**MINUTES**

Meeting of the Elder Law Section of the Colorado Bar Association

Wednesday, April 3 — 9:00AM

**In-Person & Virtual**

<https://cba-cle.zoom.us/j/81010370491?pwd=Qy9jSzEwZ0ZwOENwS2tDbEJycVVIQT09>

Meeting ID: 810 1037 0491

**Passcode: 314653**

Call in: + 1 719 359 4580 US

1. Call to Order: 9:01am
2. Introductions

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Arlene Barringer | X | Tammy Conover |  | Amber Marchlowska | X | Jane Walsh |  |
| Lisa Blattner | X | Claire Dineen | X | Shelby Martin |  | Tamra Waltemath |  |
| Megan Brand | X | Brandon Fields |  | Beth McCann |  | Rose Zapor |  |
| Betsy Brase |  | Leah Gates |  | Emily McDaniel | X | Chelsea Ziegler | X |
| Chris Brock | X | Susie Germany |  | Marcie McMinimee | X | Anne Zogg |  |
| Gina Brown | X | Cathy Giovannini | X | Nicholas McWharter |  | Kris Zumalt | X |
| Kris Callahan |  | David Imbler | x | Kayla Nelson | X | Patrick Thiessen | x |
| Anne Campbell | X | Candance Johnny |  | Patricia Rankin | X | Carol Johnson |  |
| Geoffrey Carpenter | X | Samuel Kestern |  | Angela Rockwood | X | Scott Christian | X |
| Scott Challinor | X | Amy Wegner Kho | X | Meghan Rubincam |  | Zach Schlichting |  |
| Marco Chayet |  | Lori Kolata |  | Catherine Seal | X | Shari Caton | X |
| Shauna Clemmer | X | Tori Long |  | Sandra Sigler | X |  |  |
| Charles Connell | X | Ayo Labode |  | Elizabeth Thompson |  | Erin Clifft |  |
| Dirk Constons |  | Tamara Trujillo | X | Sam Kesten | X | Letty Maxfield |  |
| Andrew Rodgers |  | Joe Hartwig | X | Ryan Scott |  | Sara Price | X |
| William Cositins | X | Rikke Liska | X | Carl Glatstein | X | Jonathan Culwell | X |
| Rachel Johnson |  | Kathyrn Kaeble |  | Sandi Kister |  | Jessie Rember |  |
| Spencer Crona |  | Shaylee Holland |  | Richard Selinger |  | Dave Bernhart |  |
| Stephen Wilson |  | Casey Williams |  | P. Tate |  | Caitlyn Whaley |  |
| Eric Apjoke |  | Jennifer Landry | X | Abby Schwarz |  | Tracy Brooks |  |
| Byron Hammond |  | Brook Brestel | X | Matt Perkins |  | Joel H. |  |
| Brook Brestel | X | Christina Belmonte | X | Karen Ramirez |  | Carl Stevens |  |
| Christina Belmonte | X | Sarah Golombek | X | Rachel Johnson | X | Jessie Rember |  |
| Josh Murphy | X | Lisa Dunn | X | Sandi Kister | X | Sara Hammernick | X |
| Candice Johnny | X | Bryon Hammond | X |  |  |  |  |

1. Call for review and approval of February & March 2024 minutes.
   1. Motion to Approve February & March 2024 minutes
      1. Kayla Nelson
      2. Chelsea Ziegler
   2. ELS Motion to Approve February and March 2024 minutes passed

4. **Chair’s Report** – Emily McDaniel [emily@estatelawco.com](mailto:emily@estatelawco.com)

* Volunteer positions are still available for ELS. A vote will be held at the May 1, 2024 ELS meeting. All application for open positions are posted on CBA Thrive website.
* ELS Annual Meeting is scheduled for May 1, 2024 – please join in person if can.
* UGCOPPA (or SB 134-26) Legislative Policy Memo was sent out via email last week and posted on the CBA Thrive website. Please review it and should you have any questions or concerns reach out to Emily directly to discuss further.

5. **Vice Chair's Report** – Scott Challinor [scott@conoverlawllc.com](mailto:scott@conoverlawllc.com)

* No Report

6. **Treasurer’s Report** – Cathleen Giovannini [Cathleen.Giovannini@denvergov.org](mailto:Cathleen.Giovannini@denvergov.org)

* No Report

7. **Old Business**

a. Committee Reports (Chairperson of the committee may report any current matters)

**i. Civic and Community Affairs Committee:**

Contact/Chair: Sandra Sigler [sandra@siglerlawco.com](mailto:sandra@siglerlawco.com)

Meeting: 1:30 p.m. to 2:30 p.m.

