

## **States that have enacted Supported Decision Making laws in some form**

### **Alabama**

- Alabama has passed comprehensive legislation related to SDM agreements. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Alabama’s SDM Agreement Law: Ala. Code §§ 26-1B-1 to 26-1B-10 (2023)
- Alabama’s Organ Transplant Law: Ala. Code §§ 22-19-202, 22-19-203 (2023)

### **Alaska**

- Alaska has passed comprehensive legislation related to SDM agreements.
- Alaska’s SDM Agreement Law: Alaska Stat. Ann. §§ 13.56.010 to 13.56.195 (2018)

### **Arizona**

- Arizona has passed comprehensive legislation related to SDM agreements. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Arizona’s SDM Agreement Law: Ariz. Rev. Stat. Ann. §§ 14-5721 to 14-5722 (2023)
- Arizona’s Organ Transplant Law: Ariz. Rev. Stat. Ann. § 36-841 (2022)

### **Arkansas**

- Arkansas recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Arkansas’ Organ Transplant Law: Ark. Code Ann. § 20-14-902 (2021)

### **California**

- California has passed comprehensive legislation related to SDM agreements. The State’s probate code also requires courts to consider SDM as a less restrictive alternative before appointing a conservator.
- California’s SDM Agreement Law: Cal. Welf. & Inst. Code §§ 21000 to 21008 (2023)
- SDM in California’s Probate Code: Cal. Prob. Code § 1800.3 (2023)

### **Colorado**

- Colorado has passed comprehensive legislation related to SDM agreements. The State's probate code also defines SDM
- Colorado's SDM Agreement Law: Colo. Rev. Stat. §§ 15-14-801 to 15-14-806 (2021)
- SDM in Colorado's Probate Code: Colo. Rev. Stat. Ann. §§ 15-14-102, 15-14-113.5 (2020)

### **Connecticut**

- Connecticut has passed a law that formally recognizes SDM within the transition planning and transfer-of-rights processes for students with disabilities approaching age 18.
- SDM in Connecticut's Transition Planning and Transfer-of-rights Law: Conn. Gen. Stat. Ann. § 10-74s (2023)

### **Delaware**

- Delaware has passed comprehensive legislation related to SDM agreements. The State has also enacted the Uniform Health-Care Decision Act, which recognizes SDM as reasonable accommodation relevant to a person's capacity to make or revoke a health-care decision, a health-care instruction, or an appointment of an agent under a health-care power of attorney. Finally, the State recognizes SDM as an "auxiliary aid and service" to prevent discrimination in access to organ transplantation.
- Delaware's SDM Agreement Law: Del. Code Ann. tit. 16, §§ 9401A to 9410A (2016)
- SDM in Delaware's Uniform Health-Care Decisions Act: Del. Code Ann. tit. 16, §§ 2502, 2503, 2512 (2025)
- Delaware's Organ Transplant Law: Del. Code Ann. tit. 16, § 2742 (2017)

### **Florida**

- Florida has passed comprehensive legislation related to SDM agreements. The State's probate code also requires guardianship petitions to describe efforts to use SDM and why SDM is an insufficient alternative to guardianship. In addition, Florida formally recognizes SDM within the transition planning and transfer-of-rights processes for students with disabilities approaching age 18. Finally, Florida recognizes SDM as an "auxiliary aid and service" to prevent discrimination in access to organ transplantation.
- Florida's SDM Agreement Law: Fla. Stat. Ann. § 709.2209 (2024)

- SDM in Florida’s Probate Code: Fla. Stat. Ann. § 744.3201 (2024)
- SDM in Florida’s Transition Planning and Transfer-of-rights Law: Fla. Stat. Ann. § 1003.5716 (2024)
- Florida’s Organ Transplant Law: Fla. Stat. Ann. § 765.523 (2020)

### **Georgia**

- Georgia recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Georgia’s Organ Transplant Law: Ga. Code Ann. § 31-1-24 (2021)

### **Hawaii**

- In 2025, Hawaii passed comprehensive legislation related to SDM agreements.
- Hawaii’s SDM Agreement Law: H.R. 320, 33rd Leg., Reg. Sess. (HI 2025)

### **Idaho**

- Idaho has not enacted any SDM laws.

