



Ice Breaker:

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# Report back on homework

- Tell us what you learned from the fact sheet on guardianship in your state.
- Were you surprised by what you learned?

# Learning Objectives

1

**Understand  
different types of  
guardianship  
alternatives**

2

**Learn about what  
different types of  
guardianship  
alternatives do  
and don't do**

3

**Learn some pros  
and cons about  
different types of  
guardianship  
alternatives**

# Words/Phrases for the Week

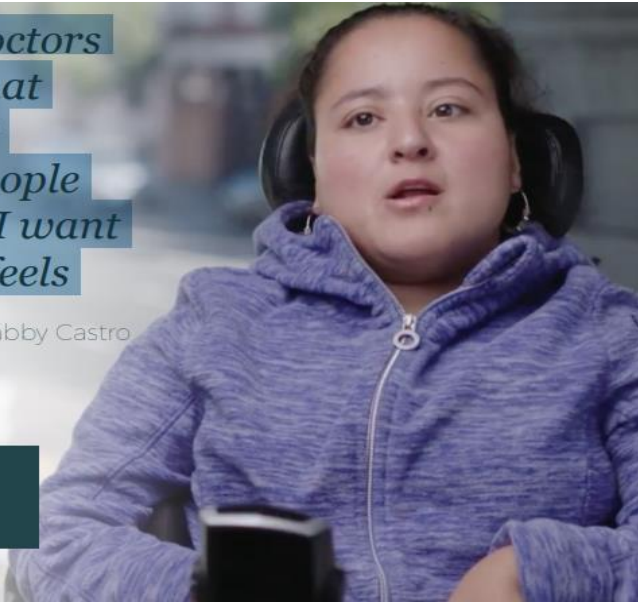
Supported Decision Making (SDM)

Supported Decision Making Agreements

Alternatives to Guardianship

*“I could show the doctors who I really was, that I could speak up for myself....To have people look at me the way I want them to look at me feels great.”*

— Gabby Castro



SDM in Action:  
Gabby Castro

Gabby Castro is an individual living with spina bifida, a condition where the spine never fully develops. Gabby lives in Massachusetts and developed a team of supporters including her mother and a health advocate named Mark. Gabby had blurred and sometimes double vision because of her disability.

Her doctor suggested eye surgery. Surgery is a difficult decision and they had a lot of questions about it. Gabby and her supporters had discussions about it and with their help, she decided to go through with the surgery.

The surgery was a success!

# Decisions, Decisions, and Decisions...

- Everyone has made bad decisions
  - How can we support people to learn from their decisions/mistakes
  - Mistakes are a life lesson not a life sentence
- People learn from their mistakes
- You can ask for help
- People can make decisions on their own



# **Making decisions can be a lot of responsibility!**

Supported Decision-Making might be a good solution

Helps people with disabilities keep their rights as adults

Offers guidance and assistance from people they trust

Creates a formal network of volunteer supporters to help a person with a disability make decisions and life choices

# So, what is Supported Decision-Making?

It's people with disabilities retaining their rights

It's supporters providing guidance and assistance

It's an alternative to guardianship


It's the person with disability who gets the support of other **people they trust** to make their own decisions about the direction of their lives

# Supported Decision- Making can also...

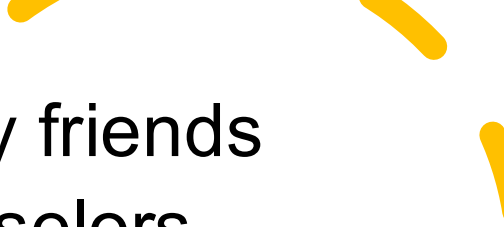
Help you and your supports to make complicated decisions in your life such as:

- Who to be friends with
- Which car to buy
- Whether or not to buy a house
- What career to have

...and much, much more



**Supporters  
are people  
who help  
with making  
decisions.  
This can  
include:**

- 
- Family
  - Personal and family friends
  - Teachers and counselors
  - Religious or faith leaders
  - Coaches
  - Employment specialists and/or employers
  - Financial and legal advisors
  - Medical professionals (medical, dental, psychological/ psychiatric)
  - Other people who help you



## The Murrell Family's Story

Janna, Mark and Tucker had a serious conversation after attending a conference where they learned about Supported Decision-Making (SDM). They considered the reality of their situation and discussed ways to address their concerns. Together, they decided to try SDM and use some of the tools recommended.