Status/Project: Fundraising for Senior Law Handbook

Membership Status: Open to new members.

* Senior Law Handbooks are in the process of being edited. Deadline should be met in order to have the books available at all the below listed Senior Law Days
* 17th Judicial Senior Law Day to be held on June 29, 2024. Email Patricia Rankin if interested in volunteering
* 18th Judicial Senior Law and Safety Summit to be held on July 13, 2024 at the Charles Schwab center in Lone Tree.
* El Paso County Senior Law Day to be held on September 28, 2024 at the Hillside Community Center.
* Presently working on arranging a Denver County Senior Law Day
* Sandra is requesting that if there are any other events that should be provided to the public to please let her know as she can get it published on CBA’s website.
* Brochures are hopefully to be completed today and then to be voted on in May.

**ii. CLE and Publications Committee:**

Interim Contact/Chair: Gina Brown [gbrown@disabilitylawco.org](mailto:gbrown@disabilitylawco.org)

**\*\* Currently seeking new CLE Chair**

Meeting: None/participation via e-mail

Status/Project: Looking for CLE Presentations for 2024-25 session & Rose Mary Zapor seeking articles for *Colorado Lawyer*

Membership Status: Open to new members

* Today - Scott Challinoir is presenting an Elder and Probate Law Spring Case Update
* May - Emily McDaniel is presenting on Romance Scams
* Lisa Blattner and Rachel Johnson have volunteered to step up and take over this volunteer position.

**iii. Elder Law Retreat:**

Contact/Chair: Kayla Nelson, [kayla@siglerlawco.com](mailto:kayla@siglerlawco.com)

Meeting: Virtually on the third Thursday of the Month at 11:30AM.

Status/Project: 2024 Elder Law Retreat

Membership Status: Open to new members

* ELS Annual Retreat will be August 22-24, 2024 in Vail at Hythe Hotel.
* Registration will open soon – finalizing some minor details.
* Survey went out about for ELS 2026 Annual Retreat regarding potentially combining the estate planning retreat and the elder law retreat in Santa Fe, NM – interested to know if participants would like this option.

**iv. Medicaid Committee:**

Contact/Chair: Virginia Frazer-Abel/Eric Kelly

[Virginia@vfalegal.com](mailto:Virginia@vfalegal.com), [eric@vfalegal.com](mailto:eric@vfalegal.com)

Meeting: Scheduled as needed by Chair/Co-Chairs

Status/Project: Agenda pending

Membership Status: Looking for new members.

* Medicaid subcommittee met with HCPF yesterday – no further update.

**v**. **Medicaid Legislative Committee – No Report**

Contact/Chair: Virginia Frazer-Abel/Eric Kelly

[Virginia@vfalegal.com](mailto:Virginia@vfalegal.com), [eric@vfalegal.com](mailto:eric@vfalegal.com)

Meeting: Scheduled as needed by Chair/Co-Chairs

Status/Project: Review

Membership Status: Looking for new members

**vi. Probate Trial & Procedure Committee:**

Contact/Chair: Tammy Conover/Andrew Rogers

[tammy@conoverlawllc.co](mailto:tammy@conoverlawllc.co)m, [Rogers@EvansCase.com](mailto:Rogers@EvansCase.com)

Meeting: 10:00-11:00

Status/Project: Ongoing

Membership Status: Open to new members.

* UPL Subcommittee are scheduling their next meeting
* Today at 10:30am Judge Collins will be presenting to Committee

**vii. Office of the Public Guardianship Committee:**

Contact/Chair: Carl Glatstein, [carl@denverprobatelaw.com](mailto:carl@denverprobatelaw.com)

Meeting: Via e-mail and/or telephone conference as needed

Status/Project: Grants, proposed legislation

Membership Status: Open to new members.

* OPG is in the need of another commissioner – contact Sophia Alvarez if interested at [Sophiaalvarez@opg.org](mailto:Sophiaalvarez@opg.org)
* If interested in serving as a guardian – contact OPG directly. They have received authorization to hire new individuals to serve as guardians.

**viii. Mental Health Committee:**

Contact/Chair: Jonathan Culwell, [jbc@mhlawco.com](mailto:jbc@mhlawco.com)

Meeting: Via e-mail and telephone conference at this time

Status/Project: Review/consider proposed bills which address involuntary care, advanced psychiatric directives, and provisions for psychiatric care of wards and protected persons.

Membership Status: Open to new members.

