



TEXAS

Health and Human Services

COMMISSIONER
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How to Get Help with Decision-Making

1. Do you need or want help making big life decisions?

If you do, there is a new law that may help. The Supported Decision-Making Agreement Act lets a person, known as a "supporter", help you understand and communicate important decisions such as:

- where you live,
- who you live with,
- where you work, or
- what services, supports or medical and mental health care you want.

The new law is for an adult with a disability. This means:

- a. a person 18 years old or older, or a person under 18 years old who the law considers to be an adult; and
- b. who has a physical or mental impairment that substantially limits one or more major life activities.

2. What is a supporter and what do they do?

A supporter is someone who can help you:

- get information,
- understand your choices,
- understand the responsibilities and consequences of your decisions, and
- tell others what you decide.

A supporter is different from a guardian, who is chosen by a judge. A supporter has no legal power to tell you what to do. That means a supporter cannot decide for you or force you to make a decision. A supporter is a volunteer and does not get paid money to help you. You may change your supporter at any time. You can decide at any time you no longer need the help of a supporter. A supporter also can decide to stop helping you at any time.

3. Who can be a supporter?

A supporter is the person you choose and who agrees to help you get information so you can make life decisions. A supporter should be an adult you trust. A person can never be a supporter if he or she has abused, neglected or exploited a person with a disability.

4. What do I do after I pick a supporter?

You can sign a supported decision-making agreement to include the kinds of decisions your supporter will help with, based on what you want and need. The agreement should describe how your supporter would help you. For example, if you want your supporter to attend meetings with a provider, include that in the supported decision-making agreement. Your provider can give you a sample supported decision-making agreement if

needed. You can use the sample or one like it to make your own supported decision-making agreement.

5. What do I do after I have a written supported decision-making agreement?

- Sign the written agreement along with your supporter in front of either a) two people who are at least 14 years old, or b) a notary public. Notaries are people who witness the signing of legal papers and work at a variety of places, such as banks.
- Make sure to give your provider a signed copy of your supported decision-making agreement.
- You must sign a form called consent if you want your supporter to be able to see personal information needed to help you make a decision. That information can be medical records, school records, or other information. For example, if you want your supporter to get your health or school information, you may need to sign a form called "consent to release information" so your supporter can get this information. You can write 'yes' or 'no' on the supported decision-making agreement to share these records with your supporter. If you are receiving Medicaid, a Medicaid provider may need your written permission to give information to your supporter.

6. Is there anything else I should know?

If a supporter abuses, neglects or exploits you in any way, immediately report it to the state by calling the Texas Department of Family and Protective Services at 1-800-252-5400.

7. Who can I contact if I have more questions?

For more information, contact Disability Rights Texas at 1-800-252-9108 or a lawyer of your own choosing.