



The Professional Guardian

eNewsletter

MAY 2017

A publication by the Guardian Association of Pinellas County for the purpose of promoting advocacy & education.

Calendar & Coming Events

MAY 10, 1:30 P.M.

GAPC BOARD MEETING

Palms of Largo - REGAL PALMS Bldg.
VERANDAH ROOM

MAY 10, 11:30 A.M.

ASSOCIATION MEETING

"Interactive Social Security & SSI Update"

STEVEN E. HITCHCOCK, ESQ.

1 CEU available

Palms of Largo - CYPRESS PALMS Bldg.
400 Lake Avenue NE, Largo

RSVP to Association Website:
www.GuardianAssociation.org

MAY 26, 9:00 A.M.

GAPC NETWORKING BREAKFAST

BRENTWOOD SENIOR LIVING
6280 Central Avenue,
St. Petersburg 33707

RSVP to Association Website
www.GuardianAssociation.org

ASSOCIATION COMMUNICATIONS
P.O. Box 1826
Pinellas Park, FL 33780
(517) 256-0403
Info@GuardianAssociation.org
www.GuardianAssociation.org

SPEAKER INFO



Steve Hitchcock, Esq.

"INTERACTIVE SOCIAL SECURITY AND SSI UPDATE"

Steven E. Hitchcock, Esq.

A member of the Florida Bar, Board Certified in Elder Law, Steve Hitchcock earned his Juris Doctor Cum Laude, and LL.M from Stetson University College of Law. He has more than 25 years of professional pharmacy practice and consulting. He is head of his private practice, Hitchcock Law Group, member of Lillesand, Wolasky, Waks and Hitchcock, LLC and Adjunct Professor of Disability Law at Stetson.

The Social Security and SSI (Supplemental Security Income) Interactive Update presentation will familiarize Guardians with structure of the social security and SSI programs, basic eligibility for both and will give Guardians tools to quickly identify which programs a client is likely to be on, based upon known financial and other factors.. Guardians will be taken through a series of interactive fact patterns to demonstrate the ways to identify applicable programs. Guardians will find this of value by being able to quickly understand a new ward or client's public benefits status. This topic will provide both practical and legal information to the guardians.

PLEASE NOTE we have a change in time and date for our regular monthly meeting. We'll be meeting at Cypress Palms at Palms of Largo, 400 Lake Ave. NE, Largo, 11:30 a.m. Lunch will be served. Bring a friend/associate and join us. Be sure to RSVP.

We'd like to send out a sincere *Thank You* to the folks at **Palms of Largo** for the use of their facilities each month for both our Regular Association Meetings at Cypress Palms and our Board Meetings at Regal Palms. Their hospitality and kindness is very much appreciated by our membership.



2017 Board of Directors Officers

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Committees

Budget & Finance Committee
David Menneke, Chair
Julia Kruger-North, Co-Chair

By-Laws / Legislative Committee
Irene Rausch, Chair
Steve Hitchcock, Esq., Co-Chair

Education / Conference Committee
Traci Samuel, Chair
Tina Costa and Irene Rausch, Co-Chairs

Membership Committee
Quyen Trujillo, Chair
Trisha Randall, Co-Chair

Public Relations Committee
Amber Watkins, Chair
Susan Brehm, Co-Chair

Newsletter Editor & Breakfast Facilities Coordinator
Phyllis Johnson
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FROM THE DESK OF THE PRESIDENT

Traci Samuel

THOUGHTS FROM THE PRESIDENT...

I have been mentioning for several weeks the exciting new thoughts you should be on the lookout for, as well as the upcoming changes you will see on the GAPC agenda this year. After a lot of discussion, weeks of planning and a little shuffling here and there, the new changes are here.

Beginning May 10th at Cypress Palms of Largo, from 11:30 a.m. -1:00 p.m. we will hold our first monthly lunch Member Meeting for 2017. Our next Guardian Networking Breakfast will take place on May 26th from 9:00-10:00 a.m. at Brentwood Senior Living in St Petersburg. You don't have to be a member to attend either event, all are welcome.

We encourage everyone to come out and join in on the great networking and learning opportunities we have lined up for you. We would also ask that you check out our website and follow the simple steps to join this great Association. We are extremely encouraged by the growth we have seen and would respectfully ask that you RSVP for our events. We want to make sure we are able to accommodate everyone.

The year has started out on a great note, and we are optimistic about what other good things the year has in store for you.

Your President,

TRACI

Traci.Flguardianship@gmail.com

Not a member of GAPC? Please consider joining us. See our website for details....click [HERE](#).



