

**NATIONAL
CONVENTION**

DENVER 2022



TN'S CENTER FOR DECISION-MAKING SUPPORT:

MODELING RIGHTS PRESERVATION AND RESTORATION

History

- Long history of work related to conservatorship and alternatives
- 2016 legislation attempt - did not pass
- Result: Need to increase SDM knowledge
- 2016-2020: hundreds of trainings, presentations, stakeholder meetings and focus groups across the state
- Key leaders: Council on Developmental Disabilities, The Arc Tennessee, Disability Rights TN

Takeaway

- Key takeaway: education, awareness, decision-making tools and resources for individuals and families are needed
- Need one centralized place for people to obtain information about decision-making support options
- Created: TN Center for Decision-Making Support (CDMS)

What is the TN Center for Decision-Making Support (CDMS)?

- Virtual resource center that provides information, resources, referral services, and best practice tools regarding decision-making support options
- Central hub for Tennesseans to obtain information regarding decision-making supports, specifically as it relates to TN statutes

CDMS Goal

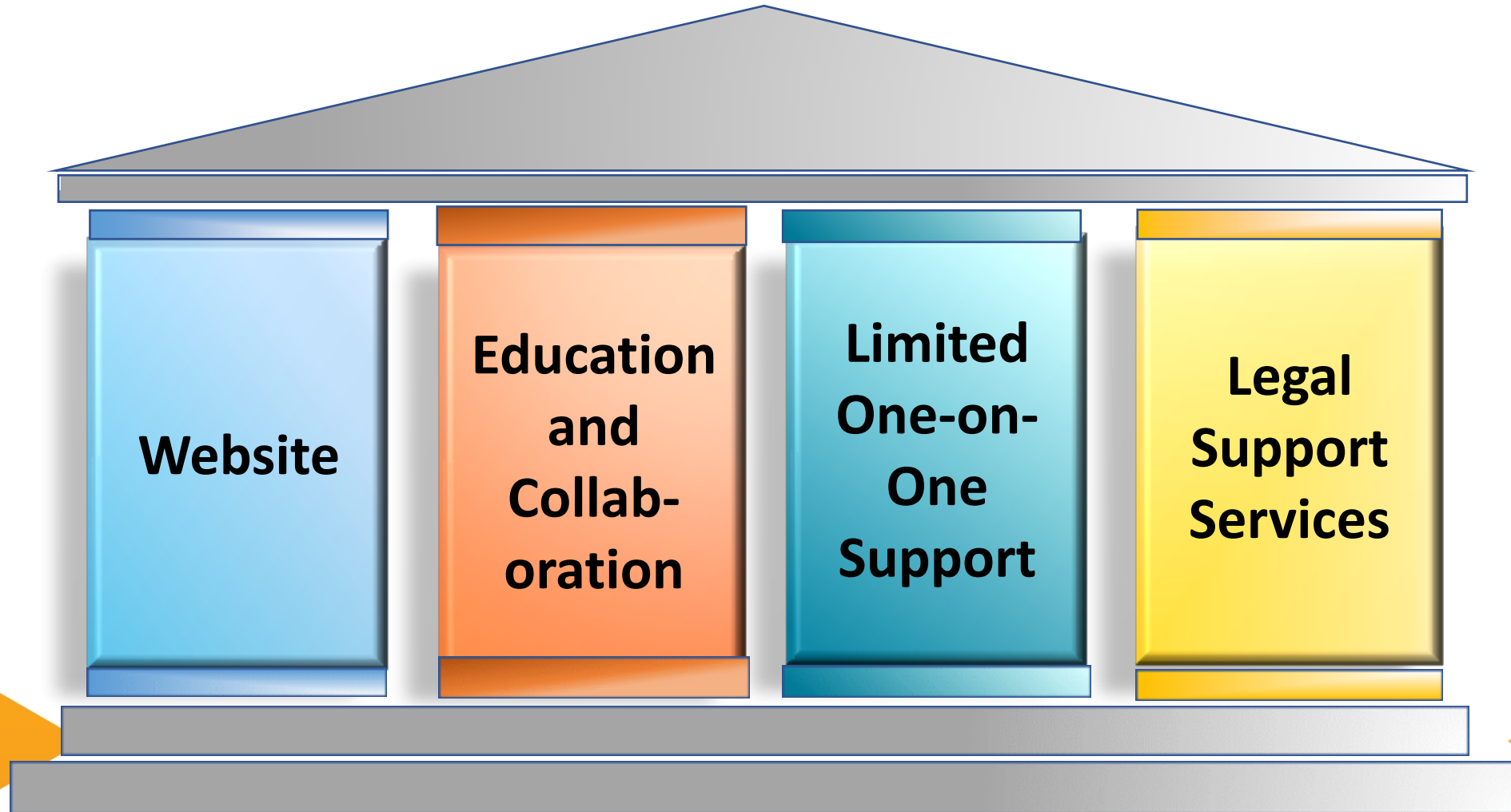
- Fill a current information gap by providing non-biased, accurate, plain language decision-making support information in one centralized place
 - Provide decision-making support information based on Tennessee statutes
 - Provide staff to help navigate the website and provide limited one-on-one support and referral services.
 - Available to all Tennesseans

CDMS Philosophy

- Each person should have the opportunity to exercise choice and decision-making to the maximum extent they are able.
- Decision-making supports should be customized to each person's unique needs.



