



Professionals Supporting Decision-Making; Part I – Overview and First Steps

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Continuing the Conversation . . .

- Who is here?
- Here for the last discussion on Supported Decision-Making?
- Since then, what have we all been up to?

Consequences of Guardianship

- Loss of legal personhood and civil rights
- Loss of freedom of movement, self-expression, and integration
- Loss of dignity of acting on one's own behalf & dignity of risk
 - Risk of negative experiences
 - Risk of injury
 - Risk of losing benefits

Alternative to Guardianship: Supported Decision-Making

- Relationships, practices, arrangement, and agreements
- Of more or less formality and intensity
- Designed to assist an individual with a disability
- To make and communicate to others decisions about the individual's life.

What does it look like?

- Support from the circle of trusted people
 - Getting resources and information, checking in on goals, reviewing documents, explaining processes, communicating with others
- Supporting is a learned skill
 - Developing pattern and routine
 - Having clear roles
 - Having shared values and mutual respect for unshared values

Alaska's SDMAs

- 2018 House Bill 336: SDMA Act
 - Lists the team members and roles
 - Describes preferences for types of support
 - Describes types of decisions supported
 - Includes authorizations for release of information
 - Refers to attached orders or documents, if needed
 - If Guardian, need signed consent

Template for SDMAs in Alaska

- Full form is in your packet
 - Editable version available online soon
- Anyone can have one
 - Not limited to people with diagnosis
 - Can be under order for guardianship
- Form can be different, so long as it is “substantially similar”
- Legal effects

STATUTORY FORM FOR SUPPORTED DECISION-
MAKING AGREEMENT

(1) INTRODUCTION
I, _____, want to have one or more persons I trust help me make decisions, obtain and understand the information I need to make my decisions, and tell other people about my decisions. The people who will help me are my "supporters." I can name three supporters in this form. If I want to have more than three supporters, I can use a form that is substantially similar to this form to enter into a supported decision-making agreement with the additional supporters.

This is a written agreement between me ("principal") and each of my supporters. I can say in this agreement what kind of help each of my supporters will give me. A SUPPORTER APPOINTED UNDER THIS AGREEMENT DOES NOT MAKE DECISIONS FOR ME.

My supporters may share information with each other (select one of the following):
Yes [] No []

(2) SUPPORTERS
These are my supporters:

SUPPORTER NO. 1
Name: _____
Address: _____
Telephone number: _____
Electronic mail address: _____

I want this supporter to help me with (mark any of the following you want):
[] Making choices about food and clothing
[] Making choices about where and with whom I live

Alaska's Toolbox for Self-Directed Planning

- Advanced Healthcare Directives
 - Have specific language describing roles
- Financial
 - ABLE Accounts
 - Shared accounts
 - Accounts with features
- Powers of Attorney
- Individualized Plan for Employment with DVR
 - Must ensure that person exercise informed choice, with support and assistance if needed
- Consent for Medical Care
- Transition-age youth at school
 - Individualized Education Programs have plans for adulthood
- Medicaid services (and Plans of Care)
 - Require person-centered planning
- Representative Payee Contract
 - For Social Security benefits

Tool for Supporters, Too

- Clear directions
- Personal boundaries defined
 - Individualized
 - Amend, if they change
- Focus on how to support, not substitute
 - Communicate their choice vs. “speaking for them”
 - Information, perspective, consequences/outcomes vs. influence or persuade

Professionals Supporting People in Decision-Making

- **Develop Best Practices for Facilitating Support**
 - Ensuring a person-directed process for developing the SDMA
 - Understanding what is important in crafting agreements that work
 - Following-up to check on how it is being used; offer solutions
- **Pilot Project**
 - Hope Community Services
 - Disability Law Center



Brainstorming: Where do SDMAs fit in Alaska's Service Model?

- Home and Community Based Service
 - Developing the agreements
 - Using the agreements
- Day habilitation
 - Self-advocacy, employment, community engagement
- Care Coordination or Case Management
- Other states have authorized service provision for supporting decisions; no pushback from federal gatekeepers

Supporting Roles: Care Coordinators

- Could developing and facilitating agreements be authorized as an additional service?
- Supporters do not have a “fiduciary relationship” with the person that is choosing to be supported (no conflict there)
- Current training is parallel (Plans of Care)
- Senior and Disability Services: offering as part of core competency curriculum for credit

Supporting Roles: Service Providers

- Providers are an important source of information for team of supporters
- Can agency professional be a named supporter?
 - Not if providing direct assistance in area where the decision support is requested
 - Probably can't support decisions about where to get services provided
- Can Supported Decision-Making Agreements be drafted to contain potential conflicts?
 - Yes!
 - Best practice is staff using the methods in the SDMA, whether named as a supporter or not
- Case Managers as facilitators

Staffing and Time

- Who could facilitate development of a person-directed plan for decision-making?
 - Clinical Social Worker
 - Care Coordinator
 - DSP Case Manager
 - Trained DSP Staff
 - Trained Volunteer
- Between 10-15 hours for development
 - More for follow-up or making changes

Methods for Effective SDMA Development

- Use person-centered planning techniques, but creating person-directed support
 - note: functionality assessments are not part of this process
- Documents: Use existing tools, modify or create own; good notes are essential!
 - See, Resources slide for plain language guides and forms
 - Individualize tool; try more than one

Initial Interview

- Background information
- Long term goals
- How do decisions get made now
 - Patterns or practices that person wants to keep
 - Patterns or practices that person wants to change
- What do they not want help making decisions about
- Sign authorizations to get records, and to contact supporters



GETTING STARTED
VIDEO VIGNETTE:
INTERVIEW – PART ONE

[Initial Supported Decision-Making Agreement Meeting, Part 1](#)

Initial Interview, cont'd

- Who are their current supporters?
- Who do they want to have as supporters?
- What do they want each supporter to help with?
- How do they want to access that help?
 - Time to think about details of communication with supporters



GETTING STARTED
VIDEO VIGNETTE:
INTERVIEW - PART TWO

[Initial Supported Decision-Making Agreement Meeting: Version 2](#)

Contacting Supporters

- Supporters may not know:
 - That someone wants them to be their supporter
 - What SDM is or that SDMAs exist
- It may be helpful to prepare a script
 - Introducing yourself, describing the purpose
 - Offer to send information, provide links to online sources



GETTING STARTED
VIDEO VIGNETTE:
ENGAGING SUPPORTERS -
PART ONE

[Engaging Supporters - Part One](#)

Meeting With Supporters

- Person being supported directs structure and content
 - whether meeting is with supporters individually or all together
 - Facilitate and create space for person to direct meeting
- Review by professional of:
 - Obligations
 - commitment
 - understand of supporting and not supplanting
- Offer additional information or resources



GETTING STARTED
VIDEO VIGNETTE:
ENGAGING SUPPORTERS –
PART TWO

[Engaging Supporters, Part 2](#)



Next Training!

- Writing a narrative for legal service provider
- Final meeting with adopter and supporters
- Follow-up

Resources

[National Center for Supported Decision-Making](#)

Also:

[ACLU guide](#)

[ASAN guides](#)

[ASAN guides for families](#)

[AARP Guide](#)

[National Center for Supported Decision-Making guide](#)