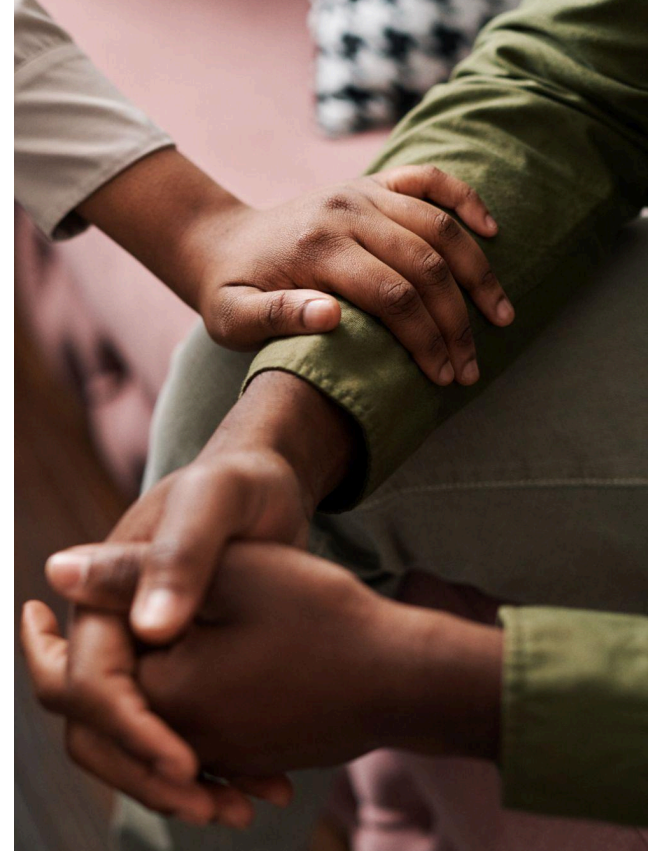




CAL STATE EAST BAY

DREDF

California State Council on Developmental Disabilities



Supported Decision Making: **Introduction For Professionals**

What is Supported Decision Making?

Supported Decision Making (SDM) is a tool for people with disabilities to get support in making decisions on their own. SDM can be used by people with intellectual or developmental disabilities, people with dementia, or anyone else who might need support to understand their options and make informed choices. SDM is a process that respects people's rights and dignity, promotes independence, and prevents abuse or exploitation. SDM allows people to retain their decision making capacity.

Is Supported Decision Making Recognized in California?

The state of California granted formal recognition to SDM in September 2022 with the passage of [AB 1663](#), Probate Conservatorship Reform and Supported Decision-Making Act.

How is Supported Decision Making Different From Conservatorship?

SDM is an alternative to conservatorship. People with SDM agreements ("decision makers") are not conserved and retain the right to make decisions about important life decisions, including health, education, work, living situation, finances, and relationships.

What is a Supported Decision Making Agreement?

SDM agreements say who the decision maker wants support from and which decisions they want help with. An SDM agreement must be signed by the decision maker and their supporter(s) in presence of two adult witnesses or using notary public.

How Should Professionals Implement Supported Decision Making?

Professionals must allow a disabled person who uses SDM to have supporters attend and participate in any meetings and communications:

- ***“[A]n adult with a disability is entitled to have present one or more other adults, including supporters, in any meeting or discussion, or to participate in any written communication,”*** including IEPs, service and care planning meetings, discharge planning meetings, meetings with health care providers, meetings with providers of residential services or long-term services and supports, and communications with a bank, financial institution, or financial planner.” Welf. & Inst. Code § 21004(a)
- The disabled adult may communicate that they wish to have one or more adults attend a meeting or discussion or participate in any written communication “through oral statement, gesture, or any augmentative or alternative communication method” used by the disabled adult. Welf. & Inst. Code § 21004(b).
- A third party may only refuse the presence of supporting adults if they “reasonably believe [] that there is fraud, coercion, abuse” or other reportable conduct by the supporters. Welf. & Inst. Code § 21004(c).

Recognizing an SDM agreement may be a required reasonable accommodation under state and federal laws.

SDM agreements may be accompanied by other documents such as releases of information, powers of attorney, or other legal documents. These additional documents are not required for the SDM agreement to be considered valid. Professionals should honor these documents as well.

How Can I Learn More About Supported Decision Making?

The [Supported Decision Making Outreach Team at CalState East Bay](#) is developing online modules and organizing a statewide conference for professionals. More information about the modules and statewide conference will be posted to [our project website](#) soon and also shared on social media.

For more information about SDM, check out the [resource page on the California State Council on Developmental Disabilities website](#).