Four Pillar Model



Pillar 1: Website

The main hub for entry of services

- Decision-making support options based on TN statutes
- Self-evaluation process to identify the amount and type of decision-making support needed
- Videos, trainings, and webinars

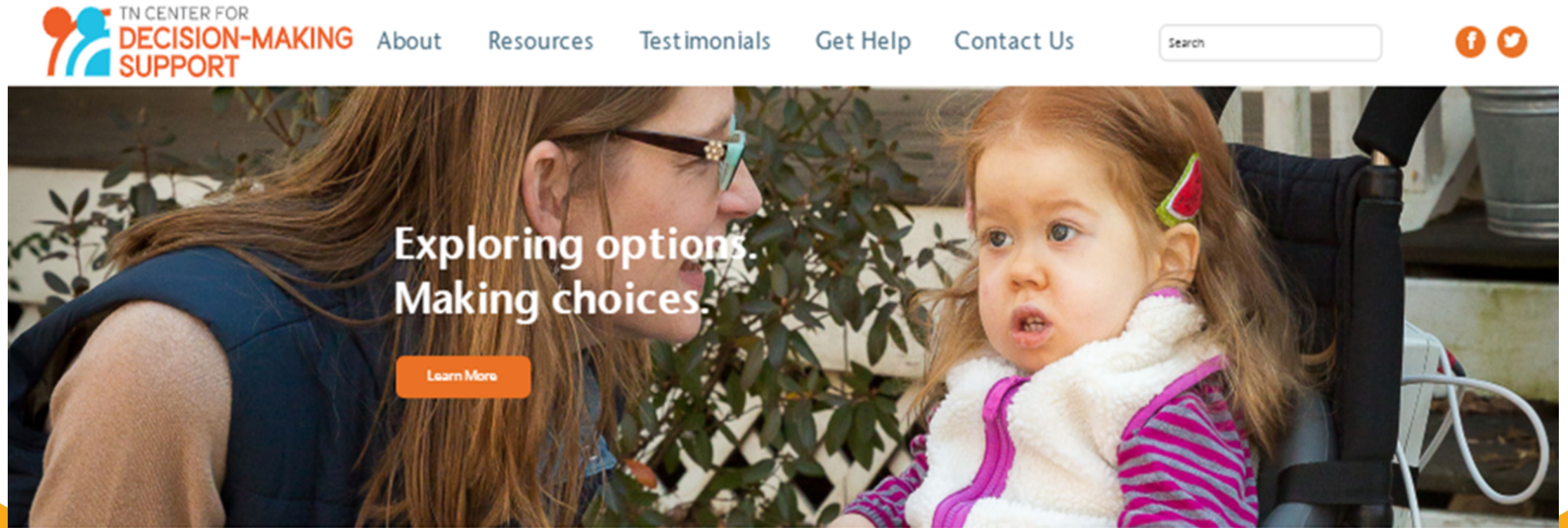


Pillar 1: Website (cont.)

- Best practice tools and guides
- Real life stories of Tennesseans using various support documents and practices
- Resource Directory



Website Tour



<https://www.tndecisionmaking.org/>

Pillar 2: Education and Collaboration

- In-person and virtual trainings and presentations (statewide and nationally)
- Statewide, diverse advisory group
- Statewide stakeholder collaboration
- Referrals for assistance from stakeholders
- Influence systems change:
 - HCBS, Dept of Intellectual and Developmental Disabilities, Managed Care Organizations, LEAs



