



Massachusetts Families Organizing for Change

A grassroots coalition of individuals with disabilities and/or medical needs and their families.

POSITION PAPER SUPPORTED DECISION MAKING

adopted December 2019

Massachusetts Families Organizing for Change (MFOFC) has historically supported people with disabilities and their families to have a voice in crucial decisions being made about their lives. Our vision of “empowerment” includes planning, choices, and decision-making. Our purpose is to advocate for a variety of flexible home and community supports that help people with disabilities and/or chronic illness live in their own homes as equal participants and members of their cultural and geographic communities. We consider Supported Decision-Making agreements to support this lifestyle, as well as to provide an alternative to Guardianship that promotes self-determination, autonomy, and choice.

Our definition of a “Supported Decision-Making Agreement” includes a signed and notarized document where the person with the disability indicates who they have chosen to be their decision-supporter(s), with the flexibility to make it a unique and personalized agreement specific to the person with the disability. Whether or not to include a description of the “decision areas” is up to the discretion of the person with a disability. Decision supporters do not receive financial compensation, nor do they make decisions on behalf of the person with the disability. The person with the disability decides what types of decisions they would like assistance with, as well as who is best to discuss these decisions with. There may be situations where the person with the disability has listed someone as a decision-supporter, but decides not to consult them after all.

We believe that healthcare professionals, representatives of state agencies, school personnel, staff at provider agencies, law enforcement, and other entities should utilize Supported Decision Making agreements as documents to ensure that the person with the disability is making decisions with the utmost of informed consent. MFOFC envisions decision supporters as allies for the person with the disability who can assist in navigating difficult, challenging, and/or stressful circumstances by helping to lay out all the options and discuss, in many circumstances, the pros and cons to each decision the person with the disability may make.

MFOFC supports the use of Supported Decision Making as a crucial and necessary consideration prior to seeking Guardianship, as well as a viable alternative to Guardianship for people with disabilities and their families. MFOFC does not consider Supported Decision Making to be a replacement for Guardianship, but rather an alternative that expands the options that are available to people with disabilities and their families. MFOFC recognizes that many people are unnecessarily placed under restrictive Guardianships when they would prefer to make decisions on their own behalf in consultation with people they trust, thus empowering them to retain their legal rights and exercise self-determination, autonomy, and choice.

MFOFC also recognizes that people with disabilities and their families may opt not to utilize a Supported Decision Making agreement and engage in more informal decision-making processes, or people with disabilities and their families may utilize Guardianship as a method of ensuring a person’s autonomy and choice. While MFOFC stands firmly behind Supported Decision Making as a choice, our organization considers it a choice among many other choices, and not necessarily better than any other options that exist.