

Our Mission



The mission of the New York State (NYS) Council on Developmental Disabilities (CDD) is to enhance the lives of New Yorkers with developmental disabilities and their families through programs that promote self-advocacy, participation, and inclusion in all facets of community life.

NYS CDD and Supported Decision-Making

The NYS CDD and all other states' developmental disabilities councils were established by the federal ["Developmental Disabilities Assistance and Bill of Rights Act."](#) Under this law, DD Councils in each state have a vital role in educating the public about current research, strategies, and the needs and preferences of people with developmental disabilities (DD) and their families on important issues. The NYS CDD is committed to supported decision-making options that promote self-advocacy, community participation, and inclusion of people with DD and their families.



Background

Supported decision-making (SDM) is the process of going to others (friends, family, social services, etc.) for advice or help before deciding what to do [1]. A decision-maker is the person with a disability. A supporter is the person chosen to help with decisions.



A Supported Decision-Making Agreement (SDMA) is a document outlining what support a decision-maker wants and who they want to give that support. SDM is a tool to help people with disabilities improve and keep their decision-making capacity [2]. The right to make life choices improves quality of life, increases self-esteem, encourages personal growth, and helps people with disabilities identify and avoid abuse [3,4,5].

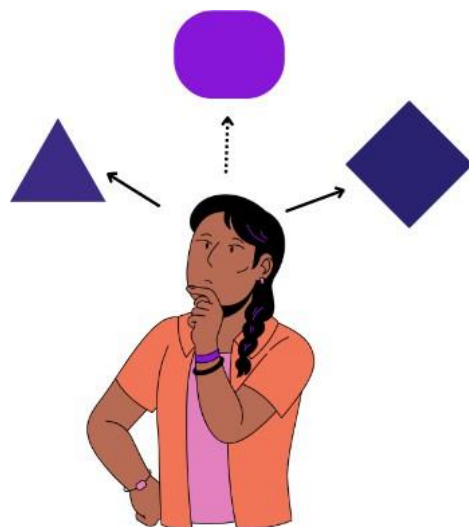


Challenges

Many people with disabilities find themselves in guardianships that limit self-determination. SDM can be an alternative to legal guardianship. At the same time, many people with disabilities don't know about SDM. People with disabilities need to know their options so they can advocate for themselves. Guardianship is the most restrictive way to support a loved one, and it can be a long and expensive process.



Many parents and caregivers believe that if their child turns 18 and is not under guardianship, they will not be included in Individualized Education Plan (IEP) meetings or be able to access their child's medical, legal, or other records [6, 7, 8]. This is not true. There are many ways, both formal and informal, to incorporate parents and caregivers into the decisions of a person with a disability.



CDD SDM Grant Work

The NYS CDD funded a grant with Supported Decision-Making New York (SDMNY) to educate a variety of stakeholders about supported decision-making as an alternative to guardianship, and pilot two projects that focused on using SDM to divert persons with developmental disabilities from guardianship and restoring rights to those already in a guardianship [9].



A SDM model that uses a recognized process of facilitation and education can be great. The SDMNY model is one such example. SDMNY facilitation has been very effective and well-received by those who have completed the program.

This project also led to New York passing the Supported Decision-Making Law (Article 82 of NYS Mental Hygiene Law).



This law provides a less restrictive alternative to Guardianship and makes a Supported Decision-Making Agreement a legal document that must be followed.



Works Cited

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- [7] “Guardianship Myths.” *ARC Center for Future Planning*, <https://thearc.org/wp-content/uploads/2020/09/Guardianship-Myths-Center-for-Future-Planning-1.pdf>
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