



North Carolina Department of Health and Human Services  
Division of Social Services

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

Pheon E. Beal, Director  
(919) 733-3055

December 16, 2002

**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 Social Services is pleased to announce that two guardianship workshops entitled, Guardianship: "Decision Making, Legal and Ethical Issues", will be held in the spring and summer of 2003. **These 2-day workshops are specifically designed 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, lectorettes, 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 share 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 13 & 14, 2003**

Guilford County Emergency Services  
Greensboro, NC

**May 1 & 2, 2003**

Ramada Inn  
Atlantic Beach, 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 forms 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 Guilford County. 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,



John T. Tanner, Chief  
Adult and Family Services Section

JTT/rp

Attachments

AFS-19-2002

# 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 Social Services  
Adult and Family 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:

**Guilford County Emergency Services Building**  
**Greensboro, NC**

**March 13-14, 2003**  
*(register by February 24, 2003)*

**Ramada Inn**  
**Atlantic Beach, NC**

**May 1-2, 2003**  
*(register by April 11, 2003)*

**REGISTRATION INFORMATION**

**Ramada Inn  
Atlantic Beach, NC**

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

**\*Room Rates:       \$54.00 per night (single occupancy)**

**\$59.00 per night (double occupancy)**

**\*Make sure to indicate that you will be attending the NC Division of Social Services  
Guardianship Workshop to ensure the special room rates.**

**Guardianship: Decision Making**  
**“Legal & Ethical Issues”**

(A Workshop for Human Services Agency Directors, Assistant Directors & Attorneys)

**AGENDA**

**DAY 1**

- 9:30 AM Registration  
10:00 Welcome/Introductions  
10:15 Guardianship – Scope & Purpose  
Alternatives to Guardianship  
Full/Limited Guardianships  
Restoration to Competency  
11:00 **BREAK**  
11:15 Decision Making  
Standards (Best Interest/Substituted Judgment)  
Principles  
Advance Directives - Decision Making Tools  
12:00 **LUNCH (On Your Own)**  
1:30 Decisions/Choices/Risky Behaviors  
(Guardians as Advocates)  
Case Based Discussion  
2:45 **BREAK**  
3:00 Rights Wards Lose/Retain  
4:00 Discussion  
4:30 PM Adjourn

**DAY 2**

- 9:30 AM Video: (Bill Moyers – “On Our Own Terms”)  
Ethical Issues in Health Care Decision Making  
Ethics vs. Law/Regulations  
Ethics vs. Religion  
Ethical Decisions/Dilemmas  
Principles of Health Care Ethics  
Five-Step Approach to Ethical Decision Making  
10:45 **BREAK**  
11:00 Case-Based Discussion  
Case One: Futile Care?  
Case Two: Double-Effect Death  
Case Three: Implementing Advance Directives  
Case Four: Decisional Impairment and Informed Consent  
12:00 **LUNCH (On Your OWN)**  
1:00 Written Guidelines/Procedures  
Delegating Decision Making  
Confidentiality  
2:15 **BREAK**  
2:30 The Guardian’s Liability  
4:00 Discussion  
4:30 PM Adjourn