



AN ACT CONCERNING SUPPORTED DECISION-MAKING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) As used in this section
2 and section 2 of this act:

3 (1) "Adult" means a natural person who is eighteen years of age or
4 older.

5 (2) "Decision-maker" means an adult who seeks to enter, or has
6 entered, into a supported decision-making agreement with one or more
7 supporters pursuant to this section.

8 (3) "Supported decision-making" means a process utilized by a
9 decision-maker to retain decision-making authority through assistance
10 from one or more supporters of the decision-maker's choosing to help
11 the decision-maker understand the nature and consequences of
12 potential personal and financial decisions and communicate such
13 decisions.

14 (4) "Supported decision-making agreement" means an agreement
15 entered into by a decision-maker and one or more supporters that (A) is
16 in writing, (B) is dated, (C) is entered into by the decision-maker
17 voluntarily without undue influence or coercion and understanding the
18 nature and effect of the agreement, (D) is signed by the decision-maker,

19 one or more supporters and two identified adult witnesses, and (E)
20 describes the types of decisions that a supporter may help the decision-
21 maker to make.

22 (5) "Supporter" means a person who is named in a supported
23 decision-making agreement to provide specified person-centered and
24 direct assistance to a decision-maker to gather and access information,
25 make informed decisions and communicate decisions.

26 (b) The right of a decision-maker to the assistance of a supporter
27 identified in a supported decision-making agreement shall be
28 recognized in this state, including, but not limited to, by businesses,
29 government agencies, organizations, medical providers, educational
30 institutions and any entity with whom the decision-maker interacts to
31 obtain goods and services.

32 (c) A decision-maker or a supporter may terminate a supported
33 decision-making agreement at any time. Termination by a supporter of
34 such agreement shall only terminate such supporter's role in the
35 agreement, which otherwise shall remain in effect with respect to the
36 decision-maker and any additional supporters named in the agreement.
37 Except as otherwise provided in a supported decision-making
38 agreement and subsection (d) of this section, a supporter may:

39 (1) Assist the decision-maker in understanding information, options,
40 responsibilities and consequences of the decision-maker's decisions,
41 including, but not limited to, decisions relating to the decision-maker's
42 affairs or supportive services;

43 (2) Help the decision-maker access, obtain and understand any
44 information that is relevant to any decision, including, but not limited
45 to, protected health information under the Health Insurance Portability
46 and Accountability Act of 1996, P.L. 104-191, as amended from time to
47 time, and educational records protected under the Family Educational
48 Rights and Privacy Act of 1974, 20 USC 1232g, as amended from time to
49 time, and any regulations adopted thereunder, subject to the provisions
50 of subsection (d) of this section;

51 (3) Assist the decision-maker in finding, obtaining and making
52 appointments;

53 (4) Help the decision-maker monitor information about the decision-
54 maker's affairs or services;

55 (5) Ascertain the wishes and decisions of the decision-maker and,
56 when requested by the decision-maker, assist in communicating those
57 wishes and decisions to other persons; and

58 (6) Engage in advocacy to ensure that the wishes and decisions of the
59 decision-maker are implemented.

60 (d) A supporter shall not:

61 (1) Exert undue influence upon a decision-maker or make decisions
62 on behalf of a decision-maker;

63 (2) Obtain, without the written consent of the decision-maker,
64 information that is not reasonably related to matters with which the
65 supporter is authorized to assist the decision-maker pursuant to the
66 supported decision-making agreement;

67 (3) Use, without the written consent of the decision-maker,
68 information acquired for a purpose other than to assist the decision-
69 maker to make a decision pursuant to the supported decision-making
70 agreement; or

71 (4) Violate any provisions of state or federal law concerning the
72 privacy of information, including, but not limited to, information
73 protected under the Health Insurance Portability and Accountability
74 Act of 1996, P.L. 104-191, as amended from time to time, the Family
75 Educational Rights and Privacy Act of 1974, 20 USC 1232g, as amended
76 from time to time, and any regulations adopted thereunder.

77 (e) Any person who is not a party to a supported decision-making
78 agreement, including, but not limited to, a provider of health care or
79 provider of financial services, may:

80 (1) Rely upon a supported decision-making agreement without actual
81 knowledge that the agreement is not void, invalid or terminated; and

82 (2) Rely upon the presumption that a signature on a supported
83 decision-making agreement is genuine without actual knowledge that
84 any of the signatures thereon is genuine.

85 (f) Any person giving effect to a declaration contained within a
86 supported decision-making agreement or for following the direction of
87 a supporter named in the supported decision-making agreement shall
88 not be subject to civil or criminal liability or discipline for unprofessional
89 conduct.

90 Sec. 2. (NEW) (Effective October 1, 2026) (a) The Department of Aging
91 and Disability Services shall, within available appropriations, establish
92 the Supported Decision-Making Education and Assistance program to
93 (1) provide information to older adults and adults with disabilities,
94 families and others interested in supported decision-making
95 agreements, (2) facilitate the forming, execution and termination of such
96 agreements, and (3) provide resources for a decision-maker who
97 believes a supporter is acting outside the scope of such an agreement.

98 (b) Not later than January 1, 2027, the Commissioner of Aging and
99 Disability Services shall file a report, in accordance with the provisions
100 of section 11-4a of the general statutes, with the joint standing
101 committee of the General Assembly having cognizance of matters
102 relating to human services on the status of the program and number of
103 persons assisted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	New section
Sec. 2	October 1, 2026	New section

Statement of Legislative Commissioners:
In Section 1(c)(1) and 1(c)(2), "life decision" and "life decisions" were changed to "decision" and "decisions" for clarity.

HS *Joint Favorable Subst. -LCO*