



Massachusetts Developmental Disabilities Council

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Representative Jay Livingstone, Chair
Senator Liz Miranda, Vice Chair
Representative Judith Garcia, Vice Chair
Joint Committee on Children, Families and Persons with Disabilities
Massachusetts State House
Boston, MA 02133

September 9, 2025

Re: H.261/S.155 An Act relative to authorizing supported decision-making agreements for certain adults with disabilities

To the Joint Committee on Children, Families and Persons with Disabilities,

My name is Josh Gladstone, and I am the Disability Policy Specialist at the Massachusetts Developmental Disabilities Council (MDDC), where our mission is to provide opportunities for individuals with developmental disabilities (DD) and families to enhance independence, productivity and inclusion.

This piece of legislation is a priority to the MDDC and individuals with developmental and other disabilities throughout Massachusetts.

Supported Decision Making (SDM) serves as an alternative to the more restrictive approach of Guardianship. Under the commonly utilized Guardianship approach, people with disabilities cannot make their own choices relating to healthcare, finances, living situation, etc. Conversely, SDM prioritizes the ideal that people with disabilities, just like anyone else, deserve the right, independence, and dignity to make those choices on how they live their lives with support from trusted individuals. This legislation is not a replacement of Guardianship but rather provides more options for families.

According to the Massachusetts Supported Decision Making Coalition [Fact Sheet](#), at least 20 states and D.C. have already established laws that provide SDM agreements as options in official legal settings. As a leader in health and disability advocacy, Massachusetts' consideration of this policy would be similarly impactful for the DD community, and contains several guardrails to ensure that SDM is properly fulfilled.

This legislation establishes a legal framework for all those involved in a potential SDM agreement



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and ensures standards to protect individuals with DD from abuse or coercion. Further, this bill includes the development of SDM trainings for families to utilize when considering future planning and requires both courts and schools to present SDM as one such option for families to consider.

In addition to SDM expanding options and agency for people with disabilities and their families, research also shows that it results in better overall outcomes throughout this community. For example, one study of about 6,000 people with disabilities from 2016-2023 showed that people who utilized SDM compared to guardianship reflected a higher likelihood of safety, respect, positive relationships and friendships, and control over their own goals.¹

It is imperative for all residents of Massachusetts, including people with DD, to have options and choice in how they lead their lives. The MDDC believes that this legislation would positively impact the lives of people with disabilities throughout the commonwealth.

Thank you for your consideration, and please reach out if you require any additional information.

Best,

Josh Gladstone

Sources:

1. Rapp Kennedy, Angela. "Supported Decision-Making: An Update on Trends in the United States." *The Council on Quality and Leadership*, 21 Nov. 2024, www.c-q-l.org/resources/newsletters/supported-decision-making-an-update-on-trends-in-the-united-states/.



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