

**OPG Commission meeting
Director Report
02.26.20**

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.

- I. **Administrative Infrastructure Update.**
 - a. Introductions of new staff
 - b. New OPG contact info:
 - i. 303.606.2500
 - ii. Info@Colorado-opg.org
 - iii. Firstname.lastname@colorado-opg.org
 - c. Judicial IT set up staff with laptops, etc.
 - d. 02.12.2020: REVISIONS created the CO OPG web site and Case Management System all staff previewed and gave input
 - i. Review of CO OPG web site & CMS
- II. **Budget and MOU Update.**
 - a. Notified on 02.13.2020 that we did not receive the Statewide Internet Portal Authority (SIPA) Microgrant Program 2019
- III. **Stakeholder Engagement Plan.**
 - a. After the January 2020 OPG Commission meeting comments, I updated the Stakeholder Engagement Plan draft. AG Enck is reviewing whether the Panel would be subject to the Open Meetings Act. Updated Stakeholder Engagement Plan was previously provided to Commission for review & will be incorporated into the Operating Policies.

- IV. **Colorado OPG Personnel Policies.** Previously provided a draft to the Commission for review & will be incorporated into the Operating Policies.

- V. **Colorado OPG Fiscal Policies draft.** Provided a draft to the Commission for review & will be incorporated into the Operating Policies.

- VI. **Colorado OPG Pilot Program Operating Policies.** In progress. Provided a draft to the Commission for review.
 - a. **Staff Training.**
 - i. **National Guardianship Association (NGA) incorporated into Operating Policies and Manual**
 - 1. **NGA Standards for Agencies and Programs Providing Guardianship Services**
 - 2. **NGA Standards of Practice**
 - 3. **NGA Ethical Principles**
 - 4. **Reviewing training and budget to consider CGC National Certified Guardian**

 - ii. **Other trainings:**
 - 1. **02.20.2020 - SEC Fraud Prevention training**

 - 2. **03.06.2020 - Mental Health First Aid training/certification by Mental Health First Aid Colorado.** Mental Health first aid is an evidence-based, public health training program that teaches participants the signs and symptoms of mental health challenges or crisis, what to do in an emergency, and where to turn for help. MHFA is implemented around the U.S. and the world. Research has shown that the training reduces stigma, enhances behavioral health literacy, and improves participants' behavioral health.

3. Colorado Department of Personnel and Administration provided on-line modules:

- a. Preventing discrimination and harassment in the workplace**
- b. Ethics and conflicts of interest**
- c. Preventing sexual harassment in the workplace**
- d. Preventing violence in the workplace**

4. Series with Tracy L. Hutchinson, MS Community Counseling, licensed Professional Counselor, Master Addictions Counselor, Colorado Addictions Counselor (CAC) III, <https://mindfulalchemist.org/>

- a. 03.09.2020: Trauma informed care**
- b. 03.23.2020: Vicarious trauma**
- c. 04.15.2020: Decision-making and self-care**
- d. 05.20.2020: Verbal de-escalation**

5. 04.01.2020: Cross-training with Center for Trauma and Resilience

- b. Representative Payee, etc. issue.** Ongoing. AG Enck is reviewing the contract, liability and preferential issues.
 - i.** I had a preliminary conference with Megan Brand - Director of Colorado Fund for People with Disabilities, and Natalie DeVille - Director Lutheran Family Services Older Adult & Caregiver Services, to apply for Next 50 Initiative Collective Impact Challenge Grant for Rep Payee program. The deadline to apply is in late August.
- c. Intake Eligibility, Prioritization and Referral Process.** After the January 2020 Commission meeting, I met with Revision to capture phone call referrals in addition to online referrals. The Staff

Assistant will have to enter the data through the online referral process while on the phone with the referring party. I have concerns about this taking too much of the Staff Assistant time, so I will continue to brainstorm about other options.

- i. Pro se Center: I will have an update at the meeting as to whether the Pro Se Center can assist with referrals.
- ii. Meeting with Probate to finalize OPG pleadings related to Case Acceptance, etc. scheduled 02.27.2020.
- iii. Email blast that OPG is accepting referrals, etc. with link to web site.
- iv. On-call: Verizon cell phones & will set up call forwarding to PG on-call during weekends/holidays.

d. Data gathering and CMS coding issues. Ongoing.

i. Current CMS is poised to track:

