Arizona
Supported Decision-Making

For People with Disabilities and their Supporters

Supported Decision-Making Project is Funded by Arizona Developmental Disabilities Planning Council

The Arc Arizona

DISABILITY RIGHTS ARIZONA

Arizona Developmental Disabilities Planning Council℠

Presenters

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Disclaimer: The information discussed in today's presentation is for educational/informational use only. Participation in this presentation does not create an attorney-client relationship.

By a show of hands, how many of you have used the advice of someone you know to inform a decision you needed to make?

Agenda

- Part 1
  - Guardianship, rights
  - How SDM, legal protections, and technology can help a person navigate different areas of their lives
- Part 2
  - Supported decision-making
  - What is it? How to create a team
- Part 3
  - Complements and other legal options

Before we start, a Note on Guardianship

- Start with the presumption of capacity. Look at the areas where the individual does not need support and the areas they do need support.

- SDM should be considered first because it falls in line with the disability right's movement. Use SDM as a basis and add other complements to fit the individual's needs. Every individual should be given an opportunity to live self-directed lives, but

- SDM will not be an appropriate option for every individual. Some individuals will need guardianship and each case should be looked at on an individual basis.

"All parents have fears about whether their teenager will be ready for the responsibilities of adulthood when they turn 18, but it is only the parents of teenagers with disabilities who are regularly advised that they have the option of preventing the child from becoming legally an adult in the eyes of the world."
-- National Council on Disability

SDM and Other Options

SDM

- The individual forms a team of supporters to assist in different ADLs.

Less Restrictive Alternatives

- Legally recognized options that enables an individual to appoint an agent.
- POA, HPOA, Voc Rehab Rep, Rep Payee

Limited Guardianship

- A court will appoint guardianship for certain areas.

Guardianship Conservatorship

- The most restricitve intervention.
- Guardianship = guardian of the individual
- Conservatorship = guardian of the estate

Individual rights at stake

- Making financial decisions
- Managing healthcare, making decisions
- Pursuing education, employment
- Relationships and marriage
- Voting

Guardianship – Findings; limitations A.R.S. § 14-5304(B)(3)

- Petition to the court
  - The petition asks, whether the petitioner (prospective guardian) thinks a guardian is necessary because the individual's needs cannot be met by less restrictive means, including the use of appropriate technological assistance.
  - Before you consider the following:
    - Have you considered less restrictive alternatives?
    - Have you spoken with social service providers?
    - Have you spoken with health professionals (healthcare, mental/behavioral healthcare)?
    - Can technology help? https://supporteddecisionmaking.org/resource-library/
- The statute states, before appointing a guardian, that "[t]he person's needs cannot be met by less restrictive means, including, the use of appropriate technological assistance."

Tech, Law, and Healthcare

What healthcare providers should know about SDM

- People are healthiest when they:
  - Understand their conditions and treatments
  - Share in making decisions with healthcare providers
  - Receive support from trusted helpers, and
  - Retain as much choice and control as possible

Source: https://odpc.ucsf.edu/content/partners-in-health-implementing-supported-healthcare-decision-making-for-users-of

- Using SDM in Healthcare
  - Review Communication preferences and evaluate augmentative and alternative communication devices (e.g., sign language, picture communication boards, speech-generating devices)
  - Using telehealth, if and when it's appropriate
  - Using medication app reminders
    - Prompter connected pill box – reminds users when it's time to take medication, can alert supporters if medication isn't taken
    - Talking Pill Reminder – supporters and individuals can set a 30-sec recording wit personalized messages

The Health Evaluation and SDM

- Review the PRACTICAL toolkit https://systems.aucd.org/docs/phe/supported-decision-making-manual-for-medical-professionals.pdf, for healthcare providers
- Look for other alternatives and technology that can help individuals make decisions
- If asked to fill out a guardianship medical evaluation, spend time with the patient, and explore other alternatives

Questions and considerations for healthcare professionals

- The health evaluation form should be an in-depth discussion and analysis since the outcome could be a deprivation of rights.
- Review IEPs and psychological evaluations to get a more complete, holistic view of the individual. We recommend that the healthcare professional not rely solely on proposed guardian's account
- Questions
  - What does the typical day look like for the individual?
  - Does the individual rely on supports? If so, what do those supports look like?
  - How does the individual manage their income or benefits?
  - What are the individual's goals? Would they like to pursue further education? A job?
  - What are the individual's strengths? Where do they need support?
  - Are there technology tools that can help provide supports?