Thank you to Marcela Powers (*left*) and Kathleen Nishimura, the Marketing team at The Oaks of Clearwater

The Oaks hosted our April 28th Guardian Breakfast meeting.



Clerk of the Circuit Court

Office of Ken Burke
Clerk of the Circuit Court and Comptroller
For Pinellas County, Florida

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HELPFUL HINTS FOR THE NEW SIXTH CIRCUIT GUARDIANSHIP FORMS FROM THE CLERK'S OFFICE

Accountings and Inventories:

- Please do not delete pages out of the accounting or inventory forms. If you delete a page the automatic calculations and auto-population of the summary and other pages will not work properly. If you are trying to remove blank pages before printing, there's a better way. Simply hold down the Ctrl key while clicking on only the pages you want to print, then select Print, then select 'print active sheets'. This will print only those pages.
- You need to provide at least the first page of each schedule. For instance, if the ward has no real property, you would put 'NONE' on the first line of that schedule and print only that page of that schedule. By providing the first page of the schedule with only a zero amount, the auditors know that you did not forget to include that schedule, but
- Supporting documentation such as bank statements, property records, etc., should be placed directly behind the schedule to which they relate.

Accountings Only:

- Schedule B-4 – Other Disbursements requires that you select a category for each disbursement. "If you do not select a category, the amount entered will not be added" to either the schedule summary or the accounting summary pages. Your accounting will not balance
- Should you have to enter a check out of order, you do not need to start all over again. Please make a note on the page that it should be on, to see the page that it is on. This can be hand-written after printing.
- If the ward has a trust, and an accounting is not provided to you by a trust company, you may use the new accounting form for the trust accounting. Just select "Trust" from the drop down menu in the "Indicate Filing Type" field on the first page of the accounting form.
- If you do not have or use bookkeeping software, you can use the annual accounting as your check register, to fill in transactions as they occur. By the end of the reporting period, the accounting should be mostly complete!

Plans:

- Do not enter dashes in social security fields. Simply enter the digits and the dashes will appear automatically. If you are only providing part of a social security number, use a zero, rather than an X to indicate. For example, type in 000001234. This will convert to 000-00-1234 automatically.

E-filings:

- If you are represented by an attorney, then the annual reports must be signed by the attorney, and must be e-filed per Administrative Order 2016-018.

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MAKE MOM FEEL SPECIAL THIS MOTHER'S DAY!

BY LINDA CHAMBERLAIN, ESQ.



Linda Chamberlain, Esq.

Best recommendation – take time to spend with your Mom, let her know how much you appreciate her, and say thank you! My Mom loved fishing even though she seldom to never caught one!

We've had fun putting together this Mother's Day Gift Guide that will work for Moms of any age.

1. William Dean Chocolates

(www.williamdeanchocolates.com) \$10 - \$40

Yummy and beautifully creative is all I can say! The Banana Foster one is my favorite. Mail order is available.

2. Spanx...(www.spanx.com) \$25-\$100

While I hate to admit I wear them – I love them. They do not pull on your skin, or create even more wrinkles when you wear them. They smooth the look of whatever you are wearing. No one should live without these.

3. Netflix Subscription...

(www.netflix.com) \$9/month

I love, love, love my Netflix subscription – and I love the show Grace and Frankie. Lily Tomlin and Jane Fonda tackle issues many of us don't like to discuss and you cry and laugh with them. I can now download movies and series and watch from wherever I am, even when a Wi-fi connection is not available.

4. Lockitron... (www.lockitron.com) \$99

Our son got this for my front door, it is an awesome lock. I can unlock it for repairmen or even for myself with my iPhone. It looks good and does not take away from the design of your door.

5. A manicure/pedicure date... \$25

Accompany Mom and enjoy the time spent together while each of you enjoy a little pampering. It will provide a good hour of one on one time your Mom will thoroughly enjoy. Consider bringing a new nail polish color along for Mom to try.

6. Brownie Points...

(<https://www.browniepointsinc.com/>) \$1.25 +

Each Brownie, and the selection is huge, comes wrapped individually. These ship well, arrive beautifully and are absolutely delicious. Fun assortments available.

HELPFUL HINTSFROM THE CLERK'S OFFICE (CONTINUED FROM PAGE 3)

- Audit fees must be paid through the portal at the time of e-filing. If you are seeking to have the audit fees waived, an order waiving audit fees must be signed "before" you file the report.

If there is a "topic" you would like discussed in any of our upcoming monthly newsletter articles please email your suggestions to: probate@pinellascounty.org.

Additionally, we offer "tours" of the Clerk's Probate Department. Tours usually last between one and two hours, depending on what you and the other guests attending the tour would like to see. The tours are a good opportunity to meet Probate Department staff assisting with your cases and to understand how we process the work submitted to our office.

