

# 7 Decision Making Options For People With IDD

When a person with intellectual and developmental disabilities (IDD) turns 18, they are considered an adult and have the right to make decisions about their life, just like anyone else. But we all need help, sometimes! This handout explains the different ways someone with IDD can receive decision-making support in Colorado, **listed from the least to the most restrictive options.**

## DID YOU KNOW?

**Not everyone with IDD needs help making decisions.** Many people with IDD can make their own choices, and might not need any of the options listed.

**A person with IDD is not required to have a guardian when they turn 18.** In many cases, people may say they are "their own guardian," meaning they can make their own decisions.

## SETTING UP SUPPORT

The process to establish these support roles is different for each. Some are easy to set up, while others may require a court hearing or come with costs. There are **supportive roles that assist** the person in making their own decisions, and **surrogate roles that make** decisions on the person's behalf.

## MULTIPLE SUPPORTERS

A person with IDD can have different people helping with different things. For example, one person might help with financial needs, while another helps with healthcare decisions.

## ONE SIZE DOESN'T FIT ALL—AND THAT'S OKAY!

The right support looks different for everyone because everyone's needs are different. When in doubt, start with **less** restrictive options. It's okay to explore what works best.

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### Supported Decision-Making (SDM)

Supported Decision-Making (SDM) allows a person with IDD to choose trusted supporters to help them understand options and make decisions. Supporters can give advice and guidance—but the person still makes their own decisions. In Colorado, SDM agreements are voluntary and must be in writing. To download an agreement, visit: <https://leg.colorado.gov/bills/sb21-075>

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### Authorized Representative (AR)

An AR (Authorized Representative) helps a person with IDD access the services and supports they need, as defined by the person with IDD. The person with IDD usually designates an AR through their service provider or Case Management Agency (CMA) and can be changed at any time. To become an AR in Colorado, contact the service provider or CMA for the process and paperwork.

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### Representative Payee

A Representative Payee helps manage Social Security benefits for someone who needs assistance with their finances. They can only manage Social Security funds, not other financial matters. To become a Representative Payee in Colorado, contact the local Social Security office, fill out Form SSA-11, provide ID, and go through an interview: <https://www.ssa.gov/payee/>

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### Medical Proxy (Healthcare Agent)

A Medical Proxy makes medical decisions for someone who can't make them themselves. Their role is limited to healthcare decisions only. To become a Medical Proxy in Colorado, the person must appoint an 'agent' in writing through a Medical Durable Power of Attorney (MDPOA), and forms are available through the Colorado Department of Public Health and Environment: <https://cdphe.colorado.gov/palliative-care/advance-care-planning-for-patients-and-families>

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### Power of Attorney (POA)

A Power of Attorney (POA) is a legal document that lets someone make decisions for another person, for example, like handling finances or medical care. The POA can have broad or limited authority, and it can remain in effect if the person becomes unable to make decisions. To create a POA in Colorado, fill out the form (notarization is recommended) available from the Colorado Bar Association: <https://www.cobar.org/portals/cobar/repository/SLH/chap23.pdf>

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### Conservator

A Conservator is a person appointed by the court to manage the finances and property of someone who cannot do so on their own. Conservators are responsible for handling money, assets, and property. To become a Conservator in Colorado, you must file a petition with the court, provide financial information about the person, and attend a court hearing. Visit the Colorado Judicial Branch's website for more details: <https://www.coloradojudicial.gov/self-help/conservatorship-adults>

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### Guardianship

A Guardian is a person appointed by the court to make personal and healthcare decisions for someone who is unable to make those decisions on their own. Guardians are often family members, friends, or professional organizations. The court determines how much decision-making authority the Guardian has. To become a Guardian in Colorado, you must file a petition with the court, attend a court hearing, file an annual Guardianship Report, and pay any required court and filing fees. For forms and more information, visit the Colorado Judicial Branch's website: <https://www.coloradojudicial.gov/self-help/guardianship-adults>