



Oregon
Community
Brokerages

January 25, 2023

To: Sen Prozanski, Chair, Senate Committee on Judiciary
From: Katie Rose, Executive Director, Oregon Community Brokerages

Re: SB 528, maximizing the independence and self-determination of people with IDD in their own decision-making prior to legal appointment of a guardian or conservator

Chair Prozanski and members of the committee,

Oregon Community Brokerages is comprised of the 14 Support Service Brokerages across Oregon. Collectively, we provide case management services to more than 7,500 adults with intellectual and developmental disabilities living in their own or family homes in every community throughout the state. We connect people to what matters to them and support them to make the important decisions and choices that make up a life.

We all want to make our own decisions and chart the course of our own lives. People with intellectual and developmental disabilities are too often presumed to be unable to build the skills necessary for self-direction and decision-making. Senate Bill 528 requires the exploration of less restrictive alternatives such as supported decision-making, assistive technology, representative payee, power of attorney, health care representative, and other supports that maximize a person's independence and self-determination prior to legal appointment of a guardian or conservator. People with IDD have a full set of options and tools available to them to develop the ability to direct their life choices.

SB 528 also builds in requirements to file a motion to continue as fiduciary every 5 years, to serve as a check-in as to the necessity of the relationship. The current practice of indefinite appointment assumes no capacity to grow or learn on the part of the person with IDD, and this is fundamentally wrong.

Oregon Community Brokerage supports the essential premise of SB 528 that people with IDD should be fully informed and able to make use of all options available prior to legal appointment of a guardian or conservator. We urge you to pass SB 528 and honor the right of every person to live a self-determined life.