



Figure 1 The Arc Maryland Logo



Figure 2: The National Federation of the Blind of Maryland Logo

**Senate Judicial Proceedings Committee
SB 559 - Supported Decision-Making
February 17, 2022**

Position: Support

The Arc Maryland is the largest statewide advocacy organization dedicated to protecting and advancing the rights of people with intellectual and developmental disabilities. The National Federation of the Blind of Maryland is the Maryland state affiliate of the [National Federation of the Blind](#). The National Federation of the Blind is the oldest and largest nationwide organization of blind Americans. Founded in 1940 and currently headquartered in Baltimore, the NFB consists of affiliates, chapters, and divisions in all fifty states, Washington, DC, and Puerto Rico. We are in support of SB 559 as it will require the legal recognition of supported decision-making as a foundational civil rights issue for people with disabilities.

Everyone relies on the support of people they know and trust to help them to make, communicate, and effectuate important decisions in their lives. Unfortunately, many people with disabilities, due to historic stereotypes and perceptions about capacity, have been placed in overbroad and unnecessary guardianships. Under guardianship, a person loses their ability to make even the most basic decisions for themselves. A person loses the ability to control their medical care, make decisions on their friends/who can visit them and with whom they may have a relationship. They are not allowed to vote or make other decisions that those not under guardianship often take for granted. Also, once a person is placed under guardianship or conservatorship, it is very difficult for a person to have that arrangement terminated.

While guardianship is an important tool in our toolbox, and may be appropriate for some cases, **it must not be the default for people with disabilities. This is why recognition of Supported Decision-Making is so important.**

Supported Decision-Making preserves a person's right to make their own choices—fundamentally it is their right to have rights. Support Decision-Making has been recognized as a reasonable accommodation under the Americans with Disabilities Act. Nineteen states and Washington DC have passed laws similar to this legislation, recognizing supported decision-making agreements.

This bill has the opportunity to prevent unnecessary guardianship for many Marylanders with disabilities. The significance of this legislation cannot be overstated. For all of these reasons, The Arc Maryland and National Federation of the Blind of Maryland support

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