

# **Be Bold, Be Brave & Break Barriers**

*Friday, November 16<sup>th</sup> and Saturday, November 17<sup>th</sup>*



*We all deserve the best possible lives.*

*Be a better part of someone else's!*

## Conference Details

This year's conference will be held at

**BP Energy Center  
900 E. Benson Blvd  
Anchorage, Alaska**

**Friday - 8:00 to 5:00  
Saturday 8:30 to 4:00**

**Friday Meals  
Full breakfast from 8 to 9  
Full lunch**

**Saturday  
Continental Breakfast  
Pizza lunch**

Slides for presentations will be on the ASAGA website by 11/9/18 – one week prior to the conference so please download or print for your use. BP Center does NOT have public WIFI.

Coffee, tea and water stations are available for all day use.

Please bring layers to regulate your own comfort level.

Application has been submitted to the NASW-Alaska Chapter and is pending for pre-approval of Social Work contact hours. CLE from the Alaska Bar Association is also pending.

**SUPPORTED BY:**



## OPENING SESSION

### Sex, Drugs and Rock and Roll

**Megan Brand**  
**Peter Wall**

A panel discussion reviewing uncommon requests made to trustees, conservators, guardians and agents. Case Law, litigation avoidance, drafting tips, decision making tools and distribution structures will be discussed with perspective provided from three different professional fiduciaries and counsel.

Goal and Objective of this session: Using various scenarios, the presenters will help participants work through some of the more controversial requests of their clientele to ensure their rights, quality of life and safety as well as proper steps and documentation.

## Breakout Sessions #1

### Nuts & Bolts of Financial Abuse Protection Orders

**Beth Goldstein**

Financial abuse is something that unfortunately affects many vulnerable adults of all ages but if you suspect wrong doing, there is a tool to help that anyone can utilize.

Goals and Objectives: The attendee will have a better understanding of how and when to use the Financial Abuse Protection Orders (FAP) and their role in filing them.

### Keeping Self-Determination a Focus:

**Megan Brand**

Join in for this interactive discussion of the NGA Standards related to Self-Determination, the importance of keeping the individual a focus in all proceedings and real-life scenarios encountered by the presenter that challenge even the best decision makers.

Goals and Objectives: The attendee will gain perspective on how to make a person's self-determination a priority

## LUNCH SESSION

### Guardianship Around the World

**Bob Fleischner**

Bob Fleischner will present a brief history of guardianship from the Roman Empire to current times. He will survey the exciting changes in guardianship law and practice that many nations have enacted or are actively considering in response to Article 12 of the United Nations Convention on the Rights of People with Disabilities. Special attention will be paid to laws that encourage the use of supported decision-making as a means of ensuring dignity and enhancing personal decision-making. Finally, turning his attention to the United States, Bob will discuss the new model uniform guardianship law and how some states are responding to the growing interest in supported decision-making.

## **Breakout Sessions #2**

### **Dignity of Risk and Guardianship**

**Bob Fleischner**

This presentation will focus on the concept of dignity of risk, or the right to fail, and its implications for guardianship and other forms of substituted decision-making. Bob Fleischner will explore how, beginning in the 1970s, the idea that people learn through their experiences, even bad experiences, was applied to people with disabilities. He will consider the sometimes conflicting duties of providers and others, on the one hand, to protect the person and, on the other, to allow and even encourage the person to experience new things, even if there is a risk to doing so. Finally, using examples from his experience, he will discuss how the dignity of risk is essential to supported decision-making and how it is applied in real life.

Goals and Objectives: Attendees will have an understanding of how to better balance protection with the dignity and right to fail using history, experiences and new tools.

### **Sexuality and Risk**

**Geno Daly**

This session will focus on how to detect warning signs about problematic sexual behaviors. The presenter will include information about how to maneuver if you have an individual involved with the Department of Corrections, the State of Alaska Senior and Disability Services and the role of the Center for Psychosocial Development as a provider.

Goals and Objectives: Attendees will have a better understanding of resources if caring for or working with a person at high risk of problematic sexual behaviors while having their own beliefs challenged in a way that provides more perspectives.