* Senate Bill 117- delves into individuals who have an eating disorder while in an inpatient facility – requiring higher standards. Bill is going to Senate Appropriations Committee. Bill has a small fiscal note.
* Bridges Wraparound Program - Divergent Program – House Bill 1355 which is designed to help coordinate services when someone is applying for healthcare when being charged with crimes.
* House Bill 1217 - Sharing of Patient Health Care Information – a mental health form rider to an advance directive does three things 1) create universal health care form that cannot be denied; 2) family and friends form; and 3) digital consent depository. Currently this Bill is in the Senate Appropriations committee.

**ix. Appellate Review and Response Subcommittee – No Report**

Contact/Chair: Scott Challinor, [scott@conoverlawllc.com](mailto:scott@conoverlawllc.com)

Meeting: Via email

Status/Project: Review appellate cases and decisions affecting the practice of Elder Law, coordinate response where appropriate and possible.

Membership Status: Open to new members

b. Liaison Reports

**i. Board of Governors:** Marco Chayet. **No Report.**

**ii. Legislative Relations:**  Tyler Mounsey. **No Report.**

**iii. Trust and Estate Liaison:** Patrick Thiessen

* T&E section dues will be kept the same for 2024-2025
* T&E Annual Retreat is June 13-15, 2024 at Hythe in Vail. There are 7 potential scholarships to attend the retreat available if anyone is looking for assistance in attending. Please reach out to Patrick or CBA for more information.

**iv. SRC Liaison:** Rose Mary Zapor. **No Report.**

**v. Outreach Coordinator:** Open position

**vi. Communications Representative:** David Imbler

* CU Job Fair on March 5, 2024 – great event, lots of interest, numerous students
* DU Job Fair on March 6, 2024 – great event with lots of interest from students. DU is hosting another job fair in the Fall 2024. If interested in participating please reach out to Kayla Nelson directly.
* There is still the availability to post employment opportunities for summer. Please reach out to Kayla or David to get more information.

**vii. CBA Legislative Policy Committee Liaisons:** Lisa Blatner / Scott Challinor

* + - * SJR 013 Disability Rights in CO – signed and enacted in March 2024 – acknowledges that many CO residents are living with disabilities
      * SPO68 – crossed over from the Senate to House in March 2024. This Bill has the potential to remove some requirements to access the end of life/medical aid in dying options currently available in Colorado
      * HP 1007 – Lodged Wills – still in committee
      * SP040 – regarding state funding for senior services – looking at the inadequacies for senior services
      * HP1146 – Medicaid Providers Suspension for Organized Fraud

**viii. UTC Committee:** Michael Kirtland. **No Report.**

**ix. NAELA Colorado:** Marco Chayet

* NAELA Annual Conference will be held on May 3-4, 2024 in Boston

**x. National Guardianship Association / Colorado Guardianship Association:** Sandra Sigler

* CGA’s last meeting was a huge success. The CO Fund for People with Disabilities was so gracious to host the meeting.
* Next meeting May 14th, 2024 where retired Judge Julie Field from Larimer County will be presenting.
* Anyone who would like to attend can either go to CGA’s website directly and register or email Sandra and she would be glad to coordinate.

**xi. CBA Ethics Committee:** Michael Kirtland. **No Report.**

**xii. Probate Rules & Forms Committee:** Marcie McMinimee. **No Report**

**xiii. CBA YLD Liaison:** Tori Long. **No Report.**

**xiv.** **JEDI Committee:** Amber Marchlowska

* April 20, 2024 is the First Day of Service coordinated with Heavenly Peace. The Goal is to make 10 beds, each bed costs $250. Amber requests to post the registration link on the CBA Thrive website.

8. **New Business and Announcements**

* Susie Germany wanted to express Professor Susie Marsh’s gratitude for all the efforts put forth to coordinate the recent job fairs. The feedback received was that law students were thrilled for all the outreach from estate planning and elder law attorneys.
* Patrick Thiessen acknowledges all the hard work that everyone put into the DU and CU events.
* End of Life Options COLO is a new nonprofit organization here in Colorado. Their focus is on education for end of life. If interested in this organization, please reach out to Carl Glatstein directly.
* Megan Brand commented that on September 30, 2024 a new legislation will comeinto effect that will no longer count “food” as income to individuals with disability trusts/SNTs. For further clarification, please reach out to Megan directly.

**10:00 A.M. CLE Presentation**: Scott Challinor, Esq. – Spring 2024 Elder Law and Probate Case Law Update

**11:00 A.M. Executive Council Meeting**

**Adjourn: 9:48am**