How Healthcare Providers can talk about tech

- Identify the area of concern
  - Managing finances, financial exploitation
  - Managing healthcare, taking medications
  - Managing education, post-secondary goals
  - Self-care (hygiene, cooking)
- Look for tools
  - Arizona Technology Access Program (AzTAP) https://aztap.org/
  - MDTAP https://sites.google.com/site/mdtapatinventory/browse-our-inventory/aids-for-daily-living/health-medication-aids

The ADA and Reasonable Accommodations

- Reasonable Accommodations. Supporters can...
  - … request extra time for appointments
  - … request specific appointment times (mornings or later appointments for patients who experience sensory disabilities)
  - … request multiple appointments, if needed
  - … request telehealth
- Supporters can help with managing chronic and complex health conditions, transitioning from pediatric care to adult care
- Identifying communication preferences
  - Auxiliary aids and services
  - Plain language
  - Communicating patient history
  - PACT mobile app - https://juniperpublishers.com/jojnhc/pdf/JOJNHC.MS.ID.555837.pdf
  - Boston University guidance https://ciswh.bu.edu/wp-content/uploads/2025/06/Transition_workbook_revised_v4_pdf.pdf

Tech, Law, and Transition Planning/Employment

Tips for successful transition planning

- Planning starts around age 14
- School should conduct age-appropriate evaluations
  - Identify strengths
  - Preferences
  - Interests
  - Needs
- Write postsecondary measurable goals
  - Education/training, employment, independent living (as needed)
- Identify transition services
  - Community experiences
  - Post-secondary disability rights offices
  - Related services
  - Employment/living skills
- SDM can bring in key players to help the student meet transition planning goals

Path to Reaching Employment Goals

- The ADA and employment
- Reasonable accommodations so you can perform the essential functions of the job.
  - Examples: assistive technology, job restructuring, modified schedules
- How can you explore reasonable accommodations?
  - Start at askjan.org/a-to-z.cfm
  - Search by disability
  - Scroll to Accommodation Ideas, and search by limitation or work-related function
  - Choose the area you need help with(e.g., attentiveness/concentration, noise sensitivity, organizing/planning)

How Supporters Can Help

- Assist with identifying strengths and goals and communicating goals with others
- Help identify whether reasonable accommodations are needed to perform the essential functions of the job
- Help evaluate technology to see if it is appropriate
- If a VR member, serve as a VR advocate for the individual

JAN Example

- Individual with difficulties with attentiveness and executive functioning

Attentiveness/Concentration

- Products
  - Alternative Lighting
  - Applications (apps)
  - Apps for Concentration
  - Cubicle Doors, Shields, and Shades
  - Desk Organizers
  - Desk Pedal Exercisers
  - Electronic Organizers
  - Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
  - Fidget Devices
  - Focus Enhancement
  - Full Spectrum or Natural Lighting Products
  - Noise Abatement

Executive Functioning Deficits

- Apps for Concentration
- Apps for Memory
- Calendars and Planners
- Checklists
- Color Coded System
- Cubicle Doors, Shields, and Shades
- Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
- Extra Time
- Flexible Schedule
- Form Generating Software
- Full Spectrum or Natural Lighting Products
- Job Coaches

Supported Decision-Making

What is Supported Decision-Making?

Choices, choices, choices…

Sometimes we ask for help

And that's –

Supported Decision-Making

Making decisions can be a lot of responsibility!