**Education
and
Collabor-
ation**

Pillar 3: One-on-One Support

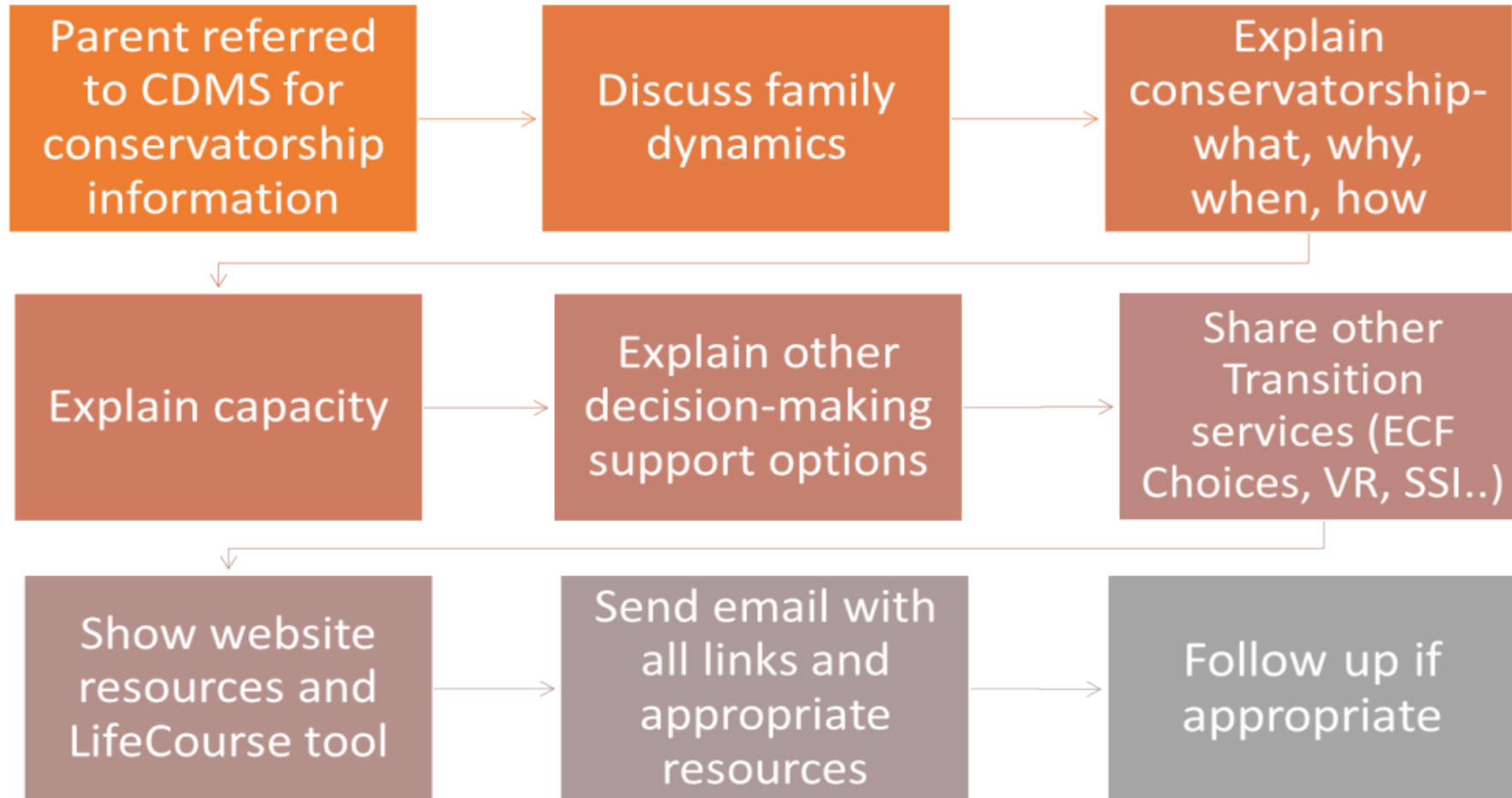
Consultations and individualized assistance

- Individualized consultations (Individuals, family, professionals)
- Appropriate service referrals (includes legal referrals)
- Limited follow up
- Complex case resolution
- Managing data base to record services and outcomes



**Limited
One-on-
One
Support**

Conservatorship Consultation: Transition Age



Complex Case Resolution

Referral from Managed Care Organization

- Elderly conservator deceased
- No other family to become conservator
- No long-term plan in place
- Individual needs medical care
- New conservator needed
- Limited income and resources

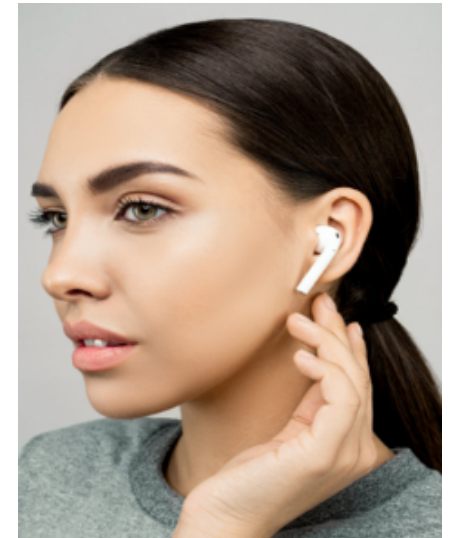
Pillar 4: Legal Support Services

- Consultations
- Legal Case referrals – DIDD, Legal Aid, private attorneys
 - Conservatorship cases-initial, modifications, rights restoration
 - Other legal decision-making support documents (POA, Special Needs Trust, etc.)
 - CDMS continues to assist the individual through the process
- Develop legal best practices



**Legal
Support
Services**

Rights Restoration and Why It Matters: The Self-Advocate's Perspective



What We Learned: What We Did...mostly 😊

- Always, always, always start where the self-advocate is.
- Some considerations:
 - individual strengths, needs and desires;
 - type of difference or disability;
 - history and type of system involvement;
 - financial resources and benefits;
 - informal supports;
 - cultural particularities;
 - issues of intersectionality - and more!

