



Supported Decision- Making Agreements

For Community Members

ACRC 2024

What is
Supported
Decision-
Making?



California Law says...

Everyone needs help or support in their lives sometimes(not just people with a disability)

Adults with a disability have the right to get support with making decisions from the people they want and exactly the types of support they want

Other people have to honor the wishes of the adult with a disability that they put into a document called a Supported Decision-Making Agreement.

What the adult with a disability is able to do must be measured by taking into consideration what they can do with support, (not without such support)



Supported Decision-Making (SDM) is...



A way for adults with disabilities to get **HELP** with making choices (decisions) where

- **THEY** make their own choices
- **THEY choose** what types of help or support they want
- **THEY choose** the people you want to help or support them – friends, family, staff – who are called their **Supporters**
- **Supporters** are there to help the adult with a disability...

THE ADULT WITH A DISABILITY IS THE DECIDER

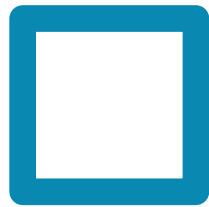
They make the final decision, not their Supporters.

SDM Agreement



- A document filled out to tell others who the client's Supporters are and the type of support the client wants (and doesn't want).
- The client provides others with a copy of their SDM Agreement
- Other people have to respect the clients choices about their Supporters and the type and areas of support they want!

SDM:
Thinking about
choices



Choice = Decision

- Adult clients have the right to make choices/decisions in their own life



- Adult clients have the right to get support to help them make those choices

Kinds of choices -- Examples

Where client wants to live

What client does for fun

Who client wants to live with

When to go to the doctor/dentist

Where/If the client wants to work

What medical treatment client wants

What day program client wants to go to

What to purchase

What clothes client wears

What classes client wants to take

Who client wants to be friends with

Whether to date, and who

How client spends their money

What to eat

What other kinds of CHOICES can you think of?



SDM:
Thinking about
support



Kinds of support

- **Plain-language information:** Written information in simple words
- **Pictures, drawings or photos**
- **Someone explaining things to client**
- **Research:** Asking questions, looking at documents or websites
- **Trials or visits:** Trying out different things to see what feels right to client



More kinds of support

- **Reminders** about important dates, times or events
- Help **listing Pros & Cons**
- **Coming to meetings and appointments with client**
- **Talking to experts** who know a lot about the choice



Even more kinds of support!

- **Classes** to learn about healthy choices.
- **Technology:** Using a phone, computer, or other device to help with choices.
- **Help communicating client choice** to others

OTHERS???



What does client want support with?

Client may have many choices that they want to make on their own.

There may be other choices that they want some support with.

And there may be other choices that they cannot make without support.



Thinking about **supporters**



Who does Client want to be their Supporters?

A Supporter should be:

- Someone the client trusts
- Someone who knows the client and what they want
- Someone who agrees to be a Supporter

A client can have just one Supporter, or as many as they want!



Talking to Possible Supporters

- Client should make time to meet with all of the people they think they might want to be a Supporter.
- Client can meet with them one at a time, or all together
- Client can provide them written information about what SDM is and what Supporters do.



Talking to Possible Supporters

Talk about

- What kind of help/support client would want from each
- Whether the person agrees to be a Supporter
- How client would get help from the Supporter
- Whether the Supporters can talk to each other when client is not present





Filling out the **SDM** **Agreement Form**

SDM Agreement

Link to blank SDM Agreement:

[Supported Decision Making - Alta
California Regional Center
\(altaregional.org\)](https://www.altaregional.org/Supported-Decision-Making)

A trusted friend, family member, or staff person can read and explain the form to the client and help them complete the SDM Agreement!



Filling out the Form

- Add client name in the blank at the top of page 1 to let people know this is THE CLIENT'S agreement.
- Under the section "Areas I Want Support With and the People I Want to Support Me," add as many supporters and areas and type of support as client desires.
- Only add those people who have agreed to be client's Supporters



Attachments—Other Agreements

- Client can attach copies of any other agreements or documents that they may already have that relate to types of support that other people are providing client.
- For example, these can be attached:
 - Durable General Power of Attorney
 - Power of Attorney for Health Care or Advance Directive
 - Assignment of Educational Decision-Making Rights
 - Letters of Conservatorship
 - Releases
 - Representative Payee Agreement



Client's Signature

- Client can read the document themselves, or can have a trusted person read the document aloud to the client before signing.
- CLIENT must sign the document either:
 - In the presence of a Notary Public, who will certify that client signed the document OR
 - In the presence of two witnesses who are not named in the Agreement, who will need to sign the document to state they saw client sign the Agreement.
 - The Agreement is not valid unless the CLIENT'S signature meets one of those requirements



A stylized, cursive signature in black ink, appearing to read 'John Doe'.

