



North Carolina Department of Health and Human Services
Division of Aging

2405 Mail Service Center • Raleigh, North Carolina 27699-2405
Courier 56-20-25 Fax 919-715-0023

Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Karen E. Gottovi, Director
(919) 733-3983

January 30, 2004

Dear County Director of Social Services, Area Mental Health Director, Local Health Department Director, and County Department on Aging Director

Subject: Training for Public Agent Guardians

Ethical dilemmas frequently arise during decision making and are often challenging for the guardian. The guardian is very often concerned about liability when making difficult decisions in the best interest of wards. This may be especially true when the guardian is challenged with whether to, for example, consent to invasive medical treatment that may harm the ward, implement do not resuscitate orders, or withhold or withdraw extraordinary means.

The Division of Aging is pleased to announce that two guardianship workshops entitled, Guardianship: "Decision Making, Legal and Ethical Issues", will be held during SFY 2003-04. **These 2-day workshops are specifically designed only for directors, and assistant directors of local human services agencies who serve as disinterested public agent guardians, and attorneys working with these agencies.**

Through case-based discussions, lecturates, and audio visual materials participants will be introduced to key concepts, issues, and ethical principles that may be used to facilitate informed decisions; practical strategies that, if adopted, may be utilized to strengthen existing policies and procedures for decision making; and approaches the guardian may utilize that support both the guardian's legal mandates and duties to the ward and limit the guardian's liability.

Mark your calendars for these workshops and share with your *legal staff. You do not want to miss this opportunity to learn from and share ideas and issues with peers and experts, such as, David Resnik, Ph.D., Department of Medical Humanities, Brody Medical Center, East Carolina University, attorneys from the NC Attorney General's Office, and human services professionals.

The workshops will be held in the following locations:

March 25 & 26, 2004

Ramada Inn
Salter Path Road
Atlantic Beach, NC

May 6 & 7, 2004

Western Piedmont Community College
200 East College Drive
Morganton, NC

(*Continuing Legal Education (CLEs) credits have been applied for.)

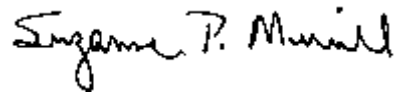
Dear County Director
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You must pre-register if you plan to attend a workshop. There is no limit on the number of participants who may attend a particular workshop. Registration information is attached. Please complete all information on the registration form and duplicate if more than one person from your agency plans to attend. Please return all registration information at least two weeks in advance of the specified workshop.

You will be mailed a confirmation letter, directions to the workshop site, and suggestions about overnight accommodations for the workshop in Morganton. If you plan to attend the workshop in Atlantic Beach, the hotel information is attached. Please contact the hotel and make your reservations.

If you have questions or need additional information about the workshops, please contact Rosalyn Pettyford, Guardianship Program Consultant, at (919) 733-3818, or for county departments of social services, your Adult Programs Representative.

Sincerely,

A handwritten signature in black ink that reads "Suzanne P. Merrill". The signature is written in a cursive style with a large initial 'S'.

Suzanne P. Merrill, Chief
Adult Social Services Section

SPM/rp

AFS-01-2004

Attachments

Guardianship: "Decision Making, Legal and Ethical Issues"

Workshop Registration Form

(An agenda follows the registration information)

To register complete the form below and mail or fax to:

Monica Nealous
NC Division of Aging
Adult Social Services Section
325 North Salisbury Street
2405 Mail Service Center
Raleigh, NC 27699-2405

Fax: (919) 715-0023
Phone: (919) 733-3818

You must pre-register

Name: Ms./Mr./Dr. _____

Home Phone:*() _____ SSN:** _____

Job Title: _____

Agency: _____

Work Phone:() _____ Fax:() _____

Work Mailing Address: _____

City: _____ State: _____ Zip Code: _____ Courier #: _____

County: _____

E-Mail Address: _____

Program Area: _____

*Home phone number is requested in event of last minute postponement due to impending severe weather.

**Social Security Number is requested for internal record keeping purposes only.

↓ Please Indicate (✓) the Workshop Location You Will Attend:

Ramada Inn **March 25 & 26, 2004**
Atlantic Beach, NC *(register by March 12, 2004)*

Western Piedmont Community College **May 6 & 7, 2004**
Morganton, NC *(register by April 23, 2004)*

REGISTRATION INFORMATION

**Ramada Inn
Atlantic Beach, NC**

Please call 1-800-338-1533 to reserve a room.

***Room Rates: \$35.00 per night (single occupancy)**

\$40.00 per night (double occupancy)

*** To ensure the special room rates, please make sure to indicate that you will be attending the NC Division of Aging Guardianship Workshop.**

Guardianship: Decision Making
“Legal & Ethical Issues”
(A Workshop for Human Services Agency Directors, Assistant Directors & Attorneys)

AGENDA

DAY 1

- 8:30 AM Check-In
9:00 Welcome/Introductions
9:30 **SESSION ONE: Purpose & Scope of Guardianship**
(The Honorable C, Whitfield Gibson)
 Alternatives to Guardianship
 Full/Limited Guardianship
 Restoration to Competency
10:45 **BREAK**
11:00 **SESSION TWO: The Guardian, Surrogate Decision Maker and Advocate**
(Rosalyn Pettyford)
 Standards for Decision Making (Best Interest/Substituted Judgment)
 Principles for Decision Making
12:00 **LUNCH (On Your Own)**
1:30 **SESSION TWO (cont.)**
(Bobbie Redding, JD)
 Decisions/Choices/Risky Behaviors
2:45 **BREAK**
3:00 **SESSION TWO (cont.)**
(Belinda A. Smith, JD)
 Rights Wards Lose/Retain/Regain
 Advance Directives: Decision Making Tools
4:30 **Adjourn**

DAY 2

- 8:30 Check-In
9:00 **SESSION THREE: Ethical Issues in Health Care Decision Making**
(David Resnik, JD, PhD)
Video: Bill Moyers “On Our Own Terms”
 Ethics Defined
 Ethics vs. Law/Regulations
 Ethics vs. Religion
 Ethical Decisions/Dilemmas
 Common Ethical Dilemmas in Health Care
 Principles of Health Care Ethics
 Five-Step Approach to Ethical Decision Making
10:45 **BREAK**
11:00 **SESSION THREE (cont.): Case Based Discussion**
 Case One: Futile Care?
 Case Two: Double-Effect Death
 Case Three: Implementing Advance Directives
 Case Four: Decision Impairment and Informed Consent
12:00 **LUNCH**
1:00 **SESSION THREE (cont.)** (Rosalyn Pettyford)
 Written Guidelines/Procedures
 Delegating Decision Making
1:30 **SESSION FOUR: Documentation and Confidentiality** (Bobbie Redding, JD)
2:45 **BREAK**
3:00 **SESSION FIVE: The Guardian’s Liability** (Belinda A. Smith, JD)
4:00 **Adjourn**