## **Breakout Sessions #3**

### **SDM Pilot Outcomes**

**Bob Fleischner and Anne Applegate**

Panelists will discuss the outcomes of SDM pilot programs in the US and elsewhere. The independent evaluation of a project sponsored by the Center for Public Representation and Nonotuck Resource Associates will be highlighted, including descriptions of the personal outcomes for the participants, their families and their supporters.

Goals and Objectives: Attendees will see how supported decision making has been implemented to have a better understanding of the SDMA concepts.

### **Trusts, Trusts, Trusts:**

**Megan Brand & Peter Wall**

What are the differences between disability and support trusts? Between pooled and individual? The presenters will discuss the trends across the nation in re: distributions, litigation, limitations and value.

Goal and Objectives: Attendees will have an understanding regarding the different types of trusts, available as resources and national trends.

## **OPENING SESSION**

### **TRENDS IN ALASKAN GUARDIANSHIP**

**Lisa Wawrzonek**

This presentation will cover what is new in Alaska on adult guardianship from new legislation, resources and improvements including what is new from ASAGA and the court improvement WINGS project. (Working Interdisciplinary Network of Guardianship Stakeholders).

Goals and Objectives: Attendees will be provided information on resources regarding adult guardianship across the state as well as new developments from the WINGS initiatives that will assist families in their advocacy and professionals provide clear resources and direction.

### **Relationships and Sexual Health for Individuals with Developmental Disabilities**

**Karen Ward  
Julie Atkinson**

This session will heighten awareness and engage attendees in dialog surrounding sexual health of adolescents and adults with developmental disabilities (DD) and the importance of addressing this issue in primary care and other settings. Topics of discussion will include sexual development and related issues for individuals with DD, victimization and abuse prevention, sexual rights, tips for teaching sexual health, and resources for professionals and families. Activities will include an exercise and a case study discussion.

Goals and Objectives: Attendees will have a better understanding and better tools to have important discussions with those they are guardian for around the topic of sexual health and relationships.

### **Introduction to the Division of Vocational Rehabilitation**

**Angela Gray**

Wonder what DVR does? This presentation will explain the mission of DVR, the population we serve, the process we use to help our clients, and the referral process to our agency.

Goals and Objectives: Attendees will have a better understanding of the DVR as a resource.

### **Medicaid Planning Strategies**

**Patrice Icardi and Juan San Miguel**

Join the experts when it comes to planning for and managing an individual who requires Medicaid or the Medicaid Waiver program in Alaska.

Goals and Objectives: Attendees will have a better understanding of the rules and regulations that govern the Medicaid programs so they can plan for the future and ensure eligibility.

## **Registration Information**

### **August 27, 2018 Registration Begins**

Registration 8/27 to 11/2	Friday Only	\$55.00
	Saturday Only	\$30.00
	Both Days	\$75.00
Late Registration 11/3 to 11/13	Friday Only	\$75.00
	Saturday Only	\$50.00
	Both Days	\$100.00

Registration will end on 11/13/18 and a notice will be posted on the website if door registration is available first come first serve. Door registration will be \$75.00 each day. Space is limited so register early!

## **SPEAKERS**

### **COLORADO**

**Megan Brand** is the Executive Director of CFPD-Colorado Fund for People with Disabilities. Megan began her service at CFPD in 2003 and has been the Executive Director since 2010. Megan has a bachelor's degree in social work from the College of St. Benedict over 20 years of experience in working with people with disabilities, their families, service providers, attorneys, trustees, financial planners, guardians and other professionals. She leads a staff of 25 in administering the largest and longest-standing locally managed pooled trust in Colorado, as well as providing myriad of other services that offer protection, personalized attention, access to our network of organizations and services, and financial and benefit's guidance. In addition to leading the staff, Megan is a former board member of the Colorado Guardianship Association and currently serves on the board for the National Planned Lifetime Assistance Network and Community Living Alternatives and is a frequent presenter in the community, both locally and nationally, on Special Needs Trusts.

