



Supported Decision Making: Alternative to Guardianship

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Trainer/Consultant

Illinois Has a New Law



- Governor Pritzker signed the Supported Decision-Making Act (Public Act 102-0614) on August 27, 2021
- Effective Date is February 27, 2022

What Does the Law Do?



- Authorizes the use of Supported Decision Making agreements
- Allows a “Supporter” to assist a “Principal” with an intellectual or developmental disability in making decisions

Alternative to Going to Court



- The Supporter is authorized to access, collect and obtain information that will help the Principal in making decisions
- Principal is supported in making decisions, not deprived of decision making power

What Kinds of Decisions?

- Obtaining food, clothing and shelter
- Taking care of physical and mental health
- Managing financial affairs
- Applying for public benefits
- Helping to find work
- Help with school decisions
- Advocating



The Agreement



➤ Does not need to be notarized

➤ Need two witnesses

➤ Principal and Supporter need to sign





The Agreement

- A form that can be used is part of the law
- Developed by Illinois Guardianship and Advocacy Commission
- Can use another form



Who Can Be a Supporter?

- A parent
- A sibling
- A cousin
- An aunt
- An uncle
- A friend



Who Can't Be a Supporter?

- ▶ Employee or Employer of the Principle
- ▶ Paid support services worker
- ▶ Person who works for an agency that is financially responsible for the Principle
- ▶ A person ineligible under the Health Care Worker Registry
- ▶ A person against whom there is a court order prohibiting contact with the Principle
- ▶ A person who has been convicted of a sex offense, aggravated assault, fraud, theft, forgery or extortion



How can Agreement be terminated?

- Either the Principal or the Supporter can terminate at any time
- Need to physically destroy the agreement, write a statement declare the agreement over or can be done verbally in front of two witnesses

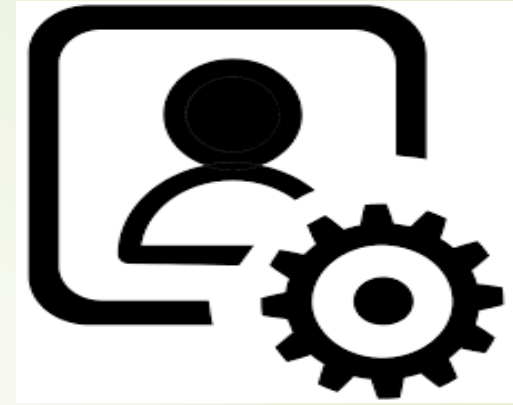


Who needs to accept the Agreement?

- Therapist
- Dentist
- Doctor
- Hospital
- Bank
- Agencies
- Providers



The Role of Supporter



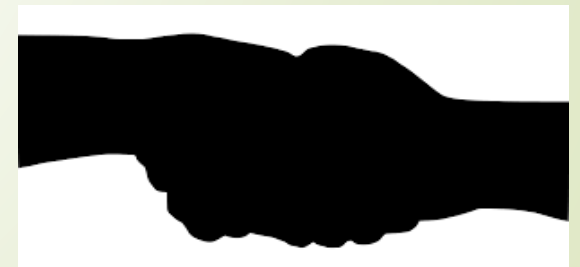
- ▶ Cannot make decisions for the Principal
- ▶ Can not receive pay for acting as a Supporter
- ▶ Can be disqualified as a supporter, if in anyway abuses or causes Principal to be neglected

Do not abuse, neglect, or exploit a person served.

More on Role of Supporter



- Act in good faith, be loyal and without self-interest
- Help Principal understand different options
- Help communicate decisions

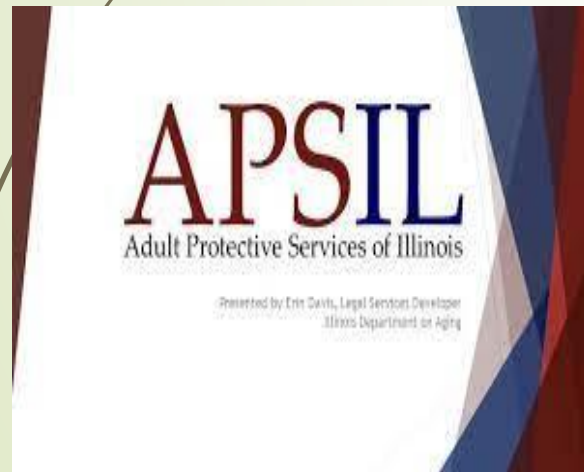


Warning

Anyone who is aware of possible abuse is to call:

Adult Protective Services Hotline

1-866-8001409



Immigration Status



- **Any** individual residing in Illinois with DD/ID can enter into a Supported Decision Making agreement
- **Any** person residing in Illinois without regard to immigration status can act as a supporter



For More Information IL Guardianship and
Advocacy Commission

<https://www2.illinois.gov/sites/gac/Pages/default.aspx>

or

Contact Teresa Parks at:

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or

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