

HB 2105 -2 STAFF MEASURE SUMMARY

House Committee On Human Services

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Meeting Dates: 3/1, 4/7, 4/7

WHAT THE MEASURE DOES:

Directs courts to consider supported decision-making as alternatives to guardianship.

Specifies requirements for oral and written supported decision-making agreements, defines purposes and prescribes standards.

Requires the Department of Human Services to adopt rules regarding supported decision-making.

Limits civil liability under written supported decision-making agreement.

Directs school districts to inform children and parents about supported decision-making and other alternatives to guardianship.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces the measure.

Directs school districts to provide children and parents with information and training resources regarding supported decision-making as a less restrictive alternative to guardianship, and with information and resources regarding strategies to remain engaged in the child's secondary education and post-school outcomes at each individualized education program meeting that includes discussion of post- 1 2 secondary education goals and transition services.

BACKGROUND:

Supported decision-making is when a person uses trusted family, friends, or professionals for support to understand, evaluate, and communicate their decisions. It gives the person with a disability the tools to make their own decisions. This is an approach nearly all people use when making decisions and must also be recognized when it is an approach used by individuals with disabilities. Supported decision making has been recognized as an effective less restrictive alternative to guardianship in eleven state statutes (and the District of Columbia), and several other states are actively considering legislation.

House Bill 2105 require that supported decision-making be explored as a less restrictive alternative before appointing a guardian, specifies requirements for written supported decision-making agreements, and requires schools to provide training and information regarding supported decision-making when post-school outcomes are discussed.