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HOUSE JOINT RESOLUTION NO. 729

Offered January 18, 2019

Requesting the Secretary of Health and Human Resources to study supported decision-making for individuals with intellectual and developmental disabilities. Report.

Patron—Kory

Referred to Committee on Rules

WHEREAS, supported decision-making is a process through which individuals with intellectual and developmental disabilities receive assistance in making and communicating important life decisions; and

WHEREAS, many individuals with intellectual and developmental disabilities in the Commonwealth have not been provided opportunities for supported decision-making with regard to important life decisions, including health care decisions and options; and

WHEREAS, it is important that individuals with intellectual and developmental disabilities in the Commonwealth have the opportunity to make supported, informed choices about important life decisions; and

WHEREAS, a comprehensive study of supported decision-making in the Commonwealth may improve the personal autonomy and quality of life of individuals with intellectual and developmental disabilities and help ensure that they receive assistance in making and communicating important life decisions; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Secretary of Health and Human Resources be requested to study supported decision-making for individuals with intellectual and developmental disabilities.

In conducting this study, the Secretary of Health and Human resources shall (i) examine the use of supported decision-making for individuals with intellectual and developmental disabilities in the Commonwealth; (ii) compare the Commonwealth's policies and practices related to supported decision-making and informed choice to the policies and practices used in other states; (iii) examine situations in which the use of supported decision-making is an appropriate alternative to the appointment of a guardian; (iv) after consultation with the Arc of Virginia, Voices of Virginia, the Autism Society, the disAbility Law Center of Virginia, the Down Syndrome Association, the Jenny Hatch Justice Project, the Virginia Bar Association, the Virginia Department of Behavioral Health and Developmental Services, and the Office of the Executive Secretary of the Supreme Court of Virginia, (a) recommend strategies to improve the use of supported decision-making in the Commonwealth and ensure that individuals with intellectual and developmental disabilities are consistently informed and receive the opportunity to participate in their important life decisions and (b) determine whether legislation related to supported decision-making is necessary and, if so, propose specific legislative recommendations.

All agencies of the Commonwealth shall provide assistance to the Secretary of Health and Human Resources for this study, upon request.

The Secretary of Health and Human Resources shall complete his meetings by November 30, 2019, and shall submit to the Governor and the General Assembly an executive summary and a report of his findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2020 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

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