



Presents
Tuesday Tips
Supported Decision Making
Webinar 9-8-20

KY-SPIN
(Special Parent Involvement Network)
Parent Training & Information (PTI)
Center

Funded by the U.S. Dept. of Education under IDEA since 1988 when Kentucky first received a PTI. KY-SPIN Parent Center provides training, information and support for children and youth with all types of disabilities (birth through 26 years old), their parents, families, and professionals.



We do NOT:
Act as Attorneys

We DO:

- ♥ Empower Families to Effectively Advocate for their Children
- ♥ Provide peer support to help families access needed information and resources



Supported Decision- Making: My Choice Kentucky

Laura N. Butler,
MRC

Human
Development
Institute
University of
Kentucky

Agenda

- Define Supported Decision-Making
- Tips
- Resources and tools
- SDM in Action
- Questions



Supported Decision-Making

Generally agreed to be:

The use of trusted friends, family member, and professionals to get the help we need to make our own decisions. This help can come in many forms including but not limited to, evaluating a situation, weighting pros and cons, exploring options, offering advice based on experience, and/or explaining complicated documents or concepts.



Medical Model

**“They have
a problem that
must be fixed!”**



Social Model

**“Society is
the problem that
must be fixed!”**

Everyone Uses SDM

- What should I have for dinner?
- Do these shoes match my outfit?
- What documents did you take to your IEP meeting?
- I don't understand the diagnosis my doctor gave me. Can you help me?



Tip #1- Know Your Options

Full guardianship is not the only way.

Consider:

- Limited guardianship
- Power of attorney
- Representative Payee
- Trusts & other financial options
- Circles of support



Alternatives to Guardianship



*From NCI Guardianship Data Brief, April 2019



Tip #2- Know your student/child

What supports are available now?

What supports might be available in the future?

Who can provide support and guidance to the person?

How does the person best receive/process information?

Remember that they are adults or will be adults soon.



- New people might need to added to the team
- What types of people does the person prefer
- How much independence or autonomy does the person want?

Tip #3- Prepare your student/child for the future



- Allow them to make age-appropriate decisions and experience the consequences
- Redirect questions to them- "I don't know. What do you think about that?" (Thanks, Stella!)
- Be on the same page about goals
- Discuss what guardianship or alternatives will mean for them



Make sure the person is taking the lead in meetings and appointments.

Make sure that questions and comments about the person are directed to the person.

Make sure the person has a communication system to use at all times.



Tip #4- Know your resources and tools

- My Choice Kentucky
- Kentucky Protection & Advocacy- Guardianship and Alternatives book
- PRACTICAL Tool
- Finding the Right Fit web tool
- National Resource Center on SDM
- Supported decision-making book and textbook



PRACTICAL Tool

- Presume
- Reason
- Ask
- Community
- Team
- Identify abilities
- Challenges
- Appoint
- Limit

PRACTICAL Tool for Lawyers: Steps in Supporting Decision-Making

The PRACTICAL Tool aims to help lawyers identify and implement decision-making options for persons with disabilities that are less restrictive than guardianship. It is a joint product of four American Bar Association entities – the Commission on Law and Aging, Commission on Disability Rights, Section on Civil Rights and Social Justice, and Section on Real Property, Trust and Estate Law, with assistance from the National Resource Center for Supported Decision-Making. Learn more about the PRACTICAL Tool and Resource Guide at www.ambar.org/practicaltool.

PRESUME guardianship is not needed.

- Consider less restrictive options like financial or health care power of attorney, advance directive, trust, or supported decision-making
- Review state statute for requirements about considering such options

Observations and Notes:

REASON. Clearly identify the reasons for concern.

Consider whether the individual can meet some or all of the following needs:*

Money Management:

- Managing accounts, assets, and benefits
- Recognizing exploitation

Health Care:

- Making decisions about medical treatment
- Taking medications as needed
- Maintaining hygiene and diet
- Avoiding high-risk behaviors

Relationships:

- Behaving appropriately with friends, family, and workers
- Making safe decisions about sexual relationships

Community Living:

- Living independently
- Maintaining habitable conditions
- Accessing community resources

Personal Decision-Making:

- Understanding legal documents (contracts, lease, powers of attorney)
- Communicating wishes
- Understanding legal consequences of behavior

Employment:

- Looking for, gaining, and retaining employment

Personal Safety:

- Avoiding common dangers
- Recognizing and avoiding abuse
- Knowing what to do in an emergency

Observations and Notes
(List supports needed.):

https://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice/practical_tool

First Textbook on SDM

← → ↻ <https://www.amazon.com/Supported-Decision-Making-Self-Determination-Cambridge-Disability/dp/110847564/> ☆ 📍 |

