

# Let's Talk About

## SUPPORTED DECISION-MAKING

Supported Decision-Making helps individuals\* with disabilities and aging adults to make decisions about their lives. They choose the people they trust to help them gather and understand information, compare options, and communicate their decisions to others. It's how most people make decisions.

### Supporting Individuals To Live Full Lives

Supported Decision-Making is an alternative to guardianship through which individuals get help from trusted family members, friends and professionals to help them understand the situations and choices they face, so they can make their own decisions. Supported Decision-Making enables individuals to ask for support where and when they need it. Supported Decision-Making agreements can be used for many kinds of decisions including medical, financial, housing and other life matters. Powers of attorney, representative payees and simple release of information forms can also help families provide the needed supports and safeguards without going to court and imposing guardianship restrictions.

### Current decision-making support tools



#### Release forms

Individual signs a release form authorizing a specific person access to certain information or records.



#### Supported Decision-Making Agreement

Individual makes all their own decisions. They identify a supporter/s to assist them.



#### Representative Payee

Social Security Administration appoints an individual/org. to receive SSI/SSDI benefits for an individual who cannot manage their own.



#### Power of Attorney, (medical or financial)

Formal legal arrangements that permit others to act on the individual's behalf.



#### Limited or Full Guardianship

Transfers some or all decision-making authority from the individual to a court-appointed Guardian.

Less limiting

More limiting

\* For the purpose of this publication, the term "individual" refers to an individual with disabilities and/or an aging adult.

# GETTING STARTED WITH SUPPORTIVE DECISION-MAKING

Supported Decision-Making can help individuals stay in control of their own lives. Each individual decides the amount and type of support he or she wants and needs. People with disabilities and aging adults need people they trust to support them in reaching their goals.

## **STEP 1: START THE CONVERSATION**

Talk about goals and needed supports to achieve them. Think about an individual's current abilities and areas where growth can occur.

## **STEP 2: IDENTIFY PEOPLE WHO ARE WILLING AND ABLE TO ASSIST**

A support person should know the individual well and be able to understand and communicate with her or him.

## **STEP 3: PLAN AND COMMUNICATE**

Bring the support team together to determine how team members will communicate.

## **STEP 4: SET UP AN AGREEMENT**

Supported Decision-Making agreements are as individual as the people using them.

## **STEP 5: LET EVERYONE KNOW**

Once the Supported Decision-Making agreement is signed, share copies with doctors, financial institutions, schools, and others who are involved. (use a tracking form to keep yourself organized)

## HOW SUPPORTED DECISION-MAKING AGREEMENTS WORK?

A Supported Decision-Making agreement includes a list of decisions the individual wants assistance in making and identifies a Supporter(s) they want to help them. Wis.Stats.Ch 52 includes the Supported Decision-Making agreement form and requires the following elements are included:

- Name and contact information
- Types of decisions which a supporter may assist with
- Role the supporter plays (ex: A supporter helps understand and figure out complex medical information)
- Signatures of the person and supporter(s), and two witnesses or a notary.



# SUPPORTIVE DECISION-MAKING AGREEMENTS

## HOW TO FILL OUT AN AGREEMENT

1. Name and contact information of your supporter
2. Define what you want your supporter to help you with (circle yes or no)
3. Define how you want your supporter to help you (circle yes or no)
4. Date you want agreement to end
5. Print your name, sign your name and date it

6. Supporter fills out
7. Signed by two adult witnesses or
8. Signed by a notary

\*Notary: Most banks and credit unions have Notaries and their services are free of charge.

Supporter.

## THE ROLE OF THE SUPPORTER

A Supporter is available to help when needed. The individual chooses who they would like to support them and determines when and for what reason they would like the assistance of a Supporter.

### A Supporter can:

- Help the person read and/or understand their options
- With permission from the person, access information needed to help the person make the decision
- Attend meetings and assist the person in asking questions
- Help communicate the person's decisions and preferences to others.

## WHERE CAN I FIND THE AGREEMENT FORM?

Forms can be found at <https://www.dhs.wisconsin.gov/library/f-02377.htm>

## RESOURCES:

- BPDD Supported Decision-Making materials  
[[wi-bpdd.org/index.php/SupportedDecision-Making](http://wi-bpdd.org/index.php/SupportedDecision-Making)]
- Wisconsin Guardianship Support Center  
[[www.gwaar.org/guardianship-resources](http://www.gwaar.org/guardianship-resources)]



*"We wanted our son to have the chance to grow and learn to make decisions that affect his life. As his parents, we won't always be around to guide him, and we didn't want to restrict his life and future happiness. So, we chose not to pursue guardianship and instead to develop a circle of supporters to help him make those big decisions in life."*

-- Parent

## WISCONSIN STATE LAW

Wisconsin state law formally recognizes Supported Decision-Making agreements as legal arrangements<sup>1</sup> that allow persons to retain their right to make their own decisions, while also choosing trusted people (called Supporters) to help them gather and understand information, compare options, and communicate their decisions to others.

<sup>1</sup> Wis. Stats. Ch 52. (2017 Wisconsin Act 345)

## Planning for the future using Supported Decision-Making

Supported Decision-Making does not require one person to take on full Supporter responsibility. Multiple family members or other trusted persons can be Supporters, increasing the breadth of the support network and making transitions easier as family members age and roles change.

Supported Decision-Making can be an important part of the person-centered planning process, which focuses on outcomes driven by the individual and implemented through the support of family, trusted allies and professionals of the individual's choosing to achieve those outcomes.

Inviting Supporters to person-centered planning can help the discussion focused on the individual's talents, gifts, and dreams for the future.

**We all want to improve our lives, not just maintain them.**

Person-centered planning and Supported Decision-Making can:

- Help an individual with a disability share their hopes and dreams for the future and identify goals to improve quality of life.
- Identifies strategies and opportunities to help achieve a goal.