

# Supported Decision-Making



NH Leadership Series - Graduating Class of 2022

Presentation by:

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Purpose of Presentation:

Final presentation of our Action Plan for  
NH Leadership Graduating Class of 2022

# SENATE BILL 134-FN

## Supported Decision-Making - Effective January 1, 2022

Supported Decision-Making: An agreement that allows a person to CHOOSE supporters they want to assist with important life decisions without impeding on self-determining on self-determination.

This is an option that can be offered instead of guardianship if it is a better fit.

This is a legally recognized agreement.

# Benefits of Supported Decision-Making

- Requires schools to discuss the option of SDM or guardianship by the time the student reaches 18 years old.
- Provides more options to the student and their family as they transition into adulthood
- The individual has the right to choose anyone they would like to be part of the Supported Decision Making team.
- SDM gives an individual more autonomy than a typical guardianship

# What we learned...

- Many families have not had the schools educate them about any SDM or guardianship options as their student reached 18-years-old (families previous to this bill passing in January 2022)
- Many individuals who currently are under a guardianship could benefit from having a Supported Decision making team instead
- Schools have been educated about the new law and are implementing meetings with the students who would benefits from the law

# A Personal Story...



*During the process of compiling and understanding SB-134 my daughter became 18 years old in the month of February. For an 18-year-old with special needs and parents, this milestone presented a fork in the road. They have to make a choice: that individual can enter adulthood on a path similar to a neurotypical teen's, or parents can establish a legal arrangement. I am fortunate that she is at a higher level of capability and is able to make her own decisions. She does rely on me for support and openly communicates her needs and desires on financial, medical, and legal decision-making. One can basically say she utilizes the supported-decision process indirectly. Once she turned 18 we did have her IEP meeting and at that time they did not present to us the bill 134 and its entity of choices. Could it be because of her level of abilities, or is it because of their level of ignorance toward the bill? With that I took the question a bit further and asked her IEP coordinator if she had heard of the new bill, as I thought she was not aware. I further educated her and directed her to the resources that would benefit the other students. With that our deduction was concluded that the knowledge was lacking and many resources needed to be provided.*

# Our Action Plan: The Survey

We wanted to know if people within our communities and in the NH school systems were aware of the Bill, and to share resources with them if they are not.

- Sent to all Special Education Administrators in the state—**5 responses**
- Questions include:
  - If guardianship is discussed, is Supported Decision Making also discussed?
  - What resources are do schools provide to families?
  - Do schools have a written policy in place to share information?
  - Is anyone on staff required to stay up-to-date on the new laws, and if so who?
  - What kinds of resources would the schools find helpful?

# The Survey: Results

- Four out of Five schools replied that they have already started discussing supported decision-making with families when discussing guardianship
- The Department of Education has already produced a fact sheet about supported decision making which most schools that responded mentioned using.

# CONCLUSION

-sharing resources

-The final version of the bill:

[http://www.gencourt.state.nh.us/bill\\_status/legacy/bs2016/billText.aspx?sy=2021&id=922&txtFormat=pdf&v=current](http://www.gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2021&id=922&txtFormat=pdf&v=current) (Chapter 464-D)

- Department of Education Fact sheet:

[https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/sonh/nhdoe-supported-decision-making-fact-sheet\\_0.pdf](https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/sonh/nhdoe-supported-decision-making-fact-sheet_0.pdf)

-Supported Decision Making info from the Disability Rights Center:

<https://drcnh.org/issue-highlight/supported-decision-making/>