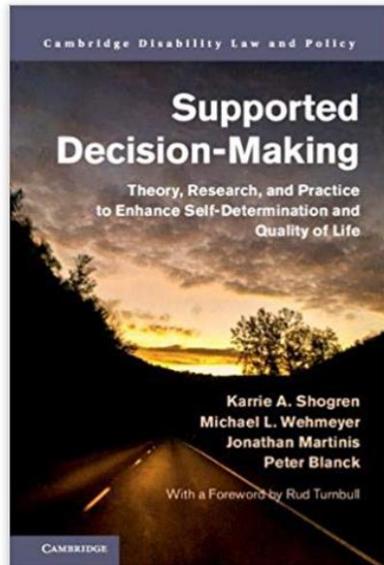
Supported Decision-Making: Theory, Research, and Practice... and millions of other books are available for Amazon Kindle. [Learn more](#)

Supported Decision-Making: Theory, Research, and Practice to Enhance Self-Determination and Quality of Life (Cambridge Disability Law and Policy Series)

by [Karrie A. Shogren](#) (Author), [Michael L. Wehmeyer](#) (Author), [Jonathan Martinis](#) (Author), [Peter Blanck](#) (Author)

[Be the first to review this item](#)

[Look inside](#) ↴



eTextbook
\$69.08

Hardcover
\$81.92

Other Sellers
[See all 2 versions](#)

Buy new

FREE Delivery **Tomorrow**
if you order within 1 hr 16 mins. [Details](#)

In Stock.

Ships from and sold by Amazon.com.

prime

prime \$81.92

List Price: \$110.00

Save: \$28.08 (26%)

15 New from \$81.92

Deliver to [Laura - Louisville 40299](#)

Qty: 1 ▾

Add to Cart

Buy Now

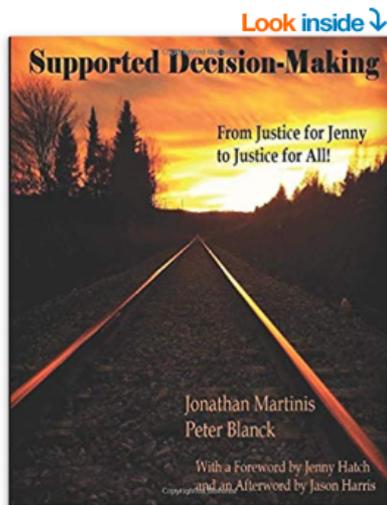
More Buying Choices

15 New from \$81.92 | 6 Used from \$94.35

21 used & new from \$81.92

[See All Buying Options](#)

Another Book on SDM



[See all 2 images](#)

Supported Decision Making: From Justice for Jenny to Justice for All! Paperback – October 4, 2019

by Jonathan Martinis (Author), Peter Blanck (Author)

★★★★★ 3 ratings

[See all formats and editions](#)

Paperback
\$19.99 ✓prime

2 New from \$19.99

How would you feel if you weren't allowed to make decisions about your life? What if someone had the power to tell you where to live, who to spend time with, and what to do? What if that person had control of your money and health care? Isn't that hard to imagine? Yet, hundreds of thousands of people with disabilities face this situation, every day, when they in a guardianship. When a court decides that a person needs a guardian, it appoints someone to make decisions for that person, usually in all areas of life. While guardianship may be helpful to some people, when people who can make their own decisions are put in guardianship, they can lose their rights and have a worse quality of life. That's what happened to Jenny Hatch, a young woman with Down syndrome. Before she was put in guardianship < [Read more](#)

[Report incorrect product information](#)

Share    

Buy New **\$19.99**

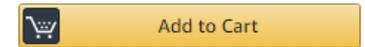
Qty: 1 ▾

✓prime

FREE delivery: **Friday**
Order within 12 hrs 1 min [Details](#)

📍 Deliver to Laura - Louisville 40299
In Stock.

Ships from and sold by Amazon.com.

