

**Youth Voice,
Youth Choice**

**Supported
Decision-
Making**



WISCONSIN BOARD FOR PEOPLE
WITH DEVELOPMENTAL DISABILITIES



CENTER ON
YOUTH VOICE
YOUTH CHOICE

Center for Youth Voice, Youth Choice

- 5-year project
- WI, GA, VT, IN, MI, NJ, OR, SC, AZ, CA, TX
- To promote alternatives to guardianship

Introduction of Panelists:

Ashley Mathy- Mentor

Jennie Rojas- Youth Ambassador

Junior Sotelo- Youth Ambassador

William Becker- Youth Ambassador

Patti Becker- Parent



Will Becker
CYVYC Ambassador



Ashley Mathy
CYVYC Ambassador



Junior Sotelo
CYVYC Ambassador



Jenny Rojas
CYVYC Ambassador



Patti Becker
Director of Program Operations
Community Living Alliance

Why rethink Guardianship?

It simply does not do what we want it to do!

- Avoid public declaration of incompetency
- Dignity, freedom of choice
- People deal with guardian – not person
- Time and expenses – attorneys, hearings, evaluations
- Courts do not always follow family wishes
- Very difficult to change or end
- Attorneys and guardian ad litem may not have much training
- There are no guardian “police” and no evidence guardianships make people safer

What emotions lead to seeking Guardianship?

Love

Fear

Concern

What Keeps People Safe?

- ✓ Caring and involved family/friends
- ✓ Community networks/connections
- ✓ Opportunities to Practice And Build Decision-Making Skills

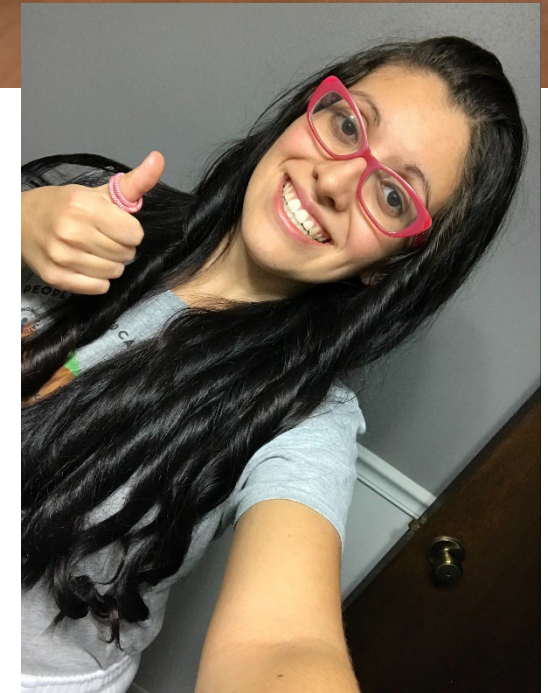
What do you think parents worry about when their kids are about to turn 18?

Rituals and Routines

Understand a person's rituals and routines,

- What does their schedule look like?
- What they like eat?
- How do they get ready for the day?
- What does the person do when they get home in the evening?
- What makes a good day versus a bad day?
- What activities make that person happy?
- Who do they enjoy spending time with?
- What are events or situations that make them happy or sad or stressed?

Opportunities for Choice-Making



Opportunities for Choice-Making



Having Choices is important

- Having choices means having control over your life.
- When you have choices, you feel better and have more control of your life.
- Choosing to do something means taking responsibility for your actions.

What does Wisconsin's Supported Decision-Making law do?

- Lets a person with a disability get help making decisions without losing all their rights.
- The person is always in control of their own decisions and their Supported Decision-Making agreement.



What Supported Decision-Making agreements do NOT do.

They do not restrict a Person's rights to make any decisions.

- You are still in charge of making your own decisions

It does not give Supporters any new rights to make decisions

- The Supporter does not have the right to make the decisions for you. The Person makes all their own decisions.
- Supporters cannot sign legal documents or make any legal agreements for the person.

Current formal tools for people who need help with decisions



Release forms

- Person signs release forms authorizing a specific person(s) access to certain kinds of records (health, financial, etc.).
- Some release forms may allow a person to select certain records to be released while retaining privacy over others.
- Some release forms may provide one-time or time-limited access to records, others releases may remain in effect in perpetuity.



Supported Decision Making agreements (Wisconsin)

- Person makes all their own decisions. Person identifies area of the life in which they want support, identifies a Supporter(s) to help them gather information, compare options, and communicate their decisions to others.
- The Supported Decision-Making agreement outlines what types of decisions the Person wants support and the role of the Supporter.
- Agreement can be changed or stopped at any time by the Person or Supporter.



Representative payee

The Social Security Administration (SSA) appoints an individual/organization to receive SSI/SSDI benefits for a person who cannot manage or direct the management of their own benefits.

To change a Representative Payee, the Person must complete an application process with the SSA.



Power of Attorney, medical proxy

- Formal legal arrangements that permit others to act on the Person's behalf.
- Powers of Attorney (POA) designate another (a POA) individual to make certain decisions (generally health care or financial) on the Person's behalf. POAs can be set up in different ways. Some POAs are activated only when a person is incapacitated. Or a POA can be written so an individual other than the Person is always the designated decision maker in certain areas.
- Medical Proxy documents appoint a proxy/agent to express a person's wishes and make health care decisions for the person if the person cannot speak for themselves.