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Attachment 1 to Blank SDM Agreement

– Supporter Agreements

- Each Supporter client has identified in the Agreement must receive a copy of the Supporter Agreement along with the signed SDM Agreement.
- The Supporter must date and sign this Agreement
- All of the signed Supporter Agreements will be attached to the signed SDM Agreement



Attachment 2 -- Glossary

- This is a list of the words that are included in the SDM Agreement so that everyone (the client, their Supporters, and anyone who might read the Agreement) knows and can agree on what they mean.
- SDM is new, so this helps others in the community understand what the client wants and how they can support the client just like their Agreement instructs them!



Attachment 3 – Information for Recipients of the SDM Agreement

- Client will be providing copies of the signed SDM Agreement to other people and businesses (like doctors, the regional center, schools, service providers, or other agencies).
- This attachment helps those people understand what they need to do to ensure that the client is able to have the support they want!
- This is important because SDM is new so not everyone knows about it.



After SDM Agreement is Signed



Assembling the Attachments

- Make sure that client has signed the SDM Agreement and that Supporters have signed all of the signed Supporter Agreements (Attachment 1) together with all other agreements you want to attach, as well as Attachments 2 and 3.
- Make photocopies and provide those to people client wants to know what type of support the client wants: doctors and dentists, schools, Regional Center SC, family members, friends, service providers, others!

CLIENT MUST KEEP THE SIGNED ORIGINAL SDM AGREEMENT SOMEWHERE **SAFE**



Renewing/Changing the SDM Agreement

- SDM Agreements must be REVIEWED by client and all of their Supporters at least every two years.
- SDM Agreements can be updated/changed at any time, including at the two-year review, to show any changes the client wants.
- Whenever an SDM Agreement is updated/changed, client must sign the new Agreement, all of the Supporters must sign new Supporter Agreements, and client must provide copies of the new SDM Agreement and all attachments to all of the people/businesses they did before to replace the old agreement.



Terminating/Ending an SDM Agreement

The client's SDM Agreement is good until it is terminated (ended) when:

- Client says they don't want it anymore (or passes away 😞)
- All of the Supporters say they don't want to provide the client support anymore, or aren't eligible to support the client anymore for legal reasons

If just some of the Supporters don't want to or can't provide the client support anymore, the Agreement stays in place as to everything else



How to Terminate Support, or the SDM Agreement

- A Supporter can terminate their involvement by telling the client or providing the client something in writing that states they will not provide support anymore.
- The client can terminate their SDM Agreement in any way that shows to other people their intent to terminate it: telling someone else, tearing up the document, scratching out the language on the document, or other means in the presence of another person.



Client Rights

- Even if a client has an SDM Agreement that says they want a Supporter to help them in an area, the client still have the right to make all of their own decisions and choices without their Supporter if they want. (Voluntary)
- Supporters CANNOT sign documents on the client's behalf (unless there is another document like a Power of Attorney that permits this)

REMEMBER:

THE CLIENT MAKES THE FINAL DECISIONS/CHOICES ABOUT THEIR LIFE, WITH OR WITHOUT AN SDM AGREEMENT



QUESTIONS???

Where to get more information about SDM:

The ARC of California

Phone: 916-552-6619

Website: <https://thearca.org/info-resources/supported-decision-making/>

SDM Technical Assistance Program (in development)

State Council of Developmental Disabilities

Website: <https://scdd.ca.gov/sdm-tap/>

Welfare and Institutions Code sections 21000-21008

California Legislature website: [Codes Display Text \(ca.gov\)](https://leginfo.ca.gov/)



PRESENTER/S

Robin M. Black

Legal Services Manager

Alta California Regional Center

2241 Harvard Street, Suite 100

Sacramento, CA 95815

Phone: (916) 978-6269

Email: rblack@altaregional.com

