



March 7, 2022

The Honorable Luke Clippinger, Chair
House Judiciary Committee
House Office Building, Room 101
6 Bladen St., Annapolis, MD 21401

Dear Chair Clippinger:

The Maryland Commission on Caregiving is pleased to submit this **letter of information for HB529 “Estates and Trusts - Supported Decision Making.”** This bill would authorize the use of supported decision-making and establish a process for entering a supported decision-making agreement for the purpose of assisting adults to obtain support in making, communicating, or effectuating decisions that correspond to their will, preferences, and choices. It would also prevent the need for the appointment of a substitute decision maker, including a guardian of the person or property, which is a restrictive alternative that infringes upon the rights of the person.

Serving as “the voice of the Maryland caregiver,” the Maryland Commission on Caregiving (MCC) is a Governor-appointed body composed of caregivers, community-based organizations supporting caregivers, and representatives from the Departments of Health, Disabilities, Human Services and Aging. MCC is charged with recommending policies that positively impact family caregivers, soliciting and responding to their concerns and acknowledging their contributions. Family caregivers provide the majority of care and financial support for their loved ones who are unable to care for themselves due to an illness, injury or disability.

Supported decision-making is a nationally and internationally recognized best practice that helps preserve a person’s right to make their own decision by recognizing that just like people without disabilities, people with disabilities rely on “supporters”, the people whom they trust to help them make an array of decisions - decisions that pertain to their healthcare, supports they receive, and how they wish to live their lives. It allows family and informal caregivers to maintain meaningful involvement in their loved ones’ lives by formally recognizing the relationship they have with the person. It also curtails the costly process of guardianship, one that some caregivers resort to because they believe they have no other option.

The Maryland Commission on Caregiving works to ensure that caregivers across the lifespan are equipped with the resources needed to provide safe care to their loved ones across the state of Maryland. Supported decision making is another tool that can caregivers can utilize to ensure that happens.



Sincerely,

Jennifer Eastman, Chair
Maryland Commission on Caregiving