1. Target Populations/Referring party
 - a. Disability
 - b. Elder/Age
 - c. VA
 - d. Hospital/health care
 - e. Mental Health
 - f. LE/Behavioral Health
 - g. Substance Abuse
 - h. Homeless
 - i. APS – exploitation/A/N/\$
 - j. Non-medication compliant
2. Pending referrals/declined code
 - a. Incomplete referral (internal register for 30 days)
 - b. Eligible but no caseload capacity to accept the case
3. Residence History
4. Narratives
5. Time/intensiveness of each client/caseload and cost of services
6. Mileage for cost of services
7. How long did it take to get CMS in place, DELPHI – ID every work process & the time it takes & then the associated cost to make specific FTE% requests

8. Stakeholder register
9. Cases closed due to regained capacity, terminated, death, etc.

ii. **03.12.2020: DHS – Policy Unit and Office of Community Access & Independence.** Meeting to discuss barriers and placement issues for individuals in state mental health hospitals.

iii. **02.06.2020:** I was invited by Janice Blanchard, Governor’s Senior Policy Analyst with Aging to attend and join the **Governor’s Financial Security Coalition.** At that meeting, I met Dr. Eric Chess and Jodi Waterhouse. Both have potential for a research project, such as OPG data gathering. The Coalition is also willing to set the OPG as a priority to gather the data needed for the 2023 Director Report.

iv. **02.10.2020: Dr. Lotta Granholm-Bentley – University of Denver, Knoebel Institute for Healthy Aging, Executive Director.**

1. Interns available
2. Active group of individuals to serve as successor guardians/court visitors, etc.
3. Join CO ARP group
4. Other contacts:
 - a. Barb Ratcliffe, OSHER
 - b. Bob Murphy, AARP
 - c. Robert Schwartz
 - d. Radio Station w/Elder Law topic, do a show about the referral process
 - e. Anne DePrince, Denver University Traumatic Stress Studies Group

- v. **02.06.2020: Jodi Waterhouse, University of Colorado Anschutz Medical Campus, Program Leader – Center on Aging Department.**
 - 1. Has graduate students to conduct research re: data gathering, but requires funds for a stipend
 - 2. I am giving an OPG Presentation to the Alzheimer’s Task Force on 03.18.2020 and we will also meet regarding the research and funding

- vi. **02.10.2020: Dr. Eric Chess – University of Denver, Knoebel Institute for Healthy Aging, Director of Financial Security and Cognitive Health Association.**
 - 1. Has graduate students to conduct research re: data gathering, but requires funds for a stipend. I’m following with him regarding funding options.

vii. I reached out to Lynn Taussig, but no response.

viii. Pending meeting with CDHS & Denver Health to discuss referrals and data collection.

- ix. Will need cost-benefit analysis for hospitals, other placements:
 - 1. Chair Lesco conferenced with HCPF (Health Care Policy & Financing) and they suggested a Request Form to collect data
 - 2. Alzheimer’s Association is willing to run a bill to make hospitals collect data

VII. **Human Resource Update.** See Administrative Infrastructure Update.

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

IX. Stakeholder Meeting Update since 01.22.2020

- a. 01.31.2020: APS CAPS stakeholder meeting
- b. 02.05.2020: CBA Elder Law Meeting
- c. 02.06.2020: OPG presentation at CDHS – Aging and Adult Services Sub-Policy Advisory Committee
- d. 02.06.2020: Governor’s Financial Security Coalition
- e. 02.10.2020: Dr. Lotta Granholm-Bentley (see above)
- f. 02.10.2020: Meeting with Dr. Eric Chess (see above)
- g. 02.12.2020: Various emails with Jodi Waterhouse
- h. 02.12.2020: OPG presentation at the APS Caseworker Quarterly meeting
- i. 02.13.2020: Meeting with Cara Oberhide and Megan Donahue of Alzheimer’s Association regarding Volunteer On-Call System
- j. 02.25.2020: OPG presentation at the Fiduciary Forum
- k. Pending meeting with CDHS & Denver Health

COMPLAINT PROCESS AND PROCEDURE

VIRGINIA PUBLIC GUARDIAN & CONSERVATOR PROGRAM – Virginia Code §§ 51.5-149 ET SEQ.

PURPOSE OF THE COMPLAINT PROCESS

The Virginia Department for Aging and Rehabilitative Services (DARS), as administrator of the statewide Virginia Public Guardian & Conservator Program, is committed to ensuring that all individuals served by the program are treated fairly in accordance with all applicable laws and regulations. If you believe that any individual served by this program has been treated unfairly, this complaint process provides a prompt, fair and orderly method to address complaints involving individuals served by the Virginia Public Guardian & Conservator Program. This form and process is only for **public** guardian clients funded pursuant to § 51.5-149 et seq. **This form and process is not intended for private guardianship cases.**

STEP 1

Complete the attached Complaint Form-1. Send or deliver your original, completed and signed Complaint Form-1 to program director for the local public guardian service provider who acts as guardian and/or conservator for the incapacitated adult. Upon receipt of the Complaint Form-1, the program director for that public guardian program will have fourteen (14) days to respond to the complaint.

