



# SUPPORTED DECISION MAKING AND TRANSITION TOOLKIT

***DD Services Section***

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Disability  
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# Supported Decision Making and Transition Toolkit

- **A practical guide for the transition to adulthood for people with disabilities and their support systems**

## **What is the purpose of this toolkit?**

This toolkit provides information, resources, and templates to help individuals with disabilities plan for the future. The toolkit will help people with disabilities to gain independence and make decisions in adulthood. This guide was written and put together by attorneys and advocates at Disability Rights Ohio, Ohio's designated Protection & Advocacy system for people with disabilities. This guide does not provide legal advice. This guide is a tool to assist with decision-making. Should you need this guide in a different format, please contact DRO Communications at [communications@disabilityrightsohio.org](mailto:communications@disabilityrightsohio.org).

This guide is designed to help individuals with disabilities explore options for assistance with decision making, including supported decision making, powers of attorney, and options other than guardianship that are less restrictive. These tools can also help those with a guardian make decisions alongside their guardian.

## **Who can use this toolkit?**

This toolkit is for individuals with disabilities, as well as their support people, including family, friends, caregivers, and people who assist them with supported decision making.

## **What is Supported Decision Making?**

**Supported decision making** lets people choose someone to help them make important decisions about their lives. Everyone needs support to make important decisions about their work, school, money, and more. Supported decision making lets people select friends, family, or others to help them with making decisions while practicing self-determination and independence.

## What is Guardianship?

**Guardianship** is the legal role given to an individual to manage the personal activities of another person. This happens when the court has decided that someone, called a **ward**, cannot make their own decisions. The court appoints a guardian to assist the ward with making decisions. Guardians may make decisions about the ward's health care, where they live, how their money is spent, and other personal choices. The guardian should consider the wants and wishes and of the ward. The court can end a guardianship if the ward is re-evaluated, and the court determines that the ward can make their own decisions. Sometimes this is called "becoming your own guardian."

Guardianship is not appropriate for everyone. The need for a guardianship is specific to each individual situation and each potential ward. However, wards, or people with guardians, can use the tools in this kit to make decisions about their lives and work with their guardian to implement their decisions.

This toolkit also provides examples of alternatives to guardianship, including supported decision making, powers of attorney, and others.

We hope that this toolkit makes you feel confident in speaking up for what you want in your life.

For more information you can contact Disability Rights Ohio at 614-466-7264

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*Shannon Baldwin, Katie Barnes, Aileen Brock, Emily Durell, Lindsey Evans, Claire Gaglione, Kristin Hildebrant, and Ginger Wilson*

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# Developmental Disability Services

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## Words to Know:

- **Eligible** - To be accepted into a service or program
  - **OEDI/COEDI** - Questions you answer to see what supports you might need and how best to accommodate you
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If you have a developmental disability, you may be able to receive services like nursing care, help with getting a job, or help getting access to your community through the County Board of Developmental Disabilities. This section will explain more about what Developmental Disability services are, how to apply for services, and includes a template you can fill out if you want an advocate to help you with the Developmental Disability process.

## **Services from Your Local Board of Developmental Disabilities**

Children and Adults with Developmental Disabilities (DD) may be **eligible** for services through their County Boards of DD. To be “eligible” means that you will be accepted for services. For example, your County Board may be able to help you get a job, get aid - like nursing care and services for your daily needs - in your home, or get access to your community.

To be eligible for DD services, you must apply for these through your County Board of DD. The Board will decide if you have a qualifying developmental disability. Developmental disabilities are disabilities that people have, including their diagnosis, before the age of 22. Developmental disabilities are expected to last through someone’s lifetime. Developmental disabilities are ones that cause big challenges in at least 3 major life areas. These challenges in functioning cannot be solely the result of a mental health condition. This section describes the DD eligibility process, including the evaluation tools the County Board of DD uses. Use this guide so that you will understand the DD eligibility process and know what to expect at each step.

### **How do I find out if I am eligible for DD services?**

- 1. You will need to contact your County Board of DD to ask them to evaluate you for eligibility for DD services.**

You will need to give them information and documents showing you have a diagnosis of a development disability and that you had limitations before the age of 22. You can use school records, medical records or other records that show you have a diagnosis of a developmental disability that you got before the age of 22.

Examples of qualifying disabilities include Intellectual Disabilities, Autism Spectrum Disorder, Down Syndrome, Cerebral Palsy, and Spinal Cord Injury along with many other conditions that can occur before the age of 22. You can find a longer list of qualifying diagnoses in the OEDI User Guide in *Resources*.

- 2. Once the County Board of DD has looked over your records and found you have a qualifying developmental disability, they will do an assessment called the OEDI or COEDI. The OEDI is used for individuals aged 16 and older, and the COEDI is used for children aged 6 to 15.**

The OEDI is a set of questions and simple skill tests used to record information about a person's abilities and areas where they need support.

The OEDI tests your daily life skills to see if your disability causes big challenges in what you can do on your own in your daily life. To be eligible for DD services, the test must show you have significant functional limits in at least 3 of the major life areas reviewed. The OEDI looks at these major life areas:

- self-care (things like taking a shower, feeding yourself, and walking),
- self-direction (decision making),
- learning,
- communication (speaking and understanding),
- mobility,
- ability to live by yourself, and
- ability to work or provide financially (get money) for yourself.

