

Senator Cirino Sponsor Testimony
Senate Bill 213
2/28/2024

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, thank you for allowing me to introduce and provide Sponsor Testimony on Senate Bill 213, the Developmentally Disabled Supported Decision-Making Act. This bill recognizes a legitimate alternative to traditional guardianship and expands the opportunity for developmentally disabled Ohioans to make their own decisions.

Supported decision-making is supporting an adult with developmental disabilities to make their own decisions by helping them understand, communicate, and implement their decisions. All of us look to family members and friends for help with decisions at different points in our lives; Senate Bill 213 allows adults with developmental disabilities to do the same thing. Adults with developmental disabilities can choose to create a supported decision-making plan that identifies their supporters and the areas of their lives where they want support in making decisions.

Supported decision-making protects adults with developmental disabilities from exploitation because they maintain control over their own lives and decisions. Senate Bill 213 includes provisions to identify and prevent conflicts of interest, while also protecting from liability those who act in good faith reliance on a supported decision-making plan.

With a limited number of guardians statewide, this bill recognizes an option in supported decision-making that increases the options available and maximizes the state's guardianship resources for those who truly need them.

Supported decision-making is recognized nationally as an alternative to guardianship, with at least 26 states recognizing the option in statute, including Indiana, Texas, and North Dakota. In addition, Florida and Kentucky have case law that acknowledge supported decision-making.

Although supported decision-making informally exists in our state, recognizing this option in Ohio law would give families a solid foundation for continuing to provide this support knowing their choice will be respected. For individuals that have a current guardianship but have developed skills that they no longer need a guardian, supported decision making provides additional evidence to the courts that a guardianship may not be necessary.

Senate Bill 213 would recognize, legitimize, and expand an alternative for developmentally disabled Ohioans who are capable of making decisions on their own and ensure this is an efficient option for those who wish to use it.

Thank you and I am happy to take questions.