**Peter Wall** is the National Oversight Manager for BOK Financials Disability and Elder Trust Solutions division, and is a Vice President for Colorado State Bank and Trust. Now in his 18<sup>th</sup> year of trust administration, Peter focuses his efforts in the Elder Law arena and is known for his Special Needs Trust administration and planning capabilities throughout the country. Mr. Wall is the outgoing President for the Centennial Estate Planning Council, former President of the Denver Trust Officers Association, and President of VSA Colorado Access Gallery. He is a frequent presenter on the topics of Special Needs Trusts, estate planning, taxation, and trust administration for numerous professional and community groups and was a presenter and faculty member at the CBA 2012, 2014, 2015 & 2017 Elder Law Retreat, the 2013 National Down Syndrome Congress, the 2015 46<sup>th</sup> Annual Autism Society National Conference, the 2016 CBA Estate Planning Retreat, the 2016 Stetson National Special Needs Trust Conference and the 2017 National Conference for the National Guardianship Association. Mr. Wall is also a published author, most notably in the Elder Law in Colorado Red Book, Fourth Edition. Peter

lives in Colorado with his wife and two children and is nationally renowned and touring saxophonist.

## **MASSACHUSETTS**

**Bob Fleischner** has been a disability rights attorney since 1973. He worked for more than 40 years at the Center for Public Representation, a national public interest law firm with offices in Northampton, Massachusetts and Washington, DC. A graduate of Boston College Law School, Bob is the former co-director of the Center's successful and innovative Supported Decision Making project. An experienced trial and appellate attorney, he has litigated cases and argued appeals involving guardianship, prison and juvenile justice reform, fair housing, civil commitment, right to treatment, and right to community services in state and federal courts around the country. Bob has served on the adjunct faculties of Western New England University Law School and Smith College School for Social Work. He has published a book on guardianship law and numerous articles and book chapters about disability law.

## **ALASKA**

**Beth Goldstein** is the Supervising Attorney for the Office of Elder Fraud and Assistance (EFA) at the Office of Public Advocacy (OPA). EFA assists individuals 60 and over who have been defrauded or who have suffered financial exploitation. Prior to her current position, Ms. Goldstein served as the Deputy Director for OPA, as an appellate attorney for the agency and as a trial attorney for the agency. She has been with OPA in these various capacities since 2006. Prior to coming to Alaska, Ms. Goldstein served as patent counsel at the Procter & Gamble Company, Sr. Licensing Counsel at NCR Corporation and as an Assistant Federal Public Defender in the Southern District of Ohio. Ms. Goldstein graduated from the University of New Hampshire School of Law (formerly Franklin Pierce Law) and has been a practicing attorney for 25 years.

**Anne Applegate** graduated from UC Berkeley in 1989 with B.A. in Anthropology; and from UC Hastings College of the Law with a J.D. in 1994. She studied international law in Strasburg, Brussels, and Vienna. As a law student, Anne interned at Disability Rights Wisconsin and was a non-governmental organization delegate to the UN World Conference on Human Rights in Vienna. She was admitted to practice law in Wisconsin in 1994 and in Alaska in 2000. Anne has been a judicial clerk, a sole practitioner, an associate in a general practice firm, and a staff attorney for the designated Alaska Protection and Advocacy Agency, Disability Law Center of Alaska (DLC). Anne has taught Disability Law and Ethics at the University of Alaska Anchorage as an adjunct instructor and joined the staff of the Governor's Council on Disability and Special Education as a Program Coordinator II in March of 2017.

**Geno Daly** began his work as a clinician at the Center for Psychosocial Development in June 2002 and has been the Director since 2005. Geno is a Licensed Clinical Social Worker, Chemical Dependency Counselor II, and a Sex Offender Treatment Provider. CPD provides specialized treatment for individuals who experience intellectual developmental disabilities, co-occurring mental health illnesses, trauma histories, substance abuse histories and high-risk sexual behaviors.

**Karen Ward, Ed.D.**, is the Director of the University of Alaska Anchorage Center for Human Development, UCEDD. Dr. Ward has wide experience as an educator, practitioner, and researcher in the field of disabilities, with training, experience, and published research in

disability victimization and sexuality. She is the founder of the Friendships & Dating Program, that teaches social skills to individuals with intellectual and developmental disabilities to promote sexual health.