If that's the case, 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 supports to help a person with a disability make decisions and life choices**

Supporters

Volunteers who help person with disability make decisions

Could include:

- Family members and caregivers
- Personal and family friends
- Teachers and counselors
- Religious or faith leaders
- Coaches or recreation specialists
- Employment specialists and/or employers
- Financial and legal advisors
- Healthcare professionals (medical, dental, psychological/psychiatric)

All sign a legal Agreement to do what's best for person with a disability

SDM - The Mental and Behavior Benefits

Supportive Decision Making has overall benefits to both the families involved and the individual themselves.

Pros of SDM:

Empowerment and Autonomy
Increase Self-Confidence
Reduction in Anxiety
Promotes Positive Relationships
Improved Communication
Opportunity to Build Life Skills
Minimizing Dependency
Choice in Daily Life
Increase Engagement
Facilitates Problem-Solving
Consistency and Continuity

By fostering autonomy, self-confidence, and active participation in decision-making, supported decision-making helps reduce the negative behaviors that can arise from the limitations of guardianship. It provides individuals with developmental disabilities the tools, support, and opportunities to take control of their lives in a way that is empowering, builds skills, and reduces frustration. This approach not only prevents harmful behaviors but also promotes overall well-being and independence.

Supported Decision-Making

Deciding if Supported Decision-Making is Right for You

Deciding if Supported Decision-Making is Right for You

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

Supported Decision-Making requires capacity to:

- Communicate wants and needs
- Make decisions for self
- Learn from mistakes

Ask Yourself This:

Given the right support, can the person with the disability make decisions for himself or herself?

If the answer is “YES”…

Planning is ESSENTIAL

- **Charting the LifeCourse Toolkit**

https://www.lifecoursetools.com/lifecourse-library/exploring-the-life-domains/supported-decision-making/

CHARTING THE LIFECOURSE | EXPLORING DECISION-MAKING SUPPORTS

This tool was designed to assist individuals and supporters with exploring decision making support needs for each life domain.

Name of Individual: _____

Name of person completing this form: _____

Relationship to individual (circle one): Self Family Friend Guardian Other: _____

How long have you known the individual? _____

For each question below, mark the level of support you need when making and communicating decisions and choices in the Charting the LifeCourse life domains.	I can decide with no extra support	I need support with my decision	I need someone to decide for me

Daily Life & Employment

Can I decide if or where I want to work?			
Can I look for and find a job? (read ads, apply, use personal contacts)			
Do I plan what my day will look like?			
Do I decide if I want to learn something new and how to best go about that?			
Can I make big decisions about money? (open bank account, make big purchases)			
Do I make everyday purchases? (food, personal items, recreation)			
Do I pay my bills on time? (rent, cell, electric, internet)			
Do I keep a budget so I know how much money I have to spend?			
Am I able to manage the eligibility benefits I receive?			
Do I make sure no one is taking my money or using it for themselves?			

Healthy Living

Do I choose when to go to the doctor or dentist?			
Do I decide/direct what doctors, medical/health clinics, hospitals, specialists or other health care providers I use?			
Can I make health/medical choices for my day-to-day well-being? (check-ups, routine screening, working out, vitamins)			
Can I make medical choices in serious situations? (surgery, big injury)			
Can I make medical choices in an emergency?			
Can I take medications as directed or follow a prescribed diet?			
Do I know the reasons why I take my medication?			
Do I understand the consequences if I refuse medical treatment?			
Can I alert others and seek medical help for serious health problems?			
Do I make choices about birth control or pregnancy?			
Do I make choices about drugs or alcohol?			
Do I understand health consequences associated with choosing high risk behaviors? (substance abuse, overeating, high-risk sexual activities, etc.)			
Do I decide where, when, and what to eat?			
Do I understand the need for personal hygiene and dental care?			

Continue on back »

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CHARTING THE LIFECOURSE | EXPLORING DECISION-MAKING SUPPORTS

For each question below, mark the level of support you need when making and communicating decisions and choices in the Charting the LifeCourse life domains.	I can decide with no extra support	I need support with my decision	I need someone to decide for me

Social & Spirituality

Do I choose where and when (and if) I want to practice my faith?			
Do I make choices about what to do and who to spend time with?			
Do I decide if I want to date, and choose who I want to date?			
Can I make decisions about marriage? (If I want to marry, and who)			
Can I make choices about sex, and do I understand consent and permission in regard to sexual relationships?			

