

What are the guiding principles of the Act?

The Act is based on the following beliefs:

- Adults living with an intellectual disability are presumed able to make their own decisions on matters affecting their lives, unless they demonstrate otherwise.
- Adults living with an intellectual disability should be encouraged to make their own decisions, with support if needed.
- Like most people, adults living with an intellectual disability sometimes rely on the advice and assistance of support networks, with many include family members, friends, service providers and others they choose. The Act recognizes the important role support networks play and encourages their assistance with decision making, when necessary.
- Assistance with decision making should respect the privacy and dignity of adults living with an intellectual disability.
- Sometimes adults living with an intellectual disability are unable to make decisions about some aspects of their lives, even with the help of a support network. In such cases, when an adults living with an intellectual disability needs decisions to be made and is unable to make, a substitute decision maker may be appointed as a last resort.

Additional Information

For more information about The Adults Living with an Intellectual Disability Act, contact your nearest regional office of the Department of Families:

Northern

Thompson (204) 677-6570

Flin Flon (204) 687-1700

The Pas (204) 627-8311

Parkland

Dauphin (204) 622-2035

Swan River (204) 734-3491

Eastman

Beausejour (204) 268-6226

Steinbach (204) 346-6390

Interlake (204) 785-5106

Westman (204) 726-6336

Toll Free: 1-800-230-1885

Central

Portage La Prairie (204) 239-3092

Morden (204) 822-2870

Winnipeg (204) 945-1335

Office of the Commissioner for Adults Living with an Intellectual Disability (CALIDO)

(204) 945-5039

(toll-free 1-800-757-9857 outside Winnipeg)

The Adults Living with an Intellectual Disability Act



Manitoba has a law to promote and protect the rights of adults living with an intellectual disability—that is, adults living with an intellectual disability who need assistance to meet their basic needs.

The Adults Living with an Intellectual Disability Act

reflects the right of all people to make their own decisions and have help, where necessary, in a manner that respects their independence, privacy and dignity. This pamphlet outlines the main components of the legislation.

What is supported decision making?

Just like other Manitobans, adults living with an intellectual disability have the right to make choices and decisions about their lives. Often, adults living with an intellectual disability will make their own decisions, without the advice or support of others.

There are times when we all ask others to help us with a decision. Adults living with an intellectual disability are no different. They may turn to their parents, other family members or friends to help them understand their choices. The members of this support network can provide information, ideas and advice that enable adults living with an intellectual disability to make their decisions. This is what supported decision making means—adults living with an intellectual disability making their own decisions, with support and advice from family and friends, if desired.

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What services are available to adults living with an intellectual disability under the Act?

Under the legislation, the Department of Families may provide support services for adults living with an intellectual disability, within available program resources. Examples of support services include residential services, counseling, day services, vocational training and life-skills programs.

Generally speaking, existing services, service providers and community services workers remain in place for vulnerable persons.

How are services decided upon?

The Act states that an individual plan must be developed for every adult living with an intellectual disability receiving support services. The plan identifies the person's strengths and needs, and sets out the support services that may be provided.

The planning process may involve a number of people. The adults living with an intellectual disability, members of the support networks, and the substitute decision maker or committee, if any, will be invited to work with a community service worker to develop an individual plan.

If there are disputes about support services, provisions for mediation and appeal are available.

What is substitute decision making?

When an adult living with an intellectual disability needs decisions to be made and is unable to make them, alone or with the help of a support network, then a substitute decision maker (SDM) may be appointed.

Before a substitute decision maker is appointed, an application must be made to the Commissioner for Adults Living with an Intellectual Disability, an official appointed under the Act to protect the decision-making rights of adults living with an intellectual disability, and appoint and monitor SDMs. If the criteria for appointment appear to be met, a hearing panel will be appointed to consider the adult living with an intellectual disability's needs and capabilities and make recommendations to the Commissioner regarding the appointment. The adult living with an intellectual disability, and SDM or committee, a close relative, other members of the support network, service providers and the community service worker will be invited to participate in the hearing.

An appointed substitute decision maker makes decisions only in areas where the adult living with an intellectual disability cannot make them, and only for the period of time required to make the decision. The adult living with an intellectual disability is still able to make all other decisions not granted to the

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substitute decision maker. The substitute decision maker's decisions must respect and encourage the participation and independence of the adult living with an intellectual disability.

How does the Act protect adults living with an intellectual disability?

The legislation provides for the protection of adults living with an intellectual disability from abuse or neglect. By law, service providers, substitute decision makers and committees must report to the Department of Families suspected abuse and/or neglect of the adult living with an intellectual disability they support. Other Manitobans are also encouraged to report such concerns.

All reports will be investigated promptly and, when appropriate, referred to the police. If abuse or neglect is found, immediate action will be taken to protect the adult living with an intellectual disability. This may include providing support services to taking the person to a safe place.