**Julie Atkinson** is a Research Professional at the University of Alaska Anchorage Center for Human Development. She is the program coordinator for the Friendships & Dating Program overseeing training, implementation, evaluation, and technical assistance. Julie holds a Master of Science from Utah State University and has worked as an aide in state government on health and disabilities issues.

**Angela Gray, MS, CRC** is a Vocational Rehabilitation Counselor for the Division of Vocational Rehabilitation and has been with the agency for 10 years. She received a M.S. in Rehabilitation Counseling from Virginia Commonwealth University and is a Certified Rehabilitation Counselor. She has over 15 years of experience working with individuals with disabilities and currently provides services to a general caseload, transitioning youth, and individuals who are deaf and hard of hearing.

**Juan San Miguel** was born in Guayama, Puerto Rico, raised in Bethlehem, Pennsylvania and currently resides in Anchorage, Alaska. He served in the United States Army from 7/78-9/ 92 and attained the rank of Sergeant First Class as a Food Service Specialist. Juan graduated from Central Texas College (Associate in General Studies), and Alaska Pacific University (Bachelor in Organizational Management). He has attended Leadership Anchorage as well as numerous leadership courses in the military. Juan currently owns Louisa's Legacy providing Care Private Guardianship, Conservator, and Trustee services to vulnerable adults and the elderly in Alaska. Juan takes pride in helping people in his community. He serves as Immediate Past President of Alaska PTA and is on the ASAGA Board of Directors. Juan is married to Teresa for 34 years with three daughters, Teresa Marie, Cassie and Kristine. He also has two grandsons Dakota and Christian.

**Patrice A. Icardi** is an elder law attorney in Anchorage, Alaska. She is a Pennsylvania native and a graduate of Florida State University (1977 B.A. American Studies), Duquesne University School of Law (1981 Juris Doctor) and Stetson University College of Law (2010 Masters of Law in Elder Law (LL.M.) Ms. Icardi is a member of the Alaska Bar Association and the Florida and Pennsylvania Bars but practices exclusively in Alaska. She is a member of the National Academy of Elder Law Attorneys (NAELA) where she currently serves on the Guardianship and Conservatorship Steering Committee. She is also a member of Elder Counsel and serves on the Board of ASAGA. Her practice areas include the issues and concerns of the elderly and disabled populations, Medicaid planning, probate, Special needs trusts and guardianship and conservatorships.

**Lisa Wawrzonek, MS** has been a Court Visitor investigating adult guardian and conservatorships for over 18 years. She graduated from UAA with a Bachelor's in Human Service, an Advanced Human Service Certificate and a Masters in Gerontology. She spent 15 years with the Alzheimer's Resource of Alaska as a care coordinator, supervisor and Education Director. She is a past board member of ASAGA and is currently the administrator of ASAGA. She is a recipient of the NGA State Affiliate Award of Excellence. Ms. Wawrzonek also serves on the WINGS work group committee that looks at guardianship improvement in Alaska.

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## JACKSON STANLEY CONFERENCE SCHOLARSHIP

Help us to once again honor an Alaskan guardian with a trip to the National Guardianship Association while also showcasing what services you have to help others be bold, be brave and break the many barriers that face our vulnerable adults every day!

You'll receive a display table and chair as well as access to both breakfast, lunch and refreshments all day. In addition, we'd like to invite you to write up a short description of who you are, who you serve and what you do that will be sent out in our conference wrap-up email that will go out the first part of December. Reach over 1500 individuals statewide with your good works!

FEE for BOTH days – November 16<sup>th</sup> and November 17<sup>th</sup> \$150.00

FEE for FRIDAY OR SATURDAY only \$100.00

All proceeds of the table rentals go towards giving back in our community by sending the winner of our 2019 Jackson Stanley Conference Scholarship to the National Guardianship Conference in October 2019.

**CONTACT ASAGA AT 444-4015 OR [ASAGAAK@GCI.NET](mailto:ASAGAAK@GCI.NET) FOR TABLE RENTAL. SPACE IS VERY LIMITED.**

