



Senate Bill 213
Proponent Testimony – Written Only
Ohio Developmental Disabilities Council
Tuesday, May 7, 2024

Chairman Manning, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, the Ohio Developmental Disabilities Council wishes to publicly support the passage of Senate Bill 213, a bill to formalize Supported Decision Making for adults with developmental disabilities in Ohio.

The Ohio Developmental Disabilities Council is governed by the federal Developmental Disabilities Assistance and Bill of Rights Act (DD Act). Our Council is made up of adults with developmental disabilities, parents and family members of individuals with developmental disabilities and representatives of state and local agencies that serve people with developmental disabilities.

Contained within the DD Act are several provisions that specifically support the right of individuals with developmental disabilities to have independence and control over their lives. Specific provisions contained in the DD Act (42 USC 144) include:

- Disability does not diminish the right of individuals with developmental disabilities to live independently, **to exert control and choice over their own lives**, and to fully participate in and contribute to their communities through full integration and inclusion in the economic, political, social, cultural and education mainstream of United States society.
- **All individuals with developmental disabilities are capable of self-determination**, independence, productivity, and integration and inclusion in all facets of community life.
- **Individuals with developmental disabilities and their families are the primary decision-makers** regarding the services and supports such individuals and their families receive, including regarding choosing where the individuals live from available options, **and play decision-making roles in policies and programs that affect the lives of such individuals and their families.**
- Services, supports and other assistance should be provided in a manner that **demonstrates respect for individual dignity, personal preferences, and cultural differences.**

The spirit of the DD Act is clear. Individuals with developmental disabilities, with support, can be the primary decision-makers in their own lives. Senate Bill 213 strengthens this idea by formalizing in statute a process that many individuals with disabilities and families are already utilizing today. In fact, the Council has published an update to our Guardianship Booklet in 2023 that emphasizes Supported Decision Making should be the first option considered for individuals with developmental disabilities.

This bill provides needed clarity in instances where an individual's ability to make decisions may be wrongly called into question by codifying a presumption of competency for individuals with developmental disabilities. It also preserves the right of an adult with developmental disability to make their own decisions even when they disagree with the advice and support they have received. If passed, this bill would demonstrate the state's commitment to ensuring that people with developmental disabilities maintain control over their own lives.

Sincerely,

A handwritten signature in black ink that reads "Carolyn Knight". The signature is written in a cursive, flowing style.

Carolyn Knight
Executive Director
Ohio Developmental Disabilities Council