

KANSAS MENTAL HEALTH COALITION

An Organization Dedicated to Improving the Lives of Kansans with Mental Illnesses

Testimony presented to the Senate Judiciary Committee For HB 2034 – Supported Decision Making

Amy A. Campbell – March 13, 2019

Thank you for the opportunity to address your committee today on behalf of the Kansas Mental Health Coalition (KMHC). The Kansas Mental Health Coalition is dedicated to improving the lives of Kansans living with Mental Illnesses and Severe Emotional Disorders. We are consumer and family advocates, provider associations, direct services providers, non-profit and for profit entities and others who share a common mission. At monthly roundtable meetings, participants develop and track a consensus agenda that provides the basis for legislative advocacy efforts each year. This format enables many groups, that would otherwise be unable to participate in the policy making process, to have a voice in public policy matters that directly affect the lives of their constituencies. The opportunity for dialogue and the development of consensus makes all of us stronger and more effective in achieving our mission.

Supported Decision Making offers options to individuals seeking assistance with financial or health decisions without requiring them to give up their independence and ability to make their own life decisions. It is an important tool for Kansans who may face difficulties due to living with disabilities or mental illness.

Please support HB 2034 to add Supported Decision Making agreements to the options available for individuals and families in Kansas. The fact is, we need this mid-level option for individuals to live independently and select trusted family members, friends, or professionals to provide support when:

- Making decisions, communicating decisions, and understanding information about, options for, the responsibilities of, and consequences of decisions;
- Accessing, obtaining, and understanding information relevant to decisions necessary for managing the principal's affairs:
 - This would include medical, psychological, financial, educational, treatment, and other records;
 - Supporters could also use dated consent to assist the principal in obtaining protected health or educational records;
- Ascertaining wishes and decisions of the principal, assisting in communicating those wishes and decisions to others, and advocating to ensure implementation of the principal's wishes and decisions; and
- Accompanying the principal and participating in discussions with other persons when the principal is making decisions or attempting to obtain information for such decisions.

Supporters would be required to:

- Act with the care, competence, and diligence ordinarily exercised by individuals in similar circumstances; and
- Keep information collected on behalf of the principal: Confidential; Protected from unauthorized access, use, or disclosure; and Only for the use authorized by the principal.

It is important to note that this legislation does not remove the legal tools of guardianship or conservatorship, but adds a less restrictive option for individuals and families to utilize when preferred by the individual.

Thank you for your consideration.

Amy A. Campbell, Lobbyist

P.O. Box 4103, Topeka, KS 66604, 785-969-1617; campbell525@sbcglobal.net