

Self-Employed and Self-Determined: Using Supported Decision-Making in Practice

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- Please note: This webinar is being recorded and the materials will be available at DisabilitySmallBusiness.org on the Past Events page within 1-2 weeks.

Self-Employed and Self-Determined: Using Supported Decision-Making in Practice

Presented by: Jonathan Martinis of the Burton Blatt Institute at Syracuse University

Featuring:

- Shawn and Sonia Rosier of Shawn Goes Bananas
- Michael and Sheila Coyne of Red, White and Brew Coffeehouse



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Rights=Choice

"I am my choices. I cannot not choose. If I do not choose, that is still a choice. If faced with inevitable circumstances, we still choose *how we are* in those circumstances."

- Jean Paul Sartre

Rights=Choice

Choice=Self-Determination

- Life control
- People's ability and opportunity to be “causal agents . . . actors in their lives instead of being acted upon”
 - Wehmeyer, Palmer, Agran, Mithaug, & Martin, 2000.
- People exercise self determination when making life choices
 - Blanck & Martinis, 2015

Benefits of Self-Determination (Slide 1 of 2)

People with greater self determination are:

- Healthier
- More independent
- More well-adjusted
- Better able to recognize and resist abuse
 - Khemka, Hickson, & Reynolds, 2005; O'Connor & Vallerand, 1994; Wehmeyer & Schwartz, 1998

Benefits of Self-Determination (Slide 2 of 2)

People with disabilities who have more self determination are more likely to:

- Work
 - Make more money
 - Be more involved in managing their money
- Wehmeyer & Schwartz, 1997; Wehmeyer & Palmer, 2003

Guardianship in the U.S.

“Plenary” or “Full” Guardianship

- Gives the Guardian power to make ALL decisions for the person.
- Used in the **vast** majority of cases.
 - Teaster, Wood, Lawrence, & Schmidt, 2007.
- “As long as the law permits plenary guardianship, **courts will prefer to use it.**”
 - Frolik, 1998

As We've Known For Forty Years

When denied self-determination, people:

- “[F]eel helpless, hopeless, and self-critical”
– Deci, 1975.
- Experience “low self-esteem, passivity, and feelings of inadequacy and incompetency,” decreasing their ability to function
– Winick, 1995

Think About it...

- If you were a **bank**, would you let someone who wasn't allowed to make money decisions open a checking account or loan them money?
- If you were a **business**, would you enter into a contract with a company where the president wasn't allowed to sign contracts?
- If you were an **employee**, would you want to work for someone who isn't allowed to sign paychecks?

Where Do We Go From Here?

Guardianship **MAY** be Needed:

- In emergency situations when:
 - The person is incapacitated and cannot give consent
 - The person did not previously identify how decisions should be made in that situation
 - There is no one else available in the person's life to provide consent through a Power of Attorney, Advanced Directive, or other means
- To support People:
 - Who face critical decisions and have no interest in or ability to make decisions
 - Who need immediate protection from exploitation or abuse

Research (Slide 1 of 2)

People under overbroad or undue guardianship can experience a “**significant negative impact** on their physical and mental health, longevity, ability to function, and reports of subjective well-being”

– Wright, 2010

On The Other Hand

People with disabilities who exercise greater self-determination have a **better quality of life**, more independence, more community integration, and are more likely to work.

– Powers et al., 2012; Shogren, Wehmeyer, Palmer, Rifenbark, & Little, 2014; Wehmeyer and Schwartz, 1997; Wehmeyer & Palmer, 2003

And...

People with Intellectual and Developmental Disabilities who do **NOT** have a guardian are more likely to:

- Have a paid job
- Live independently
- Have friends other than staff or family
- Go on dates and socialize in the community
- Practice the Religion of their choice

2013-2014

2017-2018



A Way Forward: Supported Decision-Making

“a recognized alternative to guardianship through which people with disabilities use friends, family members, and professionals to help them understand the situations and choices they face, so they may make their own decisions without the “need” for a guardian.”

– Blanck & Martinis, 2015

**So, Supported Decision-Making
Is A Lot of Words For...**

Getting help when it is needed

Just like you and me

And Ask...

If people can “manage” a business, or make personal and financial decisions if they get help, is a guardian “necessary?”

Which Means...

BEFORE seeking or recommending guardianship:

What ELSE Have You Tried?

Supported Decision-Making Can Help People be “able” and “capable”

Supported Decision-Making can help people:

- Understand information, issues, and choices;
- Focus attention in decision-making;
- Weigh options;
- Ensure that decisions are based on their own preferences
- Interpret and/or communicate decisions to other parties.

– Salzman, 2011

It's A Paradigm, Not A Process

There is no “one-size-fits-all” method of Supported Decision-Making.

Can include, as appropriate:

- Informal support
 - Written agreements, like Powers of Attorney, identifying the support needed and who will give it
 - Formal Micro-Boards and Circles of Support
- Martinis, Blanck, and Gonzalez, 2015.

Research (slide 2 of 2)

In a study, young adults who used Supported Decision-Making showed:

- Increased independence, confidence, and decision-making abilities
- Made better decisions
- Had enhanced quality of life

– Martinis & Beadnell, 2021

SupportedDecisionMaking.org/Node/488

Opportunities are ALL Around Us

- “Informed Consent” to Medical Care
- “Person Centered Planning” in Medicare/Medicaid
- “The Conversation” and “Five Wishes” for End-of-Life Planning
- “Student Led” IEPs
- “Informed Choice” in Vocational Rehabilitation

Continue the Conversation

- The National Resource Center for Supported Decision-Making:
SupportedDecisionMaking.Org
- Jonathan Martinis: JGMartinisLLC@Gmail.Com
- Shawn and Sonia Rosier: srosier10@Gmail.Com
- Michael and Sheila Coyne: RedWhiteBrewri@Gmail.Com

Upcoming Events

[Beyond our Disabilities: Celebrating Black Disabled Entrepreneurs](#)

Presented by Financial Joy School

Featuring: Invisible Strengths, JuneBrain and Cur8able

Wednesday, February 28, 2024 - 2:00 – 3:15pm ET

[EXIM Webinar Series](#)

Registration Links Coming Soon!

Presented by Export-Import Bank of United States

March – May 2024

NDI Small Business Hub

- Are you an aspiring entrepreneur or existing business owner with a disability wanting help to START, BUILD and GROW your business? Visit DisabilitySmallBusiness.org or email Ruth Chavez, Community Navigator at rchavez@ndi-inc.org.
- Visit our Streaming TV channel for informational and motivational content for disability owned small businesses at DisabilityOwned.com.
- Access training, mentoring, business coaching, and \$10,000 grant opportunities through our new partnership with Verizon Small Business Digital Ready! Register here: [Small Business Training | About Verizon](#)
- Want to “Stay In The Know” about NDI’s Small Business Hub? Join our [mailing list!](#)

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