Safety & Security

Do I make choices that help me avoid common environmental dangers? (traffic, sharp objects, hot stove, poisonous products, etc.)			
Do I make plans in case of emergencies?			
Do I know and understand my rights?			
Do I recognize and get help if I am being treated badly? (physically, emotionally or sexually abused, or neglected)			
Do I know who to contact if I feel like I'm in danger, being exploited, or being treated unfairly? (police, attorney, trusted friend)			

Community Living

Do I decide where I live and who I live with?			
Do I make safe choices around my home? (turning off stove, having fire alarms, locking doors)			
Do I decide about how I keep my home or room clean and livable?			
Do I make choices about going places I travel to often? (work, bank, stores, church, friends' home)			
Do I make choices about going places I don't travel to often? (doctor appointments, special events)			
Do I decide how to get to the places I want or need to go? (walk, ask a friend for a ride, bus, cab, car service)			
Do I decide and direct what kinds of support I need or want and choose who provides those supports?			

Advocacy & Engagement

Do I decide who I want to represent my interests and support me?			
Do I choose whether to vote and who I vote for?			
Do I understand consequences of making decisions that will result in me committing a crime?			
Do I tell people what I want and don't want? (verbally, by sign, device), and tell people how I make choices?			
Do I agree to and sign contracts and other formal agreements, such as powers of attorney?			
Do I decide who I want information shared with? (family, friends etc.)			

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LIFE TRAJECTORY | SUPPORTED DECISION-MAKING

Past Life Experiences

What helps me UNDERSTAND the issues and my options?

What has helped me COMMUNICATE my preferences, choices, and decisions?

What has helped me FOLLOW THROUGH on my choices and decisions?

What were past barriers that made it hard for me to understand, communicate, or follow through with my choices and decisions?

Moving Forward

What do I need now to help me UNDERSTAND the issues and my options?

What do I need now to help me COMMUNICATE my preferences, choices, and decisions?

What do I need to help me FOLLOW THROUGH on my choices and decisions?

What needs to happen to avoid barriers that make it hard for me to understand, communicate, or follow through with my choices and decisions?

Vision for What I Want

What decisions and choices do I want to make myself or with help from my supporters?

My vision for a good life

What I Don't Want

What decisions and choices do I NOT want someone else making for me or without my input or approval?

