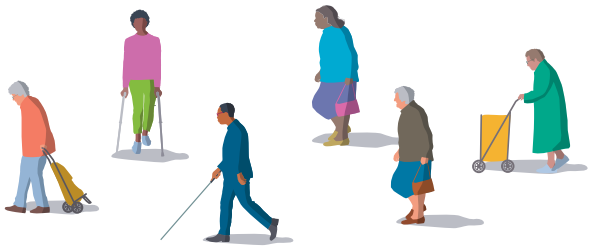
PROJECT GUARDIANSHIP
Changing the way we care for people.



DECISION-MAKING SUPPORTS FOR OLDER ADULTS

Growing Need/Aging Population

With the aging of the population, more individuals are expected to have cognitive impairments. Studies have shown that between 17 percent and 22 percent of persons 65 or older have mild cognitive impairments with rates increasing with age. It is estimated that about half of those persons will develop dementia due to Alzheimer's disease. As the older adult population in New York increases, so does the likelihood of cognitive impairments. While cognitive impairment doesn't always result in guardianship, the absence of other care plans and supports increases the possibility of guardianship.

In fact, in New York, guardianship has become a default solution for older adults who need help making decisions, including in cases where less-restrictive alternatives may suffice. Unfortunately, this ready application of guardianship—a legal tool that removes a person's ability to make some or all decisions for themselves and assigns it to another person or entity—may have significant repercussions, including the accelerated decline of an older person's health and wellbeing. In 2022, a partnership was formed to understand, develop, and ultimately formalize decision-making supports for older adults as an alternative to guardianship.



PHASE I ENVIRONMENTAL SCAN

With support from The New York Community Trust and The Borchard Foundation Center on Law and Aging, Cardozo Clinical Law Professor Rebekah Diller conducted a global environmental scan—including a literature review and interviews with selected academics, practitioners, and others in the aging services fields—to understand the prevalence of decision-making supports for older adults and the extent to which those supports have been formalized. Several findings were noteworthy:

1. Even with significant cognitive decline, persons with dementia retain their values and construct meaning in their lives by reference to those values.
2. Due to the progressive nature of cognitive decline, persons with dementia require supports that move along a continuum—from independent decision-making to supported decision-making to, in some cases, substitute decision-making based on previously expressed wishes.
3. No Supported Decision-Making (SDM) model for older adults has been operationalized.

By developing and testing an instrument and process that embeds support principles throughout a continuum and documents a person's values and priorities, we can move the work of developing a supported decision-making model for older people a big step forward.

PHASE II TOOL DEVELOPMENT WITH OLDER ADULTS

With continued support from The New York Community Trust and The John and Wauna Harman Foundation, Project Guardianship, together with special advisor Kristin Booth Glen and researchers from the Brookdale Center for Healthy Aging at CUNY-Hunter College, is working with older adults to develop questionnaires that will help them consider the decisions they may need to make as they age and the support, and supporters, they may want to engage. With input from over 100 older adults, these questionnaires and accompanying recommendations will be made available for use by individuals, aging services practitioners, family members, and others.

NEXT STEPS PILOT TESTING AND DISSEMINATION

Once tools have been developed to help older adults plan for their futures and identify prospective decision-making supports/supporters, the partners will pursue a larger scale pilot to evaluate impact. If the tools are found effective in helping adults retain autonomy and decision-making power as they age, we will pursue broad-based dissemination, codification, and integration with existing social programs such as Medicare and Medicaid.

The partnership referenced here includes Project Guardianship, Cardozo Clinical Law Professor Rebekah Diller, Hon. Kristin Booth Glen of Supported Decision-Making New York, and researchers from the Brookdale Center for Healthy Aging at CUNY-Hunter College.

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