# The Murrell Family's Story



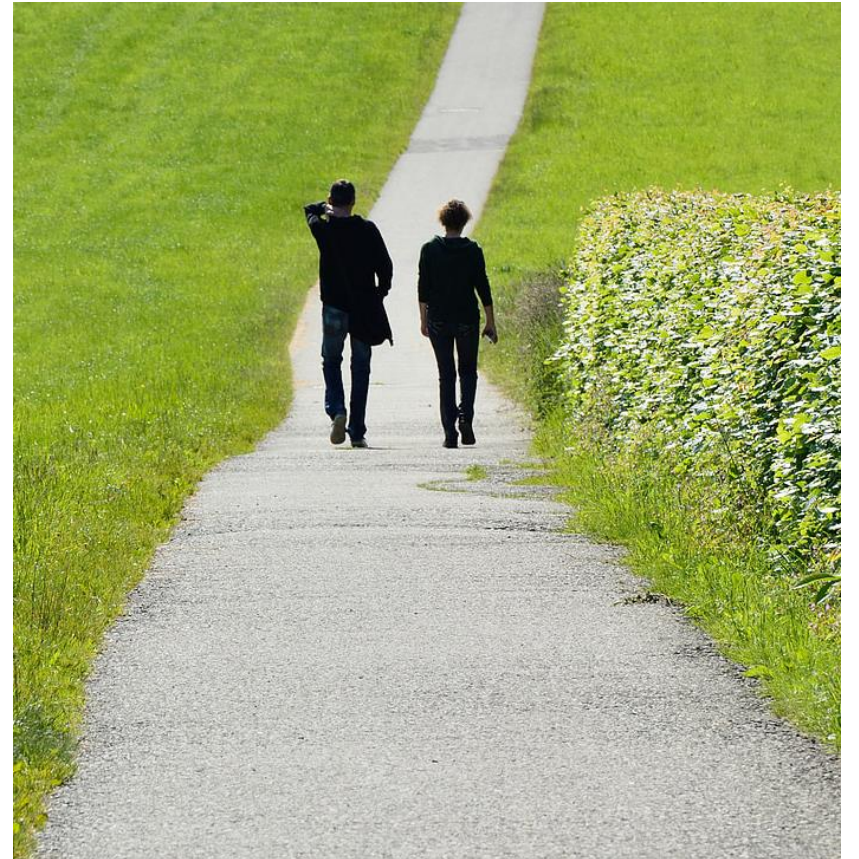
*Janna and Tucker Murrell*

Supported decision making isn't just about not petitioning the court for guardianship. Janna explained, "For us, it was all about using his existing network and explicitly talking about SDM with them. It's no longer us making decisions for Tucker. Now it's Tucker's decision. If he needs help, he asks for help from his team. They all understand that Tucker is a part of every conversation."

# Deciding if Supported Decision-Making is Right for You

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Supported Decision-Making is all about receiving the right support at the right time to live as independently as possible.



# Supported Decision-Making helps you:

1

Communicate  
wants and needs

2

Make decisions for  
yourself

3

Learn from your  
mistakes

# Ask Yourself This

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Given the right support, can people with disabilities make decisions for themselves?





# Small Group Activity

What kinds of decisions have you made with supports?

Can you think of people you can ask for support on an important decision?

Are there certain people you may not want to ask?  
Why?

What are the pros and cons of making decisions with support and without support?

## What Is a Supported Decision-Making Agreement?

### A Supported Decision-Making Agreement is:

- An arrangement between two or more people
- A description of responsibilities
- An explanation of supporter's rights
- A document that helps inform others that a formal relationship exists



# Do I Need an Agreement?

A Supported Decision-Making Agreement puts into writing exactly what a person with a disability expects from their supporters.