Not a good life

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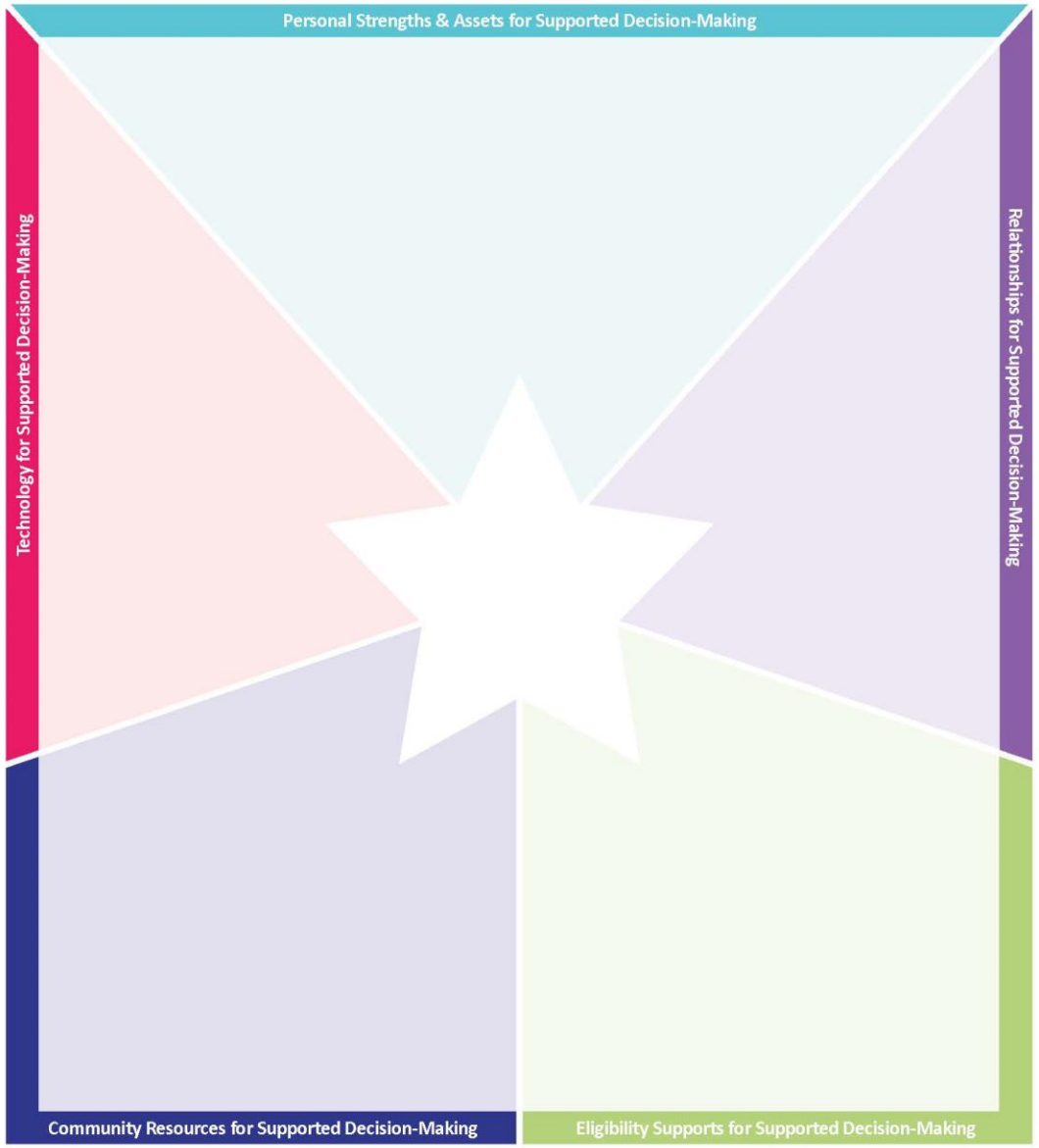
INTEGRATED SUPPORTS STAR | SUPPORTED DECISION-MAKING



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Remember: SDM involves individuals with disabilities making choices

with the proper support

Needs differ…and so does every Plan

Here's an example:

Area of Support	How I Would like Support
Finances	• Assist with paying my bills on time • Assist with managing my bank account
Medical	• Attend doctor appointments with me to make sure I understand what the doctor says • Assist with organizing my medication
Employment	• Assist with finding a job I will like • Assist with filling out job applications • Assist with making sure I know how to get to my job safely and on time

When you're planning, always remember:

- The person with the disability is the ultimate decision-maker
- Supporters are there to support, not supplant
- Ability to communicate needs, wishes & desires is essential – whatever the method
- Life is complex and varied – consider the wide range of individual's activities, desires, aspirations, needs, plans, and so forth
- Invest the necessary time – it will pay off!

Supported Decision-Making

Choose the Right Support Person/Team

Supporters should be someone you trust

- Supporters may be asked to assist in areas that are very personal
- The person should feel safe and know they can trust their supporter with personal information

Supporters should have knowledge

- Supporters should have some knowledge or experience in the area they are asked to support

  OR supporters will know who to ask and what types of questions to ask

Supporters should not be biased

- Supporters should not provide advice or support based on how it will benefit them
- Supporters must not act with self-interest and help advocate for the individual's choices
- Information provided must be clear and accurate

You can have more than one supporter

- You can have Supported Decision-Making agreements with more than one supporter
- Having more than one supporter prevents people from feeling overwhelmed
- Multiple supporters help prevent abuse and fraud because more people are watching

