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Substitute Senate Bill 35 Sponsor Testimony
House Children and Human Services Committee
Tuesday, March 24, 2026

Chairwoman White, Vice Chairwoman Salvo, Ranking Member Lett, and members of the House Children and Human Services Committee, thank you for the opportunity to present sponsor testimony on Substitute Senate Bill 35, legislation that would recognize supported decision-making as an alternative to guardianship for adults with a developmental disability.

“Supported decision-making” is the process of supporting and accommodating an adult with a developmental disability who is making, communicating, or implementing the adult's own life decisions without impeding the adult's self-determination.

A “Supported decision-making plan” is a plan between an adult with a developmental disability (Principal) and one or more supporters chosen by the principal **that is formal and documented through a written plan.**

Supported decision-making plans are a less restrictive alternative to guardianship. They promote autonomy for individuals with a developmental disability while still having the help and support to make their own decisions

These plans allow adults with DD to make their own life choices with help from trusted supporters through a formal agreement to assist with major decisions such as employment, education, major purchases, etc., while ensuring the person’s independence and reducing the risk of exploitation.

Formally recognizing Supported Decision-making in Ohio Revised Code would help the state free up its guardianship resources for the individuals who truly need guardians.

Although supported decision-making informally exists in our state, recognizing it in Ohio law would give families a solid foundation for continuing to provide this support knowing their choice will be respected. For individuals who currently have a guardian but have developed the skills to make some decisions on their own, supported decision-making can provide compelling evidence to the court that guardianship is no longer necessary.

Within Supported decision-making plans, the supporter shall act as a fiduciary for the principal and protections are in place for the principal if any conflicts of interest arise for the supporter.

The principal may modify or end a supported decision-making plan at any time and for any reason by simply notifying the supporter.

Substitute SB 35 does not require any adult with a developmental disability to enter into a supported decision-making plan. It simply recognizes the practice and legitimizes its use for those who wish to do so.

The bill also requires that the Department of Developmental Disabilities develop a model supported decision-making plan as well as informational materials about SDM plans for adults with a developmental disability, family members, and professionals who are likely to encounter a plan.

This legislation passed out of the Senate Judiciary Committee unanimously, where we made necessary changes to tighten and clarify foundational provisions in the bill. It then passed out of the Senate unanimously. It's supported by leading advocates for Ohioans with developmental disabilities as well as individuals with developmental disabilities.

Thank you again for the opportunity to provide sponsor testimony, I will now turn it over to Senator Reynolds and am happy to answer any questions following her testimony.