HOW TO CONTACT US: If we can be of assistance, please call:

Probate Court Records..... (727) 464-3321 (main line)

Jerome D. Jordan, Probate Manager.....(727) 464-3003

LEGISLATIVE UPDATE

BY IRENE RAUSCH, MASTER GUARDIAN

The Florida legislature is scheduled to conclude this year's session on May 5. Although there has been some action on bills that we have been following that will affect guardians, we won't know for sure what has passed until the session is over. Here is an update on the status of these bills:

SB 172 and HB 399 Guardianship

SB 172 sponsored by Senator Kathleen Passidomo, District 28 was laid on the table in favor of the companion House bill CS/HB 399 sponsored by Civil Justice and Claims Subcommittee and Representative Ben Diamond, District 68 and Representative Ross Spano, District 59. This bill has been enrolled and is waiting for the governor's signature. If signed, it will become law as of July 1.

744.331 (3)(h) Proposed change would require the clerk of court to serve the examining committee report on the petitioner's counsel and the attorney for the alleged incapacitated person within 3 days of receiving the report and within 10 days before the hearing of the petition. Currently the requirement is service within 5 days before the hearing. This would allow additional time for both parties to obtain witnesses or documentation prior to the hearing.

744.331(3)(i) Proposed change would allow the petitioner and the alleged incapacitated person to object to the introduction into evidence any portion (or all) of the examining committee reports by filing a written objection on the other party no later than 5 days before the hearing.

744.331(5)(a) Proposed change requires the adjudicatory hearing be conducted at least 10 days, but no more than 30 days, after the filing of the last examining committee report.

744.367(1) Changes the date to file the annual guardianship report back to the previous time frame—within 90 days after the last day of the anniversary month that the letters of guardianship

were signed. Wording has been added to clarify that the latest annual guardianship plan approved by the court will remain in effect until the court approves a subsequent plan.

744.3725(5) Removes the requirement that the ward's spouse has consented when the guardian is seeking extraordinary authority to the dissolution of the ward's marriage.

744.441(16) Proposes removal of the current maximum cap of \$ 6,000 to pay for funeral and final arrangements

SB 1408 and HB 981 Exemption from Public Records Requirements for Complainants Against Guardians.

These are companion bills on the topic of exempting from public records the names of the individuals who file a complaint to the Office of Public and Professional Guardians against a professional guardian. The name of the ward would also be exempt. The major difference in the two bills is CS/CS/HB981 contains the following wording and SB1408 does not:

744.211 Confidentiality. Section 2(a) Furthermore, if the complainant and ward are identifiable, public access to such information could jeopardize the safety of such individuals by placing them at risk for retaliation by the professional guardian against whom a complaint has been made.

At this point either one of the bills could pass. We will not know for a few days which one will.

SB 210 Exemption from Public Records Requirements for Public Guardians. This bill is being reviewed by Rules committee and has had no opposition.



Irene Rausch

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LEGISLATIVE UPDATE...CONTINUED FROM PAGE 5

This purpose of this bill is to protect Public Guardians and their families from threats made by current and former wards served by the Public Guardians. Listed below is part of the proposed language.

744.21031 Public records exemption Section 2 (1). The following information would be exempt from the public records requirement: The home addresses, telephone numbers, dates of birth, places of employment, and photographs of current or former public guardians; and their spouses and children. In addition exemption is requested for the names and locations of schools and day care facilities attended by the children of such guardians.

SB 7020 Ratification of Department of Elder Affairs Rule (Professional Guardian Standards of Practice)

This bill is for the sole purpose of ratifying the rule created by the Office of Public and Professional Guardians for Standards of Practice for Florida Professional Guardians. It is going through committees and is anticipated to pass without any problems.

SB 228 Physician Orders for Life Sustaining Treatment

SB 228, sponsored by Senator Jeff Brandes establishes the Physician Orders for Life Sustaining Treatment (POLST) program and provides requirements for the use of POLST. There has been no action on this bill and it will likely die in this session. Expect it to be introduced again in the 2018 legislative session.

To see all proposed bills, visit:

<https://www.flsenate.gov/Session/Bills/2017>

GAPC IDENTIFICATION BADGE ORDER FORM



Identification badges *with our New Logo* are available to all members free of charge.

Badges will be mailed to your address. For information, contact Traci Samuel at (517) 256-0403.

Name on badge
(Title will read *Professional Guardian*)

Shipping address

City, State, Zip

Email or phone

FOLLOW US ON SOCIAL MEDIA



Guardians and Healthcare professionals can exchange ideas, ask questions, seek solutions, build a network, and receive helpful info/updates through social messaging.

