



LAURA KELLY, Governor • KATHY KECK, Chairperson • STEVE GIEBER, Executive Director

*“To ensure the opportunity to make choices regarding participation in society  
and quality of life for individuals with developmental disabilities”*

March 13, 2019

Re: Proponent House Bill No. 2034

Chair Wilborn, and Senate Judiciary Committee

I am Steve Gieber, Executive Director of the Kansas Council on Developmental Disabilities (KCDD). The Council is made up of self-advocates, family members, state agencies, and our partners identified in the Federal Developmental Disabilities Act. The Council is to advise policy makers on issues impacting people with Intellectual and Developmental Disabilities and their families.

The Council supports HB 2034 the Supported Decision-Making Agreements Act. Supported decision-making provides additional tools for individuals to remain as independent as possible while receiving the supports they need to live the good life. Currently 17 states are working on some form of supported decision-making policy.

Kansas state law on guardianship is consistent with the position statement from the National Guardianship Association that reads: “Guardianship should be utilized only when lesser restrictive supports are not available. Alternatives to guardianship, including supported decision making, should always be identified and considered whenever possible prior to the commencement of guardianship proceedings.”

The Council has hosted grass roots trainings on Supported Decision-Making in several communities around the state and we have spoken with hundreds of families and they are telling us that they really want to have this option.

Dr. Kerri Shogren from KU has recently published a book on Supported Decision-Making. It is 244 pages and shows the evolution in thinking around this issue.

According to the National Core Indicator data over 65% of the Kansas respondents have guardians while the national average is only 35%. We believe part of the reason for this comes from the requirement that schools have to inform families about guardianship prior to child’s 18<sup>th</sup> birthday. The District of Columbia which has provision for supported decision-making has had a 10% decrease in the number of guardianships since they implemented supported decision-making as an option.

Some of the written testimony that you have are from families that were encouraged by the schools to seek guardianship and really want other options for their family member. This bill isn’t about guardianship it is about giving families additional options to successfully support those that need it. We have included a couple of handouts with additional information.

I will stand for questions at the appropriate time.

Steve Gieber  
Director, KCDD  
(785) 296-2609