You can change your support person

- Supported Decision-Making agreements are revocable

- The supporter and the person with a disability can end or change the agreement anytime

Identify possible supporters

- Creating a chart is a good way to keep track of possible choices

- Identify possible supporters, their areas of support, how we will like their help

Possible Supporters Example

Supporter	Area of Support	How Would I Liked Them to Support Me
Charley Patton	Financial	• Assist with paying bills • Assist with going to the bank • Assist with paying rent on time
Bessie Smith	Medical	• Attend doctor appointments with me • Assist with explaining to the doctor how I feel • Assist with setting up my medication schedule
Robert Johnson	Employment	• Assist with finding transportation • Assist filling out applications

Supported Decision-Making

Supported Decision-Making Agreements

What Is a Supported Decision-Making Agreement?

A Supported Decision-Making Agreement is:

- An Arrangement between two people
- A Description of Responsibilities
- An Explanation of Supporter's Rights
- **A Document that Helps Inform Others a Formal Relationship Exists**

Why Do I Need an Agreement?

A Supported Decision-Making Agreement puts into writing exactly what a person with a disability expects from his or her Supporters.

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

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

Several Sections:

- Appointment of a Supporter
- Effective Date
- Consent of Supporter
- Signatures & Notarization

Sample Supported Decision-Making Agreement

Appointment of supporter

I _____, (Name of adult, (the "Decision-Maker")), am of sound mind and enter into this agreement voluntarily.
My disabilities are: (describe briefly)

_____

_____

_____.

I choose _____ to be my supporter.
Supporter's Address:_____
Supporter's Telephone Number:_____
Supporter's Email Address:_____
Supporter's role and limitations on that role
My supporter may help me with life decisions about each of the following which I have marked with an "x" (check those that apply):
Yes ___ No ___ obtaining food, clothing and a place to live.

Sample Supported Decision-Making Agreement Continued

Appointment of Supporter (continued)

Yes ___ No ___ my physical health and health services.
Yes ___ No ___ my mental health and mental health services.
Yes ___ No ___ managing my money or property.
Yes ___ No ___ getting an education or other training.
Yes ___ No ___ choosing and maintaining my services and supports.
Yes ___ No ___ finding a job.
Yes ___ No ___ other: _____ (specify)
Yes ___ No ___ my supporters may see my private health information under the health insurance portability and accountability Act of 1996 (P.L. 104-191) if I first choose to provide a signed release.
Yes ___ No ___ my supporters may see my educational records under the Family Educational Rights and Privacy Act of 1974 (20 United States Code Section 1232g) if I first choose to provide a signed release.
This agreement is effective when signed and will continue until _____ (date) or until my supporter or I end the agreement or the agreement ends by operation of law, including the appointment of a guardian for me.

Sample Supported Decision-Making Agreement Slide 3

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___.

Sample Supported Decision-Making Agreement Slide 4

Consent of Supporter

I, (insert 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)

Sample Supported Decision-Making Agreement Slide 5

Signature & Notarization

_____ _____

(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:

_____

Notary Seal Here

Warning: protection for the decision-maker with a disability

If a person who receives a copy of this Supported Decision-Making Agreement or who is aware of the existence of this agreement has cause to believe that the decision-maker is being abused, neglected or exploited by the supporter, the person shall report the alleged abuse, neglect or exploitation to the department of economic security's online reporting system by calling the Adult Protective Services, Adult Abuse Hotline or by calling the local police department.

Supported Decision-Making Agreements – Things to Remember

A Supported Decision-Making Agreement:

- Lets everyone know what is expected
- Helps protects individuals with disabilities as well as Supporters
- Tells doctors, lawyers, and other service providers that you have assistance to help make your own decisions
- Can be modified or terminated at any time

Possible Scenario Two

Alex, a 20-year-old with cerebral palsy, despite being non-verbal, possesses the cognitive capacity to understand financial matters. However, they face challenges in expressing their preferences and making decisions due to their condition. Sarah and Mark have been actively involved in Alex's life, understanding their needs and desires.