This agreement protects the privacy of a person with a disability by defining what information a supporter is allowed to receive or see.

## **Do I Need an Agreement?**

It also lets people who provide services – like doctors, lawyers, and support coordinators – know that supporters can participate in appointments and decision-making.

# A Sample Supported Decision- Making Agreement

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- Name of a Supporter
- Start Date
- Consent of Supporter
- Signing & Notarizing



# Sample Supported Decision-Making Agreement

## SUPPORTED DECISION-MAKING AGREEMENT

### Appointment of Supporter

I, \_\_\_\_\_, make this agreement of my own free will.

I agree and designate that: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

is my supporter. My supporter may help me with making everyday life decisions relating to the following:

(Yes)/(No) obtaining food, clothing, shelter.

(Yes)/(No) taking care of my physical health.

(Yes)/(No) managing my financial affairs.

My supporter is not allowed to make decisions for me. To help me with my decisions, my supporter may:

1. Help me access, collect, or obtain information that is relevant to a decision, including medical, psychological, financial, educational, or treatment records;

2. Help me understand my options so I can make an informed decision; or

3. Help me communicate my decision to appropriate persons.

(Yes /No) A release allowing my supporter to see protected health information under the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191) is attached.

(Yes /No) A release allowing my supporter to see educational records under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) is attached.

### Effective Date of Supported Decision-Making Agreement

This supported decision-making agreement is effective immediately and will continue until (insert date) or until the agreement is terminated by my supporter or me or by operation of law.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

### Consent of Supporter

I, (name of supporter), consent to act as a supporter under this agreement in exchange for the opportunity to meaningfully participate in the life of this person and the person's pursuit of independent living.

\_\_\_\_\_  
(Signature of supporter) (Printed name of supporter)

### Signature

\_\_\_\_\_  
(My signature) (My printed name)

\_\_\_\_\_  
(Witness 1 signature) (Printed name of witness 1)

\_\_\_\_\_  
(Witness 2 signature) (Printed name of witness 2)

State of \_\_\_\_\_

County of \_\_\_\_\_

This document was acknowledged before me on \_\_\_\_\_ (date) by \_\_\_\_\_ and \_\_\_\_\_  
(name of adult with disability) (name of supporter)

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_  
WARNING: PROTECTION FOR THE ADULT WITH A DISABILITY  
IF A PERSON WHO RECEIVES A COPY OF THIS AGREEMENT OR IS AWARE OF THE EXISTENCE OF THIS AGREEMENT HAS CAUSED TO BELIEVE THAT THE ADULT WITH A DISABILITY IS BEING ABUSED, NEGLECTED, OR EXPLOITED BY THE SUPPORTER, THE PERSON SHALL REPORT THE ALLEGED ABUSE, NEGLECT, OR EXPLOITATION TO THE DEPARTMENT OF DEPARTMENT OF ECONOMIC SERVICES, ADULT PROTECTIVE SERVICES BY CALLING \_\_\_\_\_ OR ONLINE AT \_\_\_\_\_.

## **Supported Decision-Making Agreements – Things to Remember**

Lets everyone know what is expected

Helps protect the person with a disability as well as supporters

Tells doctors, lawyers, and other service providers that you have assistance to help make your own decisions

Can be changed or terminated/ended at any time

# In Review about Supported Decision-Making

**Offers  
guidance and  
assistance**

**Planning is  
important**

**The Agreement  
provides  
protection**

# Homework



**Learn about supported decision-making and report back**



**Step 1: research one thing about supported decision-making from your state**



**Step 2: share one resource about supported decision-making with the whole group on Monday**

Questions?



## About

The Center is a project of the Institute for Community Inclusion at UMass Boston (ICI) in partnership with:

- Center for Public Representation (CPR)
- Self Advocates Becoming Empowered (SABE)
- Human Services Research Institute (HSRI)

in consultation with experts from:

- Harvard Law School Project on Disability
- Georgia Advocacy Office

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### For more information

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