### **Illinois**

- Illinois has passed comprehensive legislation related to SDM agreements.
- Illinois’ SDM Agreement Law: 755 Ill. Comp. Stat. Ann. 9/1 to 9/99 (2022)

### **Indiana**

- Indiana has passed comprehensive legislation related to SDM agreements. The State’s probate code also defines SDM as a less restrictive alternative and requires guardianship petitions to describe efforts to use less restrictive alternatives. Finally, Indiana has passed a law that formally recognizes SDM within the transition planning and transfer-of-rights processes for students with disabilities approaching age 18.
- Indiana’s SDM Agreement Law: Ind. Code Ann. §§ 29-3-14-1 to 29-3-14-13 (2019)
- SDM in Indiana’s Probate Code: Ind. Code Ann. §§ 29-3-1-7.8, 29-3-5-1 (2019)
- Reference to SDM in Indiana’s Transition Planning and Transfer-of-rights Law: Ind. Code Ann. § 20-35-6-4 (2023)

### **Iowa**

- Iowa has not enacted any SDM laws.

### **Kansas**

- In 2025, Kansas passed the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (known as “UGCOPAA”), which requires Probate Courts to consider SDM as a less restrictive alternative before appointing a guardian or conservator. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Kansas’s UGCOPAA: H.R. 2359, 2025 Leg., Reg. Sess. (KS 2025)
- Kansas’s Organ Transplant Law: Kan. Stat. Ann. § 65-3276 (2022)

### **Kentucky**

- Kentucky has not enacted any SDM laws.

### **Louisiana**

- Louisiana has passed comprehensive legislation related to SDM agreements. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation. Finally, Louisiana has passed a law that formally recognizes SDM within the transition planning process for students with disabilities approaching age 18.
- Louisiana’s SDM Agreement Law: La. Stat. Ann. §§ 13:4261.101 to 13:4261.302 (2020)
- Louisiana’s Organ Transplant Law: La. Stat. Ann. § 40:1170.2 (2019)
- SDM in Louisiana’s Transition Planning Law: La. Stat. Ann. § 17:1944 (2024)

### **Maine**

- Maine has passed the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (known as “UGCOPAA”), which requires Probate Courts to consider SDM as a “less-restrictive option” before appointing a guardian or conservator.
- SDM in Maine’s UGCOPAA: Me. Rev. Stat. tit. 18-C §§ 5-102, 5-301, 5-304, 5-310, 5-317, 5-401, 5-411, 5-405, 5-502, 5-503, 5-506 (2019)

### **Maryland**

- Maryland has passed comprehensive legislation related to SDM agreements. The State has also enacted the Health-Care Decisions Act, which recognizes SDM as reasonable accommodation relevant to a person’s capacity to make or revoke an informed health-care decision or advanced directive. Finally, the State recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Maryland’s SDM Agreement Law: Md. Code Ann., Est. & Trusts §§ 18-101 to 18-109 (2022)
- SDM in Maryland’s Health-Care Decisions Act: Md. Code Ann., Health-Gen. § 5-601 (2024)
- Maryland’s Organ Transplant Law: Md. Code Ann., Health-Gen. § 20-1601 (2015)

### **Massachusetts**

- Massachusetts has not enacted any SDM laws.

### **Michigan**

- Michigan has not enacted any SDM laws.

### **Minnesota**

- Minnesota’s probate code defines SDM and requires courts to consider it as a less restrictive alternative before appointing a guardian. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- SDM in Minnesota’s Probate Code: Minn. Stat. Ann. §§ 524.5-102, 524.5-310, 524.5-409 (2020)
- Minnesota’s Organ Transplant Law: Minn. Stat. Ann. § 363A.50 (2022)

### **Mississippi**

- Mississippi recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Mississippi’s Organ Transplant Law: Miss. Code Ann. § 43-6-255 (2022)

### **Missouri**

- Missouri’s probate code requires courts to consider SDM as a less restrictive alternative before appointing a guardian or conservator.

- SDM in Missouri’s Probate Code: Mo. Ann. Stat. § 475.075 (2018)

### **Montana**

- Montana’s probate code defines SDM and requires courts to consider it as a less restrictive alternative before appointing a guardian. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- SDM in Montana’s Probate Code: Mont. Code Ann. §§ 72-5-305, 72-5-316 (2021)
- Montana’s Organ Transplant Law: Mont. Code Ann. § 49-4-602 (2021)

### **Nebraska**

- Nebraska has not enacted any SDM laws.