- a) **Contact Information for the Local Public Guardian Service Providers**: You can access current contact information for Virginia Public Guardian & Conservator Program service providers at this link:
<https://sp.wwrc.net/VDAPublic/Shared%20Documents/Public%20Guardian%20Provider%20Contact%20List.pdf>.
- b) **Your Complaint to the Local Public Guardian Service Provider Must Be in Writing**: Please use the attached Complaint Form-1 to state your complaint in writing (and keep a copy for your records). The Complaint Form must be signed and dated. You may also attach any supporting documents you wish to the completed form.
- c) **Complaint Form Submission (Complaint Form-1)**: Completed Complaint Forms must be sent by mail or otherwise delivered directly to the local public guardian service provider. **Important Note**: Email or electronic copies of the Complaint Form will not be accepted.
- d) **14 Calendar Days to Respond**: Upon receipt of your written complaint, the program director for the local public guardian service provider will have fourteen (14) calendar days to respond to the complaint, to you, in writing. If the program director has not satisfactorily responded to your complaint within this time frame, then please proceed to “Step 2” below.

STEP 2

After 14 days, if you are still dissatisfied with the response received from the program director for the local public guardian service provider action as guardian and/or conservator for the individual, please submit the attached Complaint Form-2 to the Virginia Department for Aging and Rehabilitative Services (DARS). Upon receipt of your complaint, DARS will respond to your complaint within fourteen (14) calendar days.

- a) **Complaint Form Submission (Complaint Form-2)**: Completed Complaint Forms must be sent by mail or otherwise delivered directly to DARS at the address provided using the contact information on Complaint Form-2. **Important Note**: Email or electronic copies of the Complaint Form will not be accepted. Complaint Form-2 should be submitted to:

Coordinator, Virginia Public Guardian & Conservator Program
Virginia Department for Aging and Rehabilitative Services
1610 Forest Ave., Suite 100
Henrico, Virginia 23229

- b) **14 Calendar Days to Respond**: Upon receipt of your written complaint, DARS will respond to your complaint within fourteen (14) calendar days.

IMPORTANT LINKS FOR ADDITIONAL INFORMATION

- **LAW FOR THE VIRGINIA PUBLIC GUARDIAN & CONSERVATOR PROGRAM (VIRGINIA CODE, TITLE 51.5, CHAPTER 14, ARTICLE 6)**:
<HTTPS://LAW.LIS.VIRGINIA.GOV/VACODEFULL/TITLE51.5/CHAPTER14/ARTICLE6/>
- **REGULATIONS FOR THE VIRGINIA PUBLIC GUARDIAN & CONSERVATOR PROGRAM (VIRGINIA ADMINISTRATIVE CODE, TITLE 22, AGENCY 30, CHAPTER 70)**:
<HTTPS://LAW.LIS.VIRGINIA.GOV/ADMINCODEEXPAND/TITLE22/AGENCY30/CHAPTER70>
- **GENERAL INFORMATION ON THE VIRGINIA PUBLIC GUARDIAN & CONSERVATOR PROGRAM**: <HTTPS://VDA.VIRGINIA.GOV/PUBLICGUARDIANSHIP.HTM>
- **SERVICE PROVIDERS FOR THE VIRGINIA PUBLIC GUARDIAN & CONSERVATOR PROGRAM**:
<https://sp.wwrc.net/VDAPublic/Shared%20Documents/Public%20Guardian%20Provider%20Contact%20List.pdf>
- **STATEWIDE PROGRAM ADMINISTRATION – THE VIRGINIA DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES (DARS)**:
<HTTP://WWW.DARS.VIRGINIA.GOV/>
- **ADVISORY BOARD FOR THE VIRGINIA PUBLIC GUARDIAN & CONSERVATOR PROGRAM**: <HTTP://WWW.VDA.VIRGINIA.GOV/BOARDSANDCOUNCILS.HTM>
- **DARS – AGING DIVISION**: <HTTP://WWW.VDA.VIRGINIA.GOV/INDEX.HTM>
- **DISABILITY LAW RESOURCE CENTER (FORMALLY THE VIRGINIA OFFICE OF PROTECTION & ADVOCACY/VOPA)**: <HTTP://DISABILITYLAWVA.ORG/>

- **ADULT PROTECTIVE SERVICES (APS)**: APS investigates reports of abuse, neglect, and exploitation of adults 60 years of age or older and incapacitated adults age 18 or older.
<http://www.dss.virginia.gov/family/as/aps.cqi>
To report suspected adult abuse, neglect or exploitation, call your local department of social services or the 24-hour, toll-free Adult Protective Services hotline at: (888) 832-3858.

