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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** **May 13, 2020**

### **RECORD OF PROCEEDINGS**

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#### **CONVENE**

The meeting of the Colorado Office of Public Guardianship Commission was convened by telephone conference at 10:00 AM by Commission Chair Kelsey Lesco.

A quorum of the Commission was present.

#### **Commission Members Present**

Kelsey Lesco, Chair  
Karen Kelley  
Deb Bennett-Woods  
Marco Chayet

#### **OPG Director**

Sophia M. Alvarez

#### **Others Present**

Jacquelyn Beal, Office of Public Guardianship  
Rhonda Sanchez, Office of Public Guardianship  
Camille Price, Office of Public Guardianship  
Erin McGavin, Office of Public Guardianship  
America Paz Pastrana, Office of Public Guardian  
Debbie Enck, Office of the Attorney General

## **Public Attendance**

All participated by telephone.

## **AGENDA ITEMS**

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

The meeting was called to order.

### **II. Approval of the March 25, 2020 and April 8, 2020 Meeting Minutes**

Chair Lesco calls for amendments to the draft meeting minutes. Commissioner Bennett-Woods asked to change her name on Meeting Minutes to the correct spelling. Commissioner Chayet moves to approve the March 25, 2020 and April 8, 2020 Meeting Minutes as presented. Commissioner Bennett-Woods seconds the motion. Motion passes unanimously.

### **III. Chair Report (Kelsey Lesco)**

Chair Lesco thanked Vice-Chair Karen Kelley in assisting with Chair responsibilities. Chair Lesco advises Public Comment will be held to end of agenda. The first item is the timing of the meetings to having them transition to every other month starting in August. Chair Lesco asked for comments.

- a. Commissioner Chayet suggests keeping meetings to once a month until the office is fully running.
- b. Commissioner Bennett-Woods agrees to keep meetings to once a month until able to transition to every other every month. Commissioner Bennett-Woods trusts Director Alvarez to determine if there is enough of an agenda to hold a meeting monthly.
- c. Commissioner Kelley agrees.
- d. Commissioner Bennett-Woods asked about when SCAO will lift the work from home provisions.
- e. Director Alvarez informed that the work from home provisions were extended for all SCAO facilities until July 6, 2020.

#### **IV. Director Report (Sophia M. Alvarez)**

Director Alvarez's 5.13.2020 Director Report was distributed via email and discussed. Additional items discussed included but not limited to:

- a. Director Alvarez advised CO OPG Website is complete, but for some minor tweaks. In the next few months will transfer Judicial CO OPG commission site to CO OPG website. Additionally, will add Operating Policies, and update Resources page.
- b. The Case Management System is complete for the purposes of referrals, intake and case acceptance processes. However, other court forms, i.e. Individualized Guardianship Plan, and e-signature capabilities are in process.
- c. OPG office is following work from home provision. Later may consider work-share, because the office space will not allow for social distancing.
- d. Director Alvarez requested to continue by phone with the next two OPG Commission meetings.
- e. Director Alvarez informed about the review of MOU with the State Court Administrator (SCAO). The main issue is the length of time that Judicial will continue IT assistance to the OPG office. The office location is intertwined with the IT assistance, which was going to end at the end of June 2020. However, Judicial will continue to provide IT support to OPG. There was no resolution at the meeting regarding OPG Office location, but the state administration will continue look for a place. The MOU is being updated to more accurately reflect the current situation with IT and OPG office location.
- f. Director Alvarez informed she had a discussion with Colorado Department of Human Services - Office of Behavioral Health (CDHS-OBH). Director Alvarez informed that every time she speaks with CDHS-OBH, they increase the number of cases they will be referring to OPG. Director Alvarez expressed concern with the intense and high need cases and doesn't want to over work guardians. CDHS-OBH has money allocated that can start shifting to OPG starting July 1st to hire an additional FTE (full-time employment).
  1. Commissioner Bennett-Woods is concerned with how the statutory authority would apply to taking money from CDHS-OBH and hiring additional staff.
  2. Director Alvarez stated that this is a question for AG Enck to research.
  3. Director Alvarez wants to set a lower limit on the number of cases that will be taking from CDHS-OBH.

4. Commissioner Chayet expressed his concern with skewing of data by adding Mental Health cases to the mix. Commissioner Chayet would like clarification on how to determine when a guardianship is appropriate between mental health issue and capacity.
5. Commissioner Chayet agrees that the hardest guardianships are the ones with mental health issues as a primary concern.
6. Commissioner Bennett-Woods suggested to allocate funding for a guardian specialized in mental health.
7. Commissioner Chayet asked if these potential clients are on a mental health hold, and what's the profile?
8. Director Alvarez informed that does not have answers to these concerns but will have a discussion with CDHS-OBH to clarify these issues.
- g. Chair Lesco agrees with everyone's concerns and wants to know if it is possible to take more clients from the regional centers and less from the mental health institutes.
- h. Commissioner Kelley agrees with everything is being said and no additional comments.
- i. Chair Lesco agrees that there is the need of assistance for adults experiencing mental health illness. Chair Lesco expressed her concern with the collection of data and how to best serve that population.
- j. Commissioner Bennett-Woods suggested to continue this conversation when Director Alvarez has more information regarding this issue.
- k. AG Enck will also research.
- l. Chair Lesco asked to keep this subject in the agenda for next meeting.