Limited or Full Guardianship

- Transfers some or all decision-making authority from the Person to a court-appointed Guardian.
- Once guardianship is granted by the courts it is difficult (and costly) to modify or reverse the guardianship; any changes must be made through a formal court process.

Less Limiting

More Limiting

RELEASE OF INFORMATION

The LEAST Intrusive
Alternative

- ✓ Be connected and present
- ✓ Go to meetings/planning sessions
- ✓ Available in School and Medical settings

Representative Payee



- A person or organization designated through the Social Security Administration to handle a person's Social Security check
- SSA has special paperwork and procedures for appointing a representative payee
- Can be changed or revoked only if SSA consents.

Power of Attorney

- ✓ Appoint an Agent to handle certain decisions or support with making decisions
- ✓ Can be effective immediately
- ✓ Can be as broad or narrow as desired

POWER OF ATTORNEY FOR MEDICAL TREATMENT DECISIONS

I am _____ and I live at _____.

I want my mother, _____ to help me if I am sick and need to see a doctor. I want her to make decisions about my medical care, including medication and surgery.

If my mother, _____ is not available, I would like my _____, _____ to make these decisions instead.

If neither of the above are available, I would like my _____, _____ to make these decisions.

I understand that if I want to change my mind about who makes these decisions, I can destroy this paper or let people know I want to change my mind.

(Date)

(Signed)

Signed by _____ Signed by _____

(Print full name)

(Print full name)

Let's talk about Financial Supports

- Withdrawal Limit
- Banking Services
- Specific gift cards
- Debit card limit amount
- Co-Signer
- Personal Money Manager
- ABLE Accounts
- Special Needs Trusts

Let's talk about Home Supports

- Meal delivery
- Nutrition, diet, or mealtime support
- Service animals
- Cell phones
- Remote support systems
- Timers
- Roommate/neighbor assistance
- Medication assistance: mailed and pre-measured

Let's talk about Technology

- Find My Phone
- Medication reminders
- Meal planning
- Exercise
- Scheduling/calendars
- Reminders

Let's talk about Community Supports

My therapist Jordan helps me with relationships.



My IRIS Consultant Andrea helps me with working and getting things I need.

What Does a Supporter Do?

The possible roles of the Supporter are limited to:

1. Helping the person understand their options, understand big words or complicated ideas.
2. Researching information to help you decide.
3. Helping the person understand that information.
4. Helping the person communicate their decision.



Getting Started: Supported Decision-Making Agreements

DEPARTMENT OF HEALTH SERVICES
F-02377 (08/2018)

STATE OF WISCONSIN
Wisconsin Stat. § 52.20(1)

SUPPORTED DECISION-MAKING AGREEMENT

Appointment of Supporter

I, _____, make this agreement
(insert name of person designating a supporter)

voluntarily and of my own free will. I agree and designate that

Name of supporter (Print)

Address of supporter

Email address of supporter (if applicable)

Phone number(s) of supporter

is my supporter. For the following everyday life decisions, if I have checked "Yes," my supporter may help me with that type of decision, but if I have checked "No," my supporter may not help me with that type of decision:

<input type="checkbox"/> Yes	<input type="checkbox"/> No	Obtaining food, clothing, and shelter.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Taking care of my physical health.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Managing my financial affairs.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Taking care of my mental health.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Applying for public benefits.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Assistance with seeking vocational rehabilitation services and other vocational supports.

The following are **other decisions** I have specifically identified that I would like assistance with:

If I have not checked "Yes" or "No," or specifically identified and listed a decision immediately above, my supporter may not help me with that type of decision.

Page 2 of 5

What Kinds of Decisions can/should I include in an agreement

Types of decisions included on the official Supported Decision-Making agreement form include:

- Obtaining food, clothing, and shelter
- Taking care of my physical health
- Managing my financial affairs
- Taking care of my mental health
- Applying for public benefits
- Assistance with seeking vocational rehabilitation services and other vocational supports

My Supporters





**Tell us why you use Supported
Decision Making.**



Frequently Asked Questions

- Is there a cost?
 - No
- Can I have more than 1 supporter?
 - Yes
- Can the agreement be changed?
 - Yes
- Can I use other tools with my Supported Decision-Making Agreement?
 - Yes
- Where should I share my agreement?



How do you make decisions?



What do you hope people will take away from this presentation?

ANY
QUESTIONS
?

Supported Decision-Making Resources

- Tool Kit, presentations, information sheets and materials for families: <http://www.wi-bpdd.org/SupportedDecision-Making/>
- Supported Decision Making Agreement form: <https://www.dhs.wisconsin.gov/forms/f02377.pdf>
- Center for Youth Choice, Youth Voice website
[Wisconsin State Team - Center on Youth Voice, Youth Choice \(youth-voice.org\)](http://WisconsinStateTeam-CenteronYouthVoiceYouthChoice(youth-voice.org))
- Fil Clissa: Fil.Clissa@wisconsin.gov