What We Learned: What we did...mostly 😊 (cont.)

- Never stop assessing - and using what's learned
- at both case and systems levels
- Design the work - at the case and systems
levels - based on existing, real-life
circumstances. Track and adjust as needed.

What We Learned: How to Do it Better

- Is it “It Takes a Village” or “Everyone’s job is no one’s job”?

It’s tricky.

- The self-advocate’s conservatorship doesn’t exist in a vacuum.
 - Right removal is about a person, not about completing a project.
 - A holistic approach is essential.

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What We Learned: How to Do it Better (cont.)

- Wide and deep knowledge about systems, programs, benefits and expectations is necessary to implement SDM in a way that truly serves the self-advocate.
- The lawyer is important but not *THAT* important. The work of SDM - in terms of both building and demonstrating capacity - should begin long before a lawyer is involved.

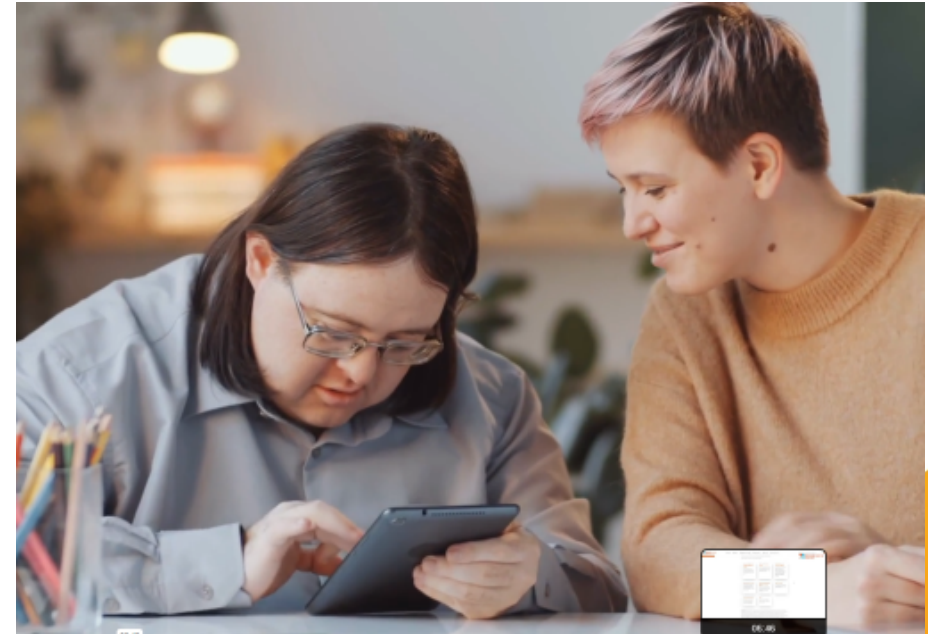
What We Learned: Some Practicalities

- Figure out the Forms.
- Formal and informal capacity assessment is crucial.
- Language is Not the Crucial Thing.

This is a weird statement coming from an English major who happened to become a lawyer, but I can explain.

What We Learned: What Next?

- SDM *is* person-centered planning.
 - We need to be more explicit about that. Systems need to reflect it, prioritize it and fund it. It should not be siloed.
- CQI really *is* continuous. (Please help us do this work better.)





**Thank You
and
Questions**

Contact

Heidi Haines

Executive Director, The Arc Tennessee

p. (615) 248-5878, Ext.

hhaines@thearctn.org

Penny Johnson

CDMS Program Coordinator, The Arc Tennessee

p. (615) 248-5878, Ext. 322

ds@thearctn.org or pjohnson@thearctn.org

Susan Mee

Susan Mee, J.D.

p. (615) 750-3705/text: (615) 551-9137

law@susanmee.com



Contact

Lauren Percy (pronouns: she/her/hers)

Executive Director, Tennessee Council on Developmental Disabilities
p. (615) 739-0649

lauren.j.pearcy@tn.gov

- This project was supported, in part, by grant number 2001TNSCDD, from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201. Grantees undertaking projects with government sponsorship are encouraged to express freely their findings and conclusions. Points of view or opinions do not, therefore, necessarily represent official ACL policy. This project is funded under a Grant Contract with the State of Tennessee, Council on Developmental Disabilities.



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Developmental Disabilities