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## Senate Judicial Proceedings Committee SB 559 – Estates and Trusts - Supported Decision-Making

**February 17, 2022**

### **Position: Support**

The Maryland Association of Community Services (MACS) is a nonprofit association of over 100 agencies across Maryland serving people with intellectual and developmental disabilities (IDD). MACS members provide residential, day and supported employment services to thousands of Marylanders, so that they can live, work and fully participate in their communities.

**This bill would help to safeguard the fundamental right of people with disabilities to direct their own lives and make decisions for themselves.** SB 559 creates a framework that permits people with disabilities to rely on the support of people whom they know and trust-- as people without disabilities do-- to help understand, communicate and effectuate an array of decisions—from buying a car to making decisions about medical care.

**This bill provides an alternative to the far more restrictive status of guardianship.** While guardianship may be an appropriate vehicle in a given situation, it should not be the default option for people with disabilities who have long been placed under guardianship due to stereotypes and outdated notions of competency. A person placed under legal guardianship risks losing their right to vote, marry, make decisions about medical care, decide who can visit them and other rights. The process for terminating guardianship can present daunting obstacles including accessing medical records and navigating court proceedings.

**The bill incorporates best practices from the 20+ [other states](#) that have passed supported decision-making legislation,** including clear language that limits the authority of a supporter to the choices of the person they are supporting.

MACS urges your favorable vote of SB 559 which will increase self-determination and enhance the quality of life for people with disabilities.

Respectfully submitted,

Lauren Kallins  
Director of Government Relations