### **Stakeholder Engagement Plan – In progress**

Director Alvarez advised a memo from AG Enck was previously provided to Commission members. Memo indicates Stakeholder Advisory Panel is not subject to Open Meetings Law. Director Alvarez spoke with Julie Reiskin of Colorado Cross Disability Coalition who advised regarding the Stakeholder Advisory Panel and its makeup. Ms. Reiskin provided various research and information which Director Alvarez is processing to determine the best make up and use of the Panel. Director Alvarez will provide an update at a future CO OPG Commission meeting

### **Trainings – In progress**

- a. Director Alvarez informed about continuing with training series by Tracy L. Hutchinson, MS Community Counseling, licensed Professional

Counselor, Master Addictions Counselor, Colorado Addictions Counselor (CAC) III, <https://mindfulalchemist.org/>

1. 04.15.2020: Decision-making and self-care
  2. 05.20.2020: Verbal de-escalation
- b. 05.05.2020: Cross-training with Rocky Mountain Human Services: Successful communication with individuals with intellectual and/or developmental disabilities
  - c. 05.21.2020: Training with Lifelong, Inc.: Successful communication with individuals with cognitive impairments <http://lifelonginc.com/>
  - d. Training session TBD with Colorado Cross Disability Coalition [www.ccdconline.org](http://www.ccdconline.org)
  - e. Cross-training with Center for Trauma and Resilience – will be rescheduled due to the COVID-19 Policies
  - f. Director Alvarez thanked the OPG Team for doing good job assisting with outlines of policy

### **Representative Payee – In progress**

Director Alvarez informed that she is in negotiations with CFPD and AG Enck is working on drafting the contract.

- a. Commissioner Bennett-Woods inquired whether people living in Nursing or Assistive Living facilities would need a Representative Payee.
- b. Director Alvarez informed that will not contract Representative Payee services for those people living in Nursing or Assistive Living facilities.

### **Intake Eligibility, Prioritization and Referral Process**

Director Alvarez informed that since April 30, 2020 the office has received 10 registrations and 3 referrals. The referrals have come from attorneys and case workers from Medical Health facilities.

- a. Commissioner Bennett-Woods inquired about the time frame of accepting a referral.
- b. Director Alvarez informed that America, Staff Assistant, follows up within 24 hours of receiving a referral to make sure we have all info to say its

- complete. Within website we can change status of application and an email goes out informing that is not complete or if complete other email saying thank you and will contact within 5 business days.
- c. Commissioner Bennett-Woods mentioned that she heard the podcast discussing CO OPG and asked to continue to put the word out and asked if information was sent to the Colorado Hospital Association.
  - d. Director Alvarez informed she sent a press release to every stakeholder via email and that she could not recall if information was sent to the Colorado Hospital Association. Director Alvarez advised that she will send information to the Colorado Hospital Association.
  - e. Chair Lesco suggested to send press release to LeadingAge, an assisted living organization, and Arc of Colorado. Director Alvarez advised that she will send information to both.
  - f. Commissioner Bennett-Woods suggested to inform the public when caseload is full and when taking cases again. Commissioner Bennett-Woods expressed concern about not having a waiting list.
  - g. Director Alvarez informed she is keeping track of all referrals and will reach out to eligible referrals when CO OPG is able to take more cases.
  - h. Commissioner Bennett-Woods asked for clarification as to what is a Streamline referral.
  - i. Director Alvarez advised that a Streamline referral is for the outside of Denver county. There are two different applications: one for Denver residents and one for outside of Denver. The application for outside of Denver is less complex.
  - j. Commissioner Bennett-Woods inquired about how streamline referrals will be obtained.
  - k. Director Alvarez informed she has been talking to different agencies and explaining why it is important to obtain this information.
  - l. Commissioner Bennett-Woods offered some suggestions for the debriefing policy section.
    - 1. There is the potential for a critical incident that may relate to the Office itself or the Director, so that party should debrief with someone other than the Director.
    - 2. An option for debriefing could be talking with a member of the ethics committee.
  - m. Commissioner Kelley suggested to send information to the 7<sup>th</sup> & 16<sup>th</sup> judicial districts not represented to better ensure obtaining data for streamline referrals.

- n. Commissioner Bennett-Woods suggested to ask Judge Leith to encourage the 7th & 16<sup>th</sup> judicial district Judges to assist with obtaining streamlined referral data.
- o. Director Alvarez will follow up with the judicial districts and with ask Judge Leith for assistance.

**V. Discussion of Budget and MOU (Sophia M. Alvarez)**

- a. Chair Lesco stated that most of this information regarding the Budget and MOU has already been covered and asked for any other updates.
- b. Director Alvarez advised that she has been assured that OPG's budget will be fine for the next two years.

**VI. Discussion of Stakeholder Advisory Panel (Deb Enck and Sophia M. Alvarez)**

- a. Director Alvarez advised she doesn't have anything further regarding Stakeholder Advisory Panel.
- b. AG Enck does not have any additional information other than the memo that was already distributed.

**VII. Discussion of Director Evaluation Process (Kelsey Lesco and Deb Enck)**

- a. Chair Lesco announced that the Director's Evaluation will be conducted around July 1<sup>st</sup>.
- b. AG Enck advised that the form was sent to the IT department to make form easy to fill out and will circulate after its done.
- c. AG Enck advised that will not ask feedback from staff this time around and there was no objection.
- d. Chair Lesco asked Director Alvarez if there is an issue with having the evaluation going out in August. Director Alvarez has no problem with that.
- e. Chair Lesco thanked staff for continued work.

**VIII. Public Comment**

No public comment

**IX. Adjourn**

Commissioner Bennett-Woods moves to adjourn the meeting. Commissioner Kelley seconds the motions. Motion passes unanimously. Meeting adjourned at 11:00 a.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