

March 13, 2019

RE: HB 2034

Testimony By: Sean Swindler

Proponent of the Supported Decision-Making Agreements Act

Chair Wilborn, and Senate Judiciary Committee:

My name is Sean Swindler, I am a lifelong Kansan who currently resides in Olathe, and I am the parent of a 17 year-old High School Senior with Autism and an Intellectual Disability who is on the I/DD Waiver Waiting List. I am testifying in support of HB 2034 to establish Supported Decision-Making as an option for Kansans with disabilities. My son is 6 foot 7 and 250 pounds, loves animals, Disney Pixar and collecting action figures. He has many skills – he has always had a strong vocabulary, he recently began working part time after school and is so far doing well with the occasional assistance of a job coach. However, he does not do math beyond the 1st grade level, decodes words well but cannot tell you the deeper meaning of what he has read, and does not understand basic social interactions you and I take for granted. Despite these deficits, he has the potential to someday live semi-independently, hold a job and perhaps even have a family.

My wife and I do not want to have to take guardianship of our son. We believe his best option to live a complete life and to maximize his independence is for him to be his own guardian. He will be able to do this if he can, like many young adults, work with his circle of support to make major life decisions and to have available guidance on the most major life decisions – entering into contracts, major medical decisions, any encounters with the legal system. We believe needing guidance for these key times should not necessitate diminishing his rights and independence by requiring someone act as his guardian. There are real fears as he becomes independent and moves into the community especially around financial matters and developing social relationships. We believe Supported-Decision Making would be an ideal tool to assist him as he moves out on his own. We also believe that, should anything happen to us, using Supported-Decision Making is a better fit for our son, who simply needs support for these key decisions, as opposed to full Guardianship, which may interfere, despite best intentions, with his making key life choices.

Our son has a strong support system with both of his parents, three grandparents and other family and community connections. Given this, he would be an ideal candidate to be empowered and supported to make his own decisions, to live and grow more independent, using Supported Decision Making. Further, without this legislation, our family will endure greater costs than necessary in developing powers of attorney, or in being forced to remove rights from our son due to needing to take Guardianship with no other alternatives available.

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