

HB 96
Jan Dougherty
Ohio Senate Medicaid Committee
Chair Mark Romanchuk
May 15, 2025

Chairman Romanchuk, Vice Chair Huffman, Ranking Member Liston, and members of the Senate Medicaid Committee, my name is **Jan Dougherty, professional in the disability field**

Thank you for the opportunity to submit this testimony as an interested party on House Bill 96. I am here today to speak in strong support of recognizing and expanding Supported Decision-Making (SDM) as a valid and empowering alternative to guardianship for people with disabilities.

Supported Decision-Making is important because it honors the fundamental rights and dignity of people with disabilities. At its core, SDM is about recognizing that all individuals, regardless of disability, have the right to make choices about their own lives—with support, if needed. Just as many of us consult trusted friends, family members, or professionals when making major decisions, people with disabilities may also benefit from support in understanding information, weighing options, and communicating their choices. SDM allows them to do this without being stripped of their legal rights.

Unfortunately, too often guardianship is pursued not because a person lacks the capacity to make decisions, but because they are perceived as difficult, noncompliant, or simply different. I am aware of a case where a service provider petitioned for guardianship of a young adult with a disability, not because the person was incapable of making decisions, but because they were "disrespectful" and used profanity. Being rude or frustrated is not a reason to take away someone's fundamental rights. If that were the standard, many teenagers and adults—disabled or not—would lose autonomy. This is not a behavioral issue that guardianship will solve. It is a support issue. This is exactly where Supported Decision-Making should come into play.

Guardianship can remove a person's right to decide where to live, what medical care to receive, how to spend their money, or who to spend time with. It often places them in a system where decisions are made *for* them, rather than *with* them. In contrast, Supported Decision-Making keeps the individual at the center of their life, using a trusted network to help them make informed choices.

Research and lived experience both show that people using SDM experience greater independence, improved quality of life, and stronger community integration. SDM reflects the principles of self-determination and inclusion embedded in the Americans with Disabilities Act.

I urge this body to support policies that recognize Supported Decision-Making as a valid and preferred option to guardianship. Let us move forward in supporting amendment SC1002 to restore the language from the as-introduced bill and officially recognize Supported Decision-Making in Ohio law.

Thank you again, Chair Romanchuk and members of the committee, for your time and consideration