Support Team:

1. Sarah, Alex’s sister and primary caregiver.
2. Mark, Alex’s longtime friend and confidant.

Supported Decision-Making Agreement for Finances:

1. **Identifying Financial Decision-Making Areas**:
   - Budgeting and spending
   - Investment decisions
   - Banking transactions
   - Estate planning
2. **Determining Communication Methods**:
   - Utilize communication methods and assistive technology that are accessible and meaningful to Alex, including visual supports, communication boards, choice-making tools, and Augmentative and Alternative Communication (AAC) technology such as **Proloquo2Go, TD Snap, TouchChat, LAMP Words for Life, Avaz, GoTalk devices, Tobii Dynavox speech-generating devices, eye-gaze systems, switch-access devices, tablets with AAC applications, and text-to-speech technology**.
   - Present financial information using visual schedules, picture-based supports, digital presentations, videos, color-coded budgeting tools, online banking dashboards, budgeting applications, and interactive financial planning software. Utilize accessibility features available on smartphones, tablets, and computers, including **Apple Assistive Access, Guided Access, Live Speech, Personal Voice, Android Accessibility Suite, speech-to-text, text-to-speech, screen readers, and voice assistants such as Siri, Google Assistant, and Alexa** when appropriate.
   - Sarah and Mark will pay close attention to Alex's communication through speech, AAC devices, eye gaze, gestures, facial expressions, body language, switch activations, selections made through communication software, and other individualized indicators of preference and decision-making. Communication methods and assistive technology will be reviewed regularly to ensure Alex has access to the tools necessary to understand information, express preferences, and participate fully in financial decisions.

Supported Decision-Making Agreement for Finances:

3. **Defining Roles and Responsibilities**:
   - Sarah will take the lead in managing Alex's finances, including budgeting, bill payments, and investment decisions.
   - Mark will provide additional support, assisting Sarah in research, financial planning, and advocating for Alex's best interests.
4. **Regular Financial Reviews**:
   - Monthly financial meetings will be scheduled to review expenses, ABLE Account, and any financial decisions made.
   - These meetings will involve Alex, Sarah, Mark, and possibly a financial advisor or accountant.
5. **Legal Documentation**:
   - Create a written supported decision-making agreement specifically for financial matters.
   - Sarah will be appointed as Alex's legal representative with the authority to manage their finances, guided by Alex's expressed preferences and best interests.
6. **Emergency Protocols**:
   - Develop a plan for emergencies, including access to emergency funds, procedures for handling unexpected expenses, and protocols for communication with financial institutions.

Implementation and Execution:

- Sarah will maintain detailed records of all financial transactions and decisions made on Alex's behalf, ensuring transparency and accountability.
- Regular communication will be maintained among Alex, Sarah, and Mark to address any financial concerns or changes in circumstances promptly.
- Sarah and Mark will work closely with financial professionals to ensure Alex's financial goals and preferences are effectively communicated and implemented.

Conclusion:

By establishing a supported decision-making agreement for financial matters, Alex can actively participate in managing their finances while receiving the necessary support from Sarah and Mark. With clear roles and communication channels in place, Alex's financial well-being is safeguarded, and their autonomy is respected. This arrangement ensures that Alex's financial decisions align with their preferences and best interests, promoting their overall financial security and independence.

Sample of Agreement for Alex with Sarah

Appointment of supporter

I Alex Doe, (Name of adult, (the "Decision-Maker")), am of sound mind and enter into this agreement voluntarily.

My disabilities are: (describe briefly)

A person with cerebral palsy who communicates through assistive technology

I choose Sarah Doe to be my supporter.

Supporter's Address: 123 Main Street, Great Town, Arizona 12345

Supporter's Telephone Number: 602-555-1234

Supporter's Email Address: sarah@sdmsupport.com

Supporter's role and limitations on that role

My supporter may help me with life decisions about each of the following which I have marked with an "x" (check those that apply):

Yes _X_ No ___ accessing and understanding financial information.

