clients.
    - A. Lifelong, Inc. will provide training to incorporate into policies.
  - Section 6.9- Guardian Supervision
    - A. Recommendation to incorporate section regarding the formation of Internal Ethics Committee, but requires discussion as an agenda item.
  - Section 6.12. Recommendation to edit numbering.
  - Section 6.14 Disaster Recovery Policy will be added at later time-already created.
  - Section 6.16 Complaint Process
    - A. Recommendation to attach policy to the complaint forms to explain process to public.
    - B. Recommendation to add section detailing process regarding complaints about Director.
    - C. Recommended edit to Jurisdiction: should read District Court not County Court.
  - Section 6.17- Critical Incident
    - A. Recommendation to have a debriefing process available to guardians upon request.
- g. Discussion of Commission Involvement in the approval of OPG's policies. The Commission should be endorsing not approving policies.
  - Commission has oversight of Director and office only.
  - Complaint Process of Commission - requires Commissioner participation and approval before putting into a policy.
  - Discussion of Fiduciary responsibilities and duties. It was recommended to clarify the distinction between OPG's policies and Commission's Fiscal, Ethics, and Complaint policies.
    - A. Commission does not need to approve policies but will identify what will need approval. It was determined that Policies can be ratified by Commission.
- h. Director Alvarez will make amendments and send for review.

### III. Public Comment

No public comment.

Chair Lesco moves to ratify the OPG Operating Policies as amended. Commissioner Zinn seconds the motion. Motion passes unanimously.

**IV. Adjourn**

Commissioner Bennett-Woods moves to adjourn the meeting. Commissioner Zinn seconds the motions. Motion passes unanimously. Meeting adjourned at 5:10 p.m.

**ATTESTATION**

As Commission Chair and Commission Vice-Chair, we attest that these minutes of the open public meeting of the Colorado Office of Public Guardianship Commission substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Commission.

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Kelsey Lesco, Chair

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Date

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Karen Kelley, Vice-Chair

\_\_\_\_\_  
Date

FOR COMM'N REVIEW On 03.25.2020