



March 10, 2025

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RE: Testimony on Senate Bill 1065 (Neutral)

To Chair Gelser-Blouin, Vice-Chair Linthicum, and Members of the Committee:

The Oregon Council on Developmental Disabilities (OCDD) works to create change so that people with intellectual and developmental disabilities (IDD) can live full lives as valued members of their communities. Everyone has a right to support to make decisions. The Center for Decision Making Supports (“Center”) will have a positive impact on people with IDD and other types of disabilities by helping them identify the right decision-making supports that promote independence and balance self-determination with guardianship needs.

Technical assistance, outreach and education by the Center would benefit persons with disabilities, as well as case managers, hospital social workers, and advocates, who will have access to expert and reliable objective information on the multitude of decision-making options. It would assist individuals with disabilities and supporters with exploring the decision-making-support alternatives for different life domains—such as guardianship, conservatorship, supported decision making, powers of attorney, healthcare surrogates, advanced directives, representative payees, ABLE accounts, special needs trusts, and more. The Center also would:

- Promote collaboration among agencies that handle guardianship issues, including but not limited to the Oregon Department of Human Services, Vocational Rehabilitation, Office of Developmental Disabilities Services, Oregon Health Authority, Aging and People with Disabilities, Office of the Long-Term Care Ombudsman, Oregon Judicial Department, and the Oregon Education Department.
- Increase access to resources for understanding decision-making support possibilities for culturally-specific populations, who may have different perspectives on self-determination and guardianship or otherwise have limited access to legal resources.
- Connect adults with disabilities and their families to advocacy organizations or other legal resources to guarantee their rights are respected.



For families and individuals in a crisis, obtaining accurate and accessible information quickly and reliably is vital. The Center for Decision Making Supports will provide guidance to families and to individuals who find the need for decision-making supports later in life such as after an accident, traumatic brain injury, mental health episode, or substance abuse. With respect to younger people with IDD, the Center will help transition-aged youth, parents and educators think about what decision-making support tools are best suited to the individual as they become adults. Instead of being presented one or two alternatives, they will be informed about the entire array of decision-making supports available to them.

Guardianship, for instance, can take away autonomy and control over personal decisions, limiting the ability to make choices about one's own life. Most people with disabilities can make and communicate decisions regarding their affairs. For example, only 23% of those with IDD receiving services have a guardian in Oregon.¹ While most do not meet the legal criteria for guardianship, many still benefit from assistance from supporters to understand the available choices and the consequences of their decisions—without undermining self-determination. The idea of “supported decision making” defined in the statute reflects the importance of self-determination, as would wording that clarifies that the “supporter” is not the “decision-maker.”

The Office of the Long-Term Care Ombudsman (LTCO) is well-positioned to establish the Center, as a program separate and distinct from its other programs. It currently houses three independent programs—the LTCO, Residential Facilities Ombuds, and the Oregon Public Guardian. The Center would be a fourth independent program. Establishing it within an agency like the Office of the LTCO provides long-term stability and resources. The overarching mission of the agency, which includes education and providing information, resonates with the Center's focus on protecting the rights, promoting the independence, and ensuring quality of life for individuals with disabilities.

By offering education, guidance, and access to a range of decision-making options, the initiative creates a future where people with disabilities can make choices with dignity, independence, and self-determination. The Center will be a crucial resource in helping individuals with disabilities identify the right level of decision-making support for their needs.

¹ National Association of State Directors of Developmental Disabilities Services. *National Core Indicators: In-Person Survey: 2017-18 Final Report* (2019), Table 27. Available at https://legacy.nationalcoreindicators.org/upload/core-indicators/17-18_IPS_National_Report_PART_I_3_20_19.pdf