### **Nevada**

- Nevada has passed comprehensive legislation related to SDM agreements. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation. Finally, the Nevada legislature recently passed Senate Bill 346, which defines SDM as a less restrictive alternative and requires guardianship petitioners to submit an assessment from a physician determining whether less restrictive alternatives to guardianship are available.
- Nevada’s SDM Agreement Law: Nev. Rev. Stat. Ann. §§ 162C.010 to 162C.330 (2019)
- Nevada’s Organ Transplant Law: Nev. Rev. Stat. Ann. § 460.160 (2021)
- Nevada’s New Law Related to SDM as a Less Restrictive Alternative: S. 346, 83rd Leg., Reg. Sess. (NV 2025)

### **New Hampshire**

- New Hampshire has passed comprehensive legislation related to SDM agreements. The State’s probate code also requires courts to consider the availability of “available alternative resources,” including SDM, before appointing a guardian. Finally, New Hampshire has passed a law that formally recognizes SDM within the transition planning and transfer-of-rights processes for students with disabilities approaching age 18.
- New Hampshire’s SDM Agreement Law: N.H. Rev. Stat. Ann. §§ 464-D:1 to 464-D:16 (2021)

- SDM in New Hampshire’s Probate Code: N.H. Rev. Stat. Ann. § 464-A:2 (2022); N.H. Rev. Stat. Ann. § 464-A:9 (2025)
- SDM in New Hampshire’s Transition Planning and Transfer-of-rights Law: N.H. Rev. Stat. Ann. § 186-C:3-c (2022)

### **New Jersey**

- New Jersey has not enacted any SDM laws.

### **New Mexico**

- In 2025, New Mexico passed comprehensive legislation related to SDM agreements.
- New Mexico’s SDM Agreement Law: N.M. Stat. Ann. §§ 24-7D-11 to 24-7D-11 (2025)

### **New York**

- New York has passed comprehensive legislation related to SDM agreements.
- New York’s SDM Agreement Law: N.Y. Mental Hyg. Law §§ 82.01 to 82.15 (McKinney 2022)

### **North Carolina**

- North Carolina’s probate code defines SDM as a less restrictive alternative and requires guardianship petitions to describe efforts to use less restrictive alternatives. In addition, the State recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- SDM in North Carolina’s Probate Code: N.C. Gen. Stat. Ann. §§ 35A-1101, 35A-1201, 35A-1106 (2024)
- North Carolina’s Organ Transplant Law: N.C. Gen. Stat. Ann. § 130A-414.2 (2021)

### **North Dakota**

- North Dakota has passed comprehensive legislation related to SDM agreements. The State’s probate code also requires courts to consider the availability of “alternative plans to guardianship,” including SDM, before appointing a guardian.
- North Dakota’s SDM Agreement Law: N.D. Cent. Code Ann. §§ 30.1-36-01 to 30.1-36-08 (2019)
- SDM in North Dakota’s Probate Code: N.D. Cent. Code Ann. §§ 30.1-01-06, 30.1-28-04 (2025)

## Ohio

- Ohio recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Ohio’s Organ Transplant Law: Ohio Rev. Code Ann. § 2108.36 (2018)

## Oklahoma

- Oklahoma’s probate code defines SDM and requires courts to consider it as a less restrictive alternative before appointing a guardian. State law also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- SDM in Oklahoma’s Probate Code: Okla. Stat. Ann. tit. 30, §§ 1-111, 3-111 (2021)
- Oklahoma’s Organ Transplant Law: Okla. Stat. Ann. tit. 63, § 2200.29 (2021)

## Oregon

- Oregon has passed a law that formally recognizes SDM within the transition planning and transfer-of-rights processes for students with disabilities approaching age 18.
- SDM in Oregon’s Transition Planning and Transfer-of-rights Law: Or. Rev. Stat. Ann. § 343.181 (2022)

## Pennsylvania

- While Pennsylvania’s probate code does not use the term “SDM” explicitly, it requires courts to consider the need for a guardian “in light of such factors as the availability of family, friends and other supports to assist the individual in making decisions.”
- Reference to Decision-making Supports in Pennsylvania’s Probate Code: 20 Pa. Stat. and Cons. Stat. Ann. § 5512.1 (2024)

## Rhode Island

- Rhode Island has passed comprehensive legislation related to SDM agreements. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Rhode Island’s SDM Agreement Law: 42 R.I. Gen. Laws Ann. §§ 42-66.13-1 to 42-66.13-10 (2019)

- Rhode Island’s Organ Transplant Law: 23 R.I. Gen. Laws Ann. § 23-95-3 (2021)

### **South Carolina**

- South Carolina recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation. The State has also passed a law that recognizes that adult students who are eligible for special education have the right to consult with trusted adults about educational decisions (although it does not use the term “SDM” explicitly).
- South Carolina’s Organ Transplant Law: S.C. Code Ann. § 44-43-1520 (2022)
- South Carolina’s Transition Planning and Transfer-of-rights Law: S.C. Code Ann. § 59-33-320 (2016)

### **South Dakota**

- South Dakota has not enacted any SDM laws.

