

**Commonwealth of Virginia:  
Supported Decision-Making Agreement**

**How to Fill Out My Supported Decision-Making Agreement**

***Step 1: Decide if a supported decision-making agreement is right for you.***

A **supported decision-making agreement** might be right for you if you can make decisions about your life on your own, or with some help from people you trust. You must be 18 years old or older and legally be able to make your own decisions. Typically, if you have a court-appointed legal guardian or conservator you have been declared incapacitated in some, if not all, parts of your life. This means that you may not have the legal right to make certain decisions. A **supported decision-making agreement** is not a legal document a judge would order in court to give you, but people should follow any choices you make, as you have the right to make all final decisions.

***Step 2: Decide when you want support.***

You might want support in some parts of your life, but not in others, and that is okay. You can use the [When Do I Want Support? tool](#) to help you think about choices in your life. For each choice or activity, think about if you:

- Can do this on your own.
- Can do it with help.
- Need someone to do it for you.

The choices and activities listed on this tool are the same ones listed on the [Commonwealth of Virginia Supported Decision-Making Agreement](#) and are listed in the same order on both forms.

***Step 3: Decide what kind of support you want.***

Support (help) can look different for everyone and can be different for each choice or activity. Think about the choices and activities you can do with help and what help looks like for you. You can use the [What Kind of Support Do I Want? tool](#) to help think about and write down the different types of support you might want.

***Step 4: Decide who you want to support you.***

**Supported decision-making agreement** are made up of **supporters** and **decision makers**. You are the **decision maker** and the people you select to help you are the **supporters**. You can choose anyone you want to be your **supporter** and you can choose to have many **supporters**. Some **supporters** might help you with one thing and others might help you with several things. The decision is up to you.

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You can also choose someone to be a **supporter** and your **supported decision-making facilitator**. This person helps you make sure that the agreement is working and everyone is doing their part. You do not have to have a **supported decision-making facilitator** if you do not want one.

When thinking about who you want as a **supporter**, think about people that you trust and that know what you want and do not want in your life. You can use the [Relationship Map tool](#) to help you think about and write down people who help you and might be your **supporters**.

### **Step 5: Fill out your supported decision-making agreement.**

Ask the people you want to be your **supporters** to meet with you. Talk with them about the choices and activities you can do with help and what kind of help (support) you want. You can even show them your [When Do I Want Support?](#) and [What Kind of Support Do I Want?](#) tools to help with this conversation.

Read through the [Supported Decision-Making Agreement](#) with your **supporters** starting on the first (1) page and fill out each question. You can fill out (write) the information in the agreement yourself or have someone you trust help you fill it out. It is okay to ask questions if you do not understand something.

On the first (1) page, your name goes on the line that asks for the “**decision maker**.” Then write the best way for someone to contact you. This could be your email address, cell phone number, home phone number, or something else. Next is the “initial effective date of the agreement”. This is the date when you first fill out and sign this form with your **supporters**. The last part of page 1 is where you can point out if you have any other types of support. These include:

- *Durable Power of Attorney*- A document that tells people who you want to help make decisions for you if you are not able to tell people what you want on your own due to being sick or injured.
- *Advance Medical Directive*- A document that tells people who you want to help make decisions about your health care for you if you are not able to tell people what you want on your own due to being sick or injured. It can also tell your doctors and people you trust what kind of medical care you do want, if you need it.
- *Financial Fiduciary*- A person who is responsible for managing your money. There are many different types of fiduciaries: Social Security Representative Payee, Department of Veterans Affairs VA Fiduciary, a Trust, your designee under a Power of Attorney, etc.

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- *HIPAA Release Form*- A form that tells your doctors who you say it is okay to let see notes (records) about your doctor’s appointments and health information.
- *Educational Release Form*- A form that tells your school who you say it is okay to let see notes (records), attend meetings, and help you make decisions about your school services. You can use the form provided or one provided by your school. There are also other ways to get support with decisions about your education such as an Educational Power of Attorney.
- *Other*- Any other documents that tell other people who the people are that help you and how they help you.

If you do have other types of support, write a check (✓) whether or not you are attaching a copy of the document to our [Supported Decision-Making Agreement](#).

Pages 2-18 list nine (9) life areas where you might make choices. These include:

1. *Health and Personal Care,*
2. *Friends and Partners,*
3. *Money,*
4. *Where I Live and Community Living,*
5. *School and Education,*
6. *Working,*
7. *My Rights and Safety,*
8. *Meeting and Talking with My Supporters, and*
9. *Other*- The life area of *Other* lets you write in other choices and activities you want help with or those that you do not want help with that are not listed in any of the other life areas.

For each life area, check (✓) whether you do or do not want help. If you answer that you “do not want help” in a life area, you do not need to answer any more questions for that life area and you can go to the next one.

If you do want help with this life area, fill out the name, relationship (for example, mom, dad, teacher, sister, friend, doctor, etc.), address, email address, and phone number of your **supporters** for that life area. Then write “Y” for yes or “N” for no next to each sentence if you want that support. Reminder: These are the same sentences from the [When Do I Want Support? tool](#) and are listed in the same order.

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For each sentence that you answer “Y” to, check (✓) whether you want all of the **supporters** listed above to help you or just some of the **supporters**. If not all of the **supporters**, write the names of the **supporters** you want to help next to “Only Supporters Listed Here”.

For each life area, you have the option to write additional things you want help with, as there might be choices and activities not listed. You can also write things that you do not want your **supporters** to help you with or do for each life area.

