



Memorandum in Support

To: Members, New York State Senate and Assembly
From: Project Guardianship, Inc.
Date: April 25, 2022
RE: S.7107A (Mannion) / A.8586A (Simon)

Project Guardianship strongly supports S.7107A (Mannion) / A.8586A (Simon) which would amend the Mental Hygiene Law to add Article 82 Supported Decision Making as an option for people with intellectual, developmental, cognitive, and psychosocial disabilities.

As court appointed nonprofit providers of comprehensive adult guardianship services, Project Guardianship, a Vera Institute of Justice spinoff, delivers person-centered care for older adults and individuals living with disabilities and mental illness who need help making decisions. We also strive to transform the systems that support them to ensure safety, promote independence, preserve dignity, and advance racial and social justice. Project Guardianship envisions a world where our older neighbors and those with disabilities are celebrated and provided with the support and care they need to reach their full potential.

We serve clients regardless of ability to pay, most of whom are living with cognitive impairment or decline like dementia or associated conditions, Traumatic Brain Injury, neurological conditions and mental health and substance abuse disorders. We serve the whole person, securing essentials of life to safeguard health and safety and promote wellbeing in myriad ways. While we are confident that our interdisciplinary team model best serves clients who need this support, we also acknowledge that guardianship should be a tool of last resort in assisting individuals with functional limitations. We welcome and actively advocate for less restrictive alternatives to empower those who need decision making supports.

For this reason, we strongly support Bill Number S.7107A / A.8586A and strongly urge its swift passage. Supported decision-making (SDM) is an established way for individuals with intellectual, developmental, cognitive, and psychosocial disabilities to make their own decisions with the support of trusted people in their lives and still retain all their civil rights. We believe that SDM empowers people with disabilities or other conditions to become more self-determined and maximize their autonomy, and we strongly support it as a less restrictive alternative to guardianship. Passing this bill would also provide guidance to Courts, families and other stakeholders who seek clarification on least restrictive alternatives but will not change the existing Article 81 statute whenever necessary and appropriate under the circumstances.

We therefore respectfully urge the legislature to promptly enact this bill into law, thereby joining the multitude of other states across the country who have already adopted similar legislation. Please reach out to Kimberly George at kgeorge@nycourts.gov with any questions.