### **Tennessee**

- Tennessee has not enacted any SDM laws.

### **Texas**

- Texas has passed comprehensive legislation related to SDM agreements. The State has also passed a law that formally recognizes SDM within the transition planning and transfer-of-rights processes for students with disabilities approaching age 18.
- Texas’s SDM Agreement Law: Tex. Est. Code Ann. §§ 1357.001 to 1357.102 (2015)
- SDM in Texas’s Transition Planning and Transfer-of-rights Law: Tex. Educ. Code Ann. §§ 29.011, 29.0112, 29.017 (2017)

### **Utah**

- In 2025, Utah passed comprehensive legislation related to SDM agreements. The State has also enacted the Uniform Health-Care Decision Act, which recognizes SDM as reasonable accommodation relevant to a person’s capacity to make or revoke a health-care decision, a health-care instruction, or an appointment of an agent under a health-care power of attorney.
- Utah’s SDM Agreement Law: Utah Code Ann. §§ 75-5-701 to 75-5-709 (2025)
- SDM in Utah’s Uniform Health-Care Decisions Act: Utah Code Ann. §§ 75A-9-101, 75A-9-102, 75A-9-111 (2025)

## Vermont

- Vermont has not enacted any SDM laws.

## Virginia

- Virginia has passed comprehensive legislation related to SDM agreements. The State's probate code also defines SDM and requires courts to consider SDM as an alternative during guardianship hearings. Finally, Virginia recognizes SDM as an "auxiliary aid and service" to prevent discrimination in access to organ transplantation.
- Virginia's SDM Agreement Law: Va. Code Ann. § 37.2-314.3 (2021)
- SDM in Virginia's Probate Code: Va. Code Ann. §§ 64.2-2000 64.2-2007 (2021); Va. Code Ann. § 64.2-2003 (2024)
- Virginia's Organ Transplant Law: Va. Code Ann. § 32.1-297.2 (2020)

## Washington

- Washington has passed comprehensive legislation related to SDM agreements. The State has also passed the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (known as "UGCOPAA"), which requires Probate Courts to consider SDM as a less restrictive alternative before appointing a guardian or conservator. Finally, Washington recognizes SDM as an "auxiliary aid and service" to prevent discrimination in access to organ transplantation.
- Washington's SDM Agreement Law: Wash. Rev. Code Ann. §§ 11.130.700 to 11.130.755 (2022)
- SDM in Washington's UGCOPAA: Wash. Rev. Code Ann. §§ 11.130.010, 11.130.265, 11.130.280, 11.130.310, 11.130.320, 11.130.345, 11.130.360, 11.130.420, 11.130.430, 11.130.585, 11.130.590, 11.130.605, 11.130.650 (2024)
- Washington's Organ Transplant Law: Wash. Rev. Code Ann. § 68.70.010 (2019)

## Washington D.C.

- Washington D.C. has passed comprehensive legislation related to SDM agreements. D.C. has also passed a law that recognizes that adult students who are eligible for special education have the right to receive support from trusted adults about educational decisions (although it does not use the term "SDM" explicitly).
- D.C.'s SDM Agreement Law: D.C. Code Ann. §§ 7-2131 to 7-2134 (2022)

- D.C.'s Transition Planning and Transfer-of-rights Law: D.C. Code Ann. § 38-2571.04 (2015)

### **West Virginia**

- West Virginia recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- West Virginia’s Organ Transplant Law: W. Va. Code Ann. § 16-65-2 (2022)

### **Wisconsin**

- Wisconsin has passed comprehensive legislation related to SDM agreements and its probate code requires courts to consider SDM as a less restrictive alternative before appointing a guardian. The State also recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation. Finally, Wisconsin has passed a law that formally recognizes SDM within the transition planning and transfer-of-rights processes for students with disabilities approaching age 18.
- Wisconsin’s SDM Agreement Law: Wis. Stat. Ann. §§ 52.01 to 52.32 (2018)
- SDM in Wisconsin’s Probate Code: Wis. Stat. Ann. § 54.10 (2018)
- Wisconsin’s Organ Transplant Law: Wis. Stat. Ann. § 157.06 (2024)
- Reference to SDM in Wisconsin’s Transition Planning and Transfer-of-rights law: Wis. Stat. Ann. § 115.807 (2018)

### **Wyoming**

- Wyoming recognizes SDM as an “auxiliary aid and service” to prevent discrimination in access to organ transplantation.
- Wyoming’s Organ Transplant Law: Wyo. Stat. Ann. § 35-5-301 (2021)