Page 19 is the *Agreements* page. This is the page that you and your **supporters** sign stating that you all agree to the information written in the *Supported Decision-Making Agreement*. Make sure you and your **supporters** read and understand the *Agreements* page before signing. Remember, it is okay to ask questions if you do not understand something. If you have more than three (3) **supporters**, you can print the *Agreements* page again so that the other **supporters** can sign.

Do not fill out the grey box at the bottom when you are first creating your *Supported Decision-Making Agreement*. The grey box is the “Cancellation of Supported Decision-Making Agreement”. You fill this out and sign when you no longer want a *Supported Decision-Making Agreement*.

Page 20 gives you the option to choose a **supported decision-making facilitator**. This person helps you make sure that the agreement is working and everyone is doing their part. They can help you schedule meetings and talk with your other **supporters**, like the things listed in area 8. *Meeting and Talking with My Supporters*. The **supported decision-making facilitator** might be a **supporter** that you trust with helping you with many decisions or they might not be one of your **supporters**. You do not have to have a **supported decision-making facilitator**. It is your choice.

Page 21 gives you the option to have a notary sign and stamp your *Supported Decision-Making Agreement*. A notary public is someone who can confirm that everyone signed the agreement. You do not have to have a notary sign and stamp your agreement. It is your choice. You can find a notary public at most banks and local courts.

Sometimes people want to make changes to their *Supported Decision-Making Agreement* after it is done. You can write these changes on page 22, the *Changes* page. Write the date of the change, what the change was, and sign it. If you are adding a **supporter**, then the new **supporter** will need to sign also. You can do this up to three (3) different times on this same form.

There may also be times when you might not want someone to support you anymore. When this happens, you can fill out page 23, the *Cancellation* page. Write the date of this change and the name(s) of the **supporter** you no longer want help from. Then sign the form. You can do this up to three (3) different times on this same form.

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### ***Step 6: My supported decision-making agreement is done. Now what do I do?***

Once you have completed your [Supported Decision-Making Agreement](#) it is important to make sure that your **supporters** have copies of the agreement and other people who work with you have copies as well. This might include your doctors, case manager, school, service providers, or other people paid to support you. This way they know who you want support from, when you want support, and how you want support with different decisions. Make sure you keep a copy for yourself so that you know who to call when you need help or advice with different choices. It is important to that you and your **supporters** know that you cannot take your **supporters** to court if you do not like the advice they give you or they do not support you how you want to be supported (it is not legally binding). Remember, you make all of the decisions for yourself and you can change your **supporters** at any time.

### **Examples of People Using Supported Decision-Making Agreements**

#### **Sam**

Sam is 18 years old. He has autism and uses words to communicate. He is in high school and has been learning job skills and about how to be a good employee while in school. Sam is considering graduating so that he can work and focus on his dream of being an actor.

Sam lives with his mother, father, and older sister, who visits when home from college. Sam wants to live on his own in the nearby city after he graduates. He feels “the city is where stars are made.”

Sam’s parents are nervous about Sam living on his own and making his own decisions because they worry he will be taken advantage of by others. Sam has never had to budget his money or pay bills and believes that everyone he meets is his friend.

Sam and his family decided to use a supported decision-making agreement to help Sam talk through decisions in the areas of life he needs more support. Sam is able to make his own decisions and keep his rights and independence. Sam and his family understand the benefits of Sam’s right to take risks and learn from them (dignity of risk).

#### **Nikkia**

Nikkia is 25 years old and works part-time at Target helping people in the dressing rooms and rehangng clothes. Nikkia has cerebral palsy and an intellectual disability.

She has lived in her own apartment for the past three (3) years. Her apartment has space for her to move around easily when she uses wheelchair or walker. Nikkia has friends, neighbors, and coworkers that she trusts and they help her. Her family does not live close to her.

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Nikkia talks, but some people who do not know her do not understand what she is saying. She does not like to use any type of technology to help her communicate, like an iPad or tablet.

One day Nikkia fell and had to go to the hospital. The doctors did not understand what she was saying and no one was able to help Nikkia answer questions. This made Nikkia think that she needed to write down the people she wants to help her if she gets sick or hurt. Nikkia created an advanced directive while at the hospital, but felt that she wanted to write down all of the people she wants to help her in her life.

Nikkia created a supported decision-making agreement with the people who agreed to be her Supporters. She gave copies of her supported decision-making agreement to her doctors, landlord, supervisor at work, and community case manager so that they all know what Nikkia wants help with, who she wants to help her, and how she wants to receive help.

### **Maria**

Maria is 35 years old and lives with her mother. Maria has an intellectual disability. When she was a toddler she had several seizures which also caused her to have an acquired brain injury.

Maria does not use words to communicate, but does use sign language, pictures, and a program on her tablet.

During the day, Maria goes to a day support program in the mornings and then volunteers at the local SPCA shelter in the afternoons. Maria's mother helps Maria with many things each day. She organizes Maria's medications and reminds her when it is time to take them. She cooks for Maria and makes sure that Maria's bedroom is clean. Maria's mother also helps Maria brush her teeth, brush her hair, and makes sure she is wearing clean clothes. Maria's mother will drive Maria to places she wants to go and schedules the van when she cannot drive Maria.

Maria's mother is aging and her other family members are worried about who will help Maria as her mother gets older. Maria's mother never went to court to become her guardian. She felt she was able to care for Maria by being her Representative Payee, Power of Attorney, and Authorized Representative, which meant Maria could keep all of her rights. None of Maria's other family members can be Maria's legal guardian and Maria does not want to lose her rights to make her own decisions.

Maria, her mother, and her other family members decided to use a supported decision-making agreement to help Maria continue to make her own choices, but get help she needs when she wants it. Maria's mother feels a sense of relief knowing that a supported decision-making agreement is in place.