It is important to be honest about what you need help doing when answering these questions. Make sure to think carefully before you answer each question to include any limits you may have and what kind of help you need to do each task. Sometimes it can be embarrassing to admit you need help in basic life skills, but the more help you need the more likely you are to be found eligible for the services you really need.

Tip: Before you answer each question, ask yourself:

- Is the task something you are always able to do on your own or do you need help and support from others?
- Is the task something that takes a lot of effort or energy for you to do?
- Are you able to do the task well? Or is it something you cannot do well?
- Can you do the task safely?
- Does the task take a long time for you to do?

These are things you might want to share when you are answering each question so the county board gets a real picture of what you can and cannot do. For example, if you have a hard time cooking food for yourself because it takes you a long time and your ability to use your hands to cut up the food is a challenge for you, you would share that.

3. **Once the assessment is done, the County Board will determine if you are eligible or not eligible for County Board services.**

If you are not found eligible, you can go through a process with the County Board to try again or you can disagree with the County Board's decision regarding your eligibility for services through the County Board's complaint (grievance) process.

If you are found eligible, then the County Board will give you an SSA, which is a Service and Support Administrator. This is a person who works for the County Board and will help you find the services that you need. Your SSA should listen to you and hear about your needs. The SSA will then help you and your family make an ISP (Individual Service Plan) for your services. This will be a plan that will follow you as you grow and will make sure that you get what you need. There is a link in **Resources** that talks about the ISP.

4. **If you feel that you have more needs than the County Board is offering to help you with, you can ask your SSA for a Medicaid waiver assessment in writing. A waiver is a Medicaid service for people with Developmental Disabilities who need more help to live safely in the community. There are three types of Home and Community-Based Services (HCBS) Developmental Disability Waivers. There is a link in the **Resources** section that talks about the different HCBS waivers.**

In your written assessment request, you will want to tell why you need more services. For example, you can explain why you need more help, and you can attach letters from doctors and give medical records that show why you may need more help. The County Board will decide whether you have current or immediate (right now) unmet needs and whether they feel you need more services.

If you are not given a waiver, the board will give you information on how to apply again, and you can also ask them for information on how to appeal - or say you disagree - and request a state hearing. You can find more information in Resources.

An advocate of your choice can help you at any time during the County Board process. You can find a form to name your advocate in **Resources**.

You may contact Disability Rights Ohio if you have any questions or issues while trying to get help from your County Board.

# DD Services Forms

## Template to Request an Advocate to Help You with Developmental Disability Services

[Date]

RE: Consent for Continued Advocate Involvement in County Board of Developmental Disabilities' Services

To my SSA and Service Providers,

I, \_\_\_\_\_ [Student's Name], reached the Ohio age of majority on \_\_\_\_\_ [18th birthday]. I understand the decisions about my services are to be made by me as a legal adult, but I wish to continue to talk with \_\_\_\_\_ [Advocate or trusted adult name]. I want them to help me understand and make service plan decisions and I want to include them as members of my ISP team, as allowable under Ohio Admin. Code § 5123-4-0.

I hereby request and give consent that the \_\_\_\_\_ [County name] County Board of Developmental Disabilities share important information and documents, as marked below, with \_\_\_\_\_ [Advocate name], so they can help me make these important decisions. I understand that I may revoke this consent at any time.

\_\_\_\_\_ Timely invitations to my ISP meetings

\_\_\_\_\_ A copy of my ISP

\_\_\_\_\_ A copy of any amendments to my ISP

\_\_\_\_\_ Advanced notice of any assessments

\_\_\_\_\_ A copy of any assessments

\_\_\_\_\_ Advanced notice of any meetings related to my DD services/ISP

\_\_\_\_\_ Any other communications, information or documents related to my DD services/ISP

\_\_\_\_\_ Other: \_\_\_\_\_

I want to make my own service plan decisions, but I also want to have \_\_\_\_\_'s [Advocate name] support and help to understand and make these important decisions.

Thank you for supporting my request.

Sincerely,

[Signature]

[Date]

## DD Services Resources

- **Find your County Board:** <https://bit.ly/3MYnVkZ>
- **OEDI User Guide:** <https://bit.ly/4s5CfqD>
- **ISP:** <https://dodd.ohio.gov/compliance/oisp>
- **HCBS waivers:** <https://bit.ly/4rFnbQX>
- **Waiver waiting lists:** <https://bit.ly/46ng2Mv>
- **The Bill of Rights from Ohio Department of Developmental Disabilities** talks about the way you should be treated and the rights you have: <https://bit.ly/3MGNDdJ>
  - Choosing an advocate: This is the link to the Ohio Department of Developmental Disabilities' form that you can fill out when you turn 18 to have another adult help you with decisions about your services through the county board: <https://bit.ly/4tVcU4z>
  - You do not have to fill out this form to receive services. You want to make sure that if you choose to fill out this form for an advocate, that it is a person you trust. You can choose how much decision making power the person has, and you can take away this power if you change your mind.