PLEASE SEE ATTACHED COMPLAINT FORM-1 AND COMPLAINT FORM-2

PUBLIC GUARDIAN COMPLAINT FORM -1

(SEND TO LOCAL PUBLIC GUARDIAN SERVICE PROVIDER ACTING AS
GUARDIAN AND/OR CONSERVATOR FOR INDIVIDUAL)

For complaints involving individuals served by the Virginia Public Guardian & Conservator Program pursuant to Virginia Code §§ 51.5-149 et seq. This state-funded program is administered by the Virginia Department for Aging and Rehabilitative Services (DARS).

IMPORTANT NOTE: This form should be used to make an initial complaint to the local public guardian service provider and directed to the attention of its program director. Upon receipt, the program director for that provider has fourteen (14) calendar days to respond to your complaint in writing.

YOUR NAME: _____

TODAY'S DATE: _____

YOUR ADDRESS: _____

WHAT IS THE BEST WAY TO CONTACT YOU?

____ TELEPHONE: _____

____ EMAIL: _____

____ US MAIL: _____

____ OTHER: _____

YOUR COMPLAINT OR GRIEVANCE

1. What is the name of the public guardian client involved?

2. Where is this person located?

3. What is your relationship to the public guardian client?

4. Is there a particular public guardian service provider employee or case manager involved? If yes, please state the name(s):

5. What happened?

6. When did it happen?

7. Where did it happen?

8. Were you an eyewitness to what happened? Are there other eyewitnesses?

9. What action or remedy do you think is appropriate to address the situation?

10. Are you interested in serving as guardian and/or conservator for the individual involved?

YES _____ NO _____



THIS FORM MUST BE SIGNED AND DATED

Signature: _____ *Date:* _____

COMPLAINT FORM SUBMISSION

Please submit this completed form to the program director for the local public guardian service provider that acts as guardian and/or conservator for the incapacitated adult. **To protect confidentiality, a completed Complaint Form-1 must be sent by mail or otherwise delivered directly to the local public guardian service provider. Email or electronic copies will not be accepted.**

A list of local public guardian service providers can be found at this link:

<https://sp.wvrc.net/VDApublic/Shared%20Documents/Public%20Guardian%20Provider%20Contact%20List.pdf>

PUBLIC GUARDIAN PROGRAM DIRECTOR USE ONLY

Date Received:

Date Addressed:

Comments:

PUBLIC GUARDIAN COMPLAINT FORM-2

(SEND TO COORDINATOR FOR THE VIRGINIA PUBLIC GUARDIAN & CONSERVATOR PROGRAM)

For complaints involving individuals served by the Virginia Public Guardian & Conservator Program pursuant Virginia Code §§ 51.5-149 et seq. This state-funded program is administered by the Virginia Department for Aging and Rehabilitative Services (DARS).

IMPORTANT NOTE: This form should only be used when your prior complaint to a local public guardian service provider has not been addressed to your satisfaction within fourteen (14) calendar days by the local provider's program director. ► DARS cannot address your complaint until you have completed Step 1.

YOUR NAME: _____
TODAY'S DATE: _____
YOUR ADDRESS: _____
WHAT IS THE BEST WAY TO CONTACT YOU? _____

Please attach a copy of your original Complaint Form-1, the written response you received (if any) from the program director for the local public guardian service provider, and any additional supporting documentation you wish DARS to consider. Upon receipt of your written complaint, DARS will respond to your complaint within fourteen (14) calendar days.

What was the outcome of your complaint to the public guardian service provider and when did this occur? (You may also attach additional information and supporting documentation to this form).



THIS FORM MUST BE SIGNED AND DATED

Signature: _____ **Date:** _____

COMPLAINT FORM SUBMISSION

Please submit this completed form to the Coordinator for the Virginia Public Guardian & Conservator Program at the address specified below. **To protect confidentiality, a completed Complaint Form-2 must be sent by mail or otherwise delivered directly to the Coordinator. Email or electronic copies will not be accepted.**

Coordinator, Virginia Public Guardian & Conservator Program
Virginia Department for Aging and Rehabilitative Services
1610 Forest Ave., Suite 100
Henrico, Virginia 23229

DARS USE ONLY

Date Received:

Date Addressed:

Comments: