

Alternatives to Guardianship Education Act

U.S. Senator Bob Casey (D-PA)

Why do we need the Alternatives to Guardianship Education Act?

The purpose of this Act is to improve the awareness of guardianship alternatives for health care workers, educators, family members, and court workers and court-related personnel through education programs.

Although some procedures exist to ensure guardian trustworthiness, egregious incidents of abuse have occurred to people under guardianship. Less restrictive options to guardianship, such as supported decision-making and advance directives, offer ways to help people make decisions without losing their independence. However, public awareness of these alternatives may be limited.

Awareness of guardianship alternatives by people that frequently interact with older adults, people with disabilities, and other individuals at risk of guardianship determinations may help reduce unnecessary guardianship arrangements and preserve decision-making rights.

What would the Alternatives to Guardianship Education Act do?

The Alternatives to Guardianship Education Act establishes competitive grants to provide education on guardianship alternatives for older adults and people with disabilities to health care workers, educators, family members, and court workers and court-related personnel.

Specifically, the Alternatives to Guardianship Education Act will:

- Provide funding to eligible entities to implement education programs to improve awareness of guardianship alternatives.
- Require that programs providing education about guardianship alternatives include:
 - Discussions about the background of guardianship, the possible consequences of unnecessary guardianship, and the need for guardianship alternatives.
 - Descriptions of various guardianship alternatives available in the State(s).
 - Curriculum tailored to the needs of the target populations.
 - Strategies to reach underserved populations and hire instructors with a diverse range of disabilities.
 - Materials and instruction in accessible formats.
- Require States to collect guardianship data (e.g., demographic information, length of guardianship arrangements, types of guardianships).
- Establish an advisory council to advise the Secretary on the grants and programs carried out in this Act.

This bill is endorsed by: Brain Injury Association of America, National Association of Councils on Developmental Disabilities, Paralyzed Veterans of America, Tuberos Sclerosis Complex Alliance, National Down Syndrome Society, Center for Public Representation, UniqueSource (PA), The National Association of State Use Programs (SUPRA), Justice in Aging, and New Disabled South.

This bill is co-sponsored by: Senators Klobuchar, Duckworth, Merkley, and Sanders.

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