Sample of Agreement for Maria with Laura cont.

Appointment of Supporter (continued)

Yes _X_ No ___ researching accessible technology.
Yes _X_ No ___ organizing and maintaining financial information.
Yes ___ No _X_ managing my money or property.
Yes ___ No _X_ getting an education or other training.
Yes ___ No _X_ choosing and maintaining my services and supports.
Yes ___ No _X_ finding a job.
Yes ___ No _X_ other: _____ (specify)
Yes ___ No _X_ my supporters may see my private health information under the health insurance portability and accountability Act of 1996 (P.L. 104-191) if I first choose to provide a signed release.
Yes ___ No _X_ my supporters may see my educational records under the Family Educational Rights and Privacy Act of 1974 (20 United States Code Section 1232g) if I first choose to provide a signed release.
This agreement is effective when signed and will continue until _____ (date) or until my supporter or I end the agreement or the agreement ends by operation of law, including the appointment of a guardian for me.

Supported Decision-Making

Less Restrictive Alternatives, Complements to SDM

Some examples of less restrictive alternatives

- Powers of Attorney (General, Special, Healthcare)
- Social Security – Rep Payee
- Vocational Rehabilitation Advocate
- Healthcare Planning – Living Wills
- Delegation of Special Education Rights

Representative payee

Payment Management – who needs one?

Who is selected to be a rep payee?

Accounting

Roles of the Rep Payee

Advanced directives / living wills, HCPOA

Advanced directives / living wills – instructions for future healthcare decisions

- Activates when you if you cannot communicate
- List the treatments, procedures you want (e.g., CPR, being taken to the hospital if it can be avoided)

Healthcare power of attorney

- Use this to name an individual to make healthcare decisions for you if you become too ill to do so.
- Talk to your family and friends about your choices.

Websites

- Registry - https://azhdr.org/
- AG Life Planning Documents - LCP-Complete-Packet-fillable.pdf (azag.gov), https://www.azag.gov/sites/default/files/docs/seniors/life-care/2023/LCP-Complete-Packet-fillable.pdf

Power of attorney – A.R.S. § 14-5501, https://www.azleg.gov/ars/14/05501.htm

- A power of attorney is a legal document where the principal gives another person, the agent, permission to act on their behalf in certain matters.
- The agent can make legal decisions that the principal would normally make.
- The principal should choose someone they trust. Examples could be a spouse, family member, or friend who would act in the principal's best interests.

Authorized representative in Vocational Rehabilitation (Release of Information)

- VR provides a variety of services to persons with disabilities, with the ultimate goal to prepare for, enter into, or retain employment.
- Eligible if: (1) physical or mental impairment, (2) disability is a substantial impediment to employment, (3) require VR services to secure, retain, or regain employment, and (4) the individual can benefit from VR services
- Pre-Employment Transition Services
  - Job exploration counseling
  - Work based learning
  - Counseling on post-secondary and training opportunities
  - Work readiness training
  - Self-advocacy training

Delegation of education rights - A.R.S. § 15-773, https://www.azleg.gov/ars/15/00773.htm

- Students between the ages of 18-22, and do not have a guardian, can execute a delegation of right to make educational decisions.
- Otherwise, rights will transfer to the student.
- Rights include: (1) re-evaluation and/or agreement to change placements, (2) receiving notices, and (3) requesting mediation.
- Sample form in legal options manual

Important links

- Legal Options Manual - https://disabilityrightsaz.org/resources/supported-decision-making-guardianship/
- Job Accommodation Network https://askjan.org/
- “Let me do it” app https://news.gsu.edu/2023/07/17/georgia-state-student-develops-decision-support-app-for-people-with-disabilities/
- Information on the rep payee program https://www.ssa.gov/payee/

Links Continued

- https://arcarizona.org/idd-and-18-now-what-future-planning-resources/
- https://thearc.org/resource/supported-decision-making-what-is-it-and-what-do-you-need-to-know-to-get-started/

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Questions or Comments?

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