

Proponent Testimony on Senate Bill 213
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Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, on behalf of the Ohio Association of County Boards of Developmental Disabilities, thank you for the opportunity to testify in support of SB 213.

Ohio's 88 county boards of DD support more than 105,000 people with developmental disabilities and their families by offering funding, planning support, and a wide variety of services that help people live happy, healthy, and fulfilling lives.

For most of us—including people with disabilities—living a happy, healthy, and fulfilling life means living as independently as possible. It also means having control over our own affairs, being empowered to make decisions about our own futures, and having the support necessary to feel confident that our choices will be respected and upheld by those closest to us.

County boards help people with disabilities and their families achieve this goal in many ways:

- By using person-centered planning processes, county boards help people identify their goals and then partner with them to create strategies that will achieve them;
- By encouraging self-advocacy, county boards help people speak up for themselves and effectively communicate their views on topics that are important to them; and
- By engaging in supported decision-making, county boards help ensure that Ohio's guardianship system is reserved only for those who truly need the robust protection offered by court-appointed family and professional advocates.

Supported decision-making is not a criticism of Ohio's guardianship system. Indeed, court-appointed guardians can and do help keep individuals safe—including those whose disabilities substantially limit their capacity to accurately gauge risk or fully understand the implications of major life choices.

However, guardianship is often overly-restrictive and inappropriate for those individuals who could thrive and otherwise make fully-informed decisions on their own—provided they have the adequate resources and support to do so.

Unfortunately, in many instances, guardianship represents an all-or-nothing decision for the courts to make when they are asked to balance a person's health and safety with their ability to make decisions about their own future. Supported decision-making offers a middle path that preserves both.

Formally recognized in statute by 26 states, supported decision-making helps ensure people with disabilities understand and can fully communicate the choices they make while offering a formal structure that courts can rely upon to forego traditional guardianship. It also provides family members and loved ones with helpful tools they can use to support a person while respecting their individual autonomy, preferences, and dignity.

By creating plain-language materials and resources that are accessible to all, offering extra time to discuss and consider important decisions that will have an impact on a person's future, and using custom-developed exercises and activities (such as making lists of pros and cons, engaging in role-playing, and others), supported decision-making helps people fully consider the potential outcomes of their choices—and gives confidence to those who may come into contact with a person at key life decision points (such as doctors, lawyers, financial professionals, and other similar third parties) that they can rest assured a person is looking out for their own best interests.

Supported decision-making also expands the number of people who are looking out for a person's best interests from a single, court-appointed guardian to many individual supporters who have been chosen as trusted sources of information and guidance by the person with disabilities themselves. This greatly diminishes the possibility of one individual having too much influence over another person's life—thereby helping to prevent abuse, fraud, and similar acts.

Last but not least, supported decision-making closely mirrors the path that all people undertake when making big life choices regardless of whether or not they have a disability. By empowering people to seek the opinions of family, friends, and trusted advisors (on top of conducting their own research), supported decision-making ensures people with disabilities can enjoy the same level of independence, autonomy, and dignity as those without.

SB 213 takes an important step forward in recognizing these fundamental human values by establishing in the Ohio Revised Code that people with disabilities are capable of making informed decisions about their own futures. County boards are committed to continuing our support of people with disabilities as they engage in supported decision-making and look forward to this legislation's passage.

In closing, we are grateful to Senator Cirino for sponsoring this critical piece of legislation, and appreciate the Senate Judiciary Committee for bringing it forward. Thank you all for your time and consideration. I am happy to answer any questions you may have.