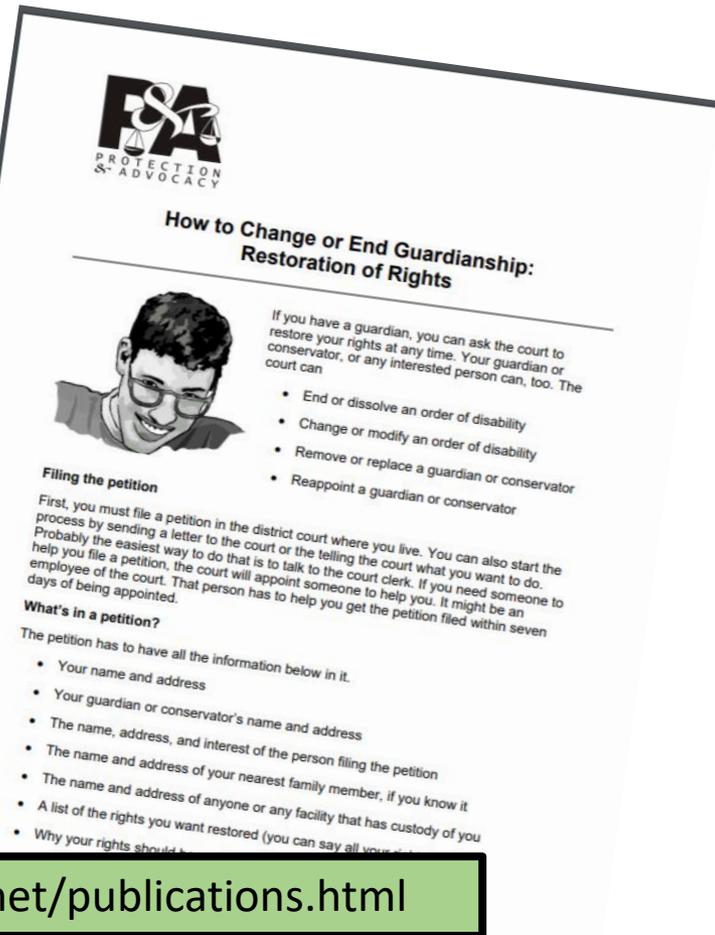




Add to List ▾

[Add to your Dash Buttons](#)

Kentucky Guardianship & Alternatives



<http://www.kypa.net/publications.html>

SDM at Work in Kentucky

- Joseph



Bickman celebrates his freedom

FIRST IN MERCER COUNTY TO HAVE RIGHTS RESTORED

Jennifer Marsh
Herald Staff
jmarsh@harrodsburgherald.com

Joseph Bickman of Burgin made local history February when he became the first adult with an intellectual disability in Mercer County to have his rights restored.

Imagine becoming an adult and not having the right to basic self-determination. Bickman didn't have to imagine this. The commonwealth decided where he lived and what he did with his time. However, with help from his foster family, Bickman became the first local to win his independence.

"It was a first in Mercer

a staffed residence with older gentlemen. It just wasn't the right fit."

Barbour said Bickman was kept heavily medicated and his activity was limited. "He couldn't go outside due to the busy area surrounding the house," Barbour said. "We started taking him home with us on the weekends and things developed from there."

After becoming a foster family for Bickman, the Barbours started petitioning the state to restore his rights. "We received help from the Kentucky Department for Advocacy," Barbour said. "It was a long process and we were denied the first time."

Bickman is now able



The Harrodsburg Herald/Jennifer Marsh

Joseph Bickman is the first person with intellectual disabilities in Mercer County to have his rights

SDM at Work in Kentucky

- Judith



Questions?

Contact

My Choice Kentucky:

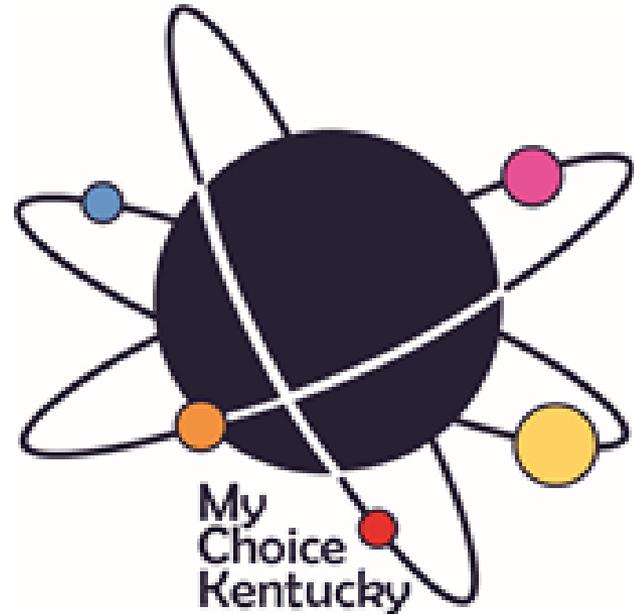
Laura Butler

laura.smith2@uky.edu

(859) 218-5959

www.mychoiceky.org

Like us on Facebook! My Choice Kentucky



If you still have
questions...



(800) 525-7746
(502) 937-6894
spininc@kyspin.com
www.kyspin.com

Please complete our evaluation

Information modified from Family Network
on Disabilities of FL with their permission