

Supported Decision-Making in New Mexico:

A Guidebook for Adults with Disabilities



Disability Rights New Mexico

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What is Supported Decision-Making?

Supported Decision-Making (often called **SDM**) is a way for people with disabilities to make their own decisions with help from people they trust. Many people ask others for help when making big choices. For example, someone might:

- talk with a parent before buying a car.
- ask a friend for advice about a job.
- ask a doctor questions before choosing a medical treatment.

Supported Decision-Making works the same way.

In Supported Decision-Making, the person making decisions with assistance in understanding the options, responsibilities and consequences of those decisions, is called the **Decision-Maker**. The people who help them are called **Supporters**. Supporters help the person understand information, think through options, and communicate decisions to others. The most important rule is that the final decision always belongs to the Decision-Maker.

How Supported Decision-Making Works

1. Choose Supporters – The individual with a disability (the Decision-Maker) decides who they trust to help them make decisions. The people they chose are called Supporters.

2. Discuss decisions – The Decision-Maker and their Supporters talk about areas where support might be helpful, such as healthcare, housing, or money.

3. Make a plan – The Decision-Maker writes down how Supporters will help them. This is called the supported decision making agreement (SDMA). The SDMA shall:

- (1) be in writing;
- (2) be dated;

- (3) be signed voluntarily, without coercion or undue influence, by the decision-maker and the supporter;
- (4) designate a supporter;
- (5) list the types of decisions with which the supporter is authorized to assist the decision-maker;
- (6) list the types of decisions, if any, with which the supporter is not authorized to assist the decision-maker; and
- (7) contain a consent signed by the supporter indicating the supporter's:
 - (a) relationship to the decision-maker;
 - (b) willingness to act as a supporter; and
 - (c) acknowledgment of the duties of a supporter.

The New Mexico Supreme Court is working on a form to use for SDMA's currently. Once this form is made public, it should be used by Decision-Makers and their Supporters for their putting together the SDMA.



*Maria wants to move into her own apartment. Maria asks her sister to help compare rent prices and asks her friend to help her understand the lease. After talking with them both, Maria decides which apartment she wants. **Maria makes the decision, but her Supporters help her understand the different choices.***



4. Sign an agreement – The Decision-Maker and Supporters sign the Supported Decision-Making Agreement in the presence of at least two adult

witnesses whose signatures shall be acknowledged by a notary public to put the SDMA in place.

You can watch a short video about Supported Decision-Making by scanning the QR code or using the link below.



<https://www.youtube.com/watch?v=55ES7jkaB2A>

Explainer Video: Supported Decision Making

and

Other Guardianship Alternatives

By Disability Rights Texas

Benefits of Supported Decision-Making

Supported Decision-Making helps people practice independence and self-determination. Self-determination means having control over your own life. When people are supported in making decisions, they gain confidence and learn important life skills.

Research shows that people who practice decision-making skills are more likely to live independently, have jobs, and participate in their communities.

Supported Decision-Making in New Mexico

Supported Decision-Making is becoming more common across the United States. Disability rights organizations, legal experts, and self-advocates support it because it helps people keep their independence while receiving the support they may need.

In 2025, New Mexico passed the Supported Decision-Making Act. This law recognizes Supported Decision-Making agreements and encourages people to use them as a less restrictive alternative to guardianships. A guardian is someone who makes many decisions for a person with a disability. In order for a person to get a guardian, a court must find that a guardian is needed. The judge will decide who the guardian will be. But not everyone with a disability needs a guardian! In fact, when someone asks the court to appoint a guardian to a person with a disability, they must show the court that other things that are less restrictive would not work for the person facing guardianship.. This is to make sure that the person with a disability keeps as many of their legal rights as possible.

The Supported Decision-Making Act allows the decision-maker, who must be at least 18 years old, to choose trusted supporters to help them understand decisions about healthcare, finances, housing, education, employment, and other parts of life. It helps people with disabilities maintain their independence and rights to make choices about their own life.



Michael wants to get a job. He asks his friend about what kind of jobs he might enjoy. He talks with his neighbor, who is a teacher, about what kind of training he might need. His friend and his neighbor both help him apply for jobs. Michael chooses the job that he thinks he will enjoy and be good at.



Other Options That Can Help with Decision-Making

There are lots of tools available to help people with disabilities make decisions with the help of people around them. Here are some of those tools.

Release of Information

A Release of Information is a document that allows doctors, schools, banks, or other organizations to share information with someone you trust. You sign a letter indicating that you give permission for certain information to be shared by an entity (like your doctor or school) with someone that you trust. This can make it easier for your Supporters to help explain complicated information and gives them access to records that help you make decisions.

Direct Deposit and Auto Pay

You can place all income (social security benefits, paychecks from work) on direct deposit, which assures that it will be available when needed to pay expenses. You may also consider putting reoccurring expenses on automatic payment from the same account that income is direct deposited into. When a bill comes due, a statement is sent, often by email, the bill is paid in the amount and on the date agreed to. It can be helpful to set automatic payment date for all recurring bills a day or two after your direct deposit date to ensure that there will be sufficient funds in your account for all payments. Both direct deposit and automatic payment need to have some oversight and monitoring. A trusted supporter can help check the bank account to assure that income is received as expected and monitor bills to assure that the charges are correct. A trusted supporter can also work with you to help address any issues if they arise.

View-Only Privileges

A view-only privilege allows someone else to look at your bank account and see how your money is being spent, saved, withdrawn, and deposited. The other person does not have permission to do any of those things, but they do have permission to see these transactions on your account. That way if they suspect concerning activity, they can alert you so that you may address it, and can provide you support with addressing it.

Joint Bank Account

A joint bank account may be opened between you and someone you trust. You are both named on the account at the bank. The bank gives you both equal permission to deposit or withdraw money to the account. This is a way for you to have another person assisting with your finances to make sure that everything is in order. It's also a way for you to share financial resources or bill-paying tasks with someone else. Because joint bank accounts give both people on the account the same authority to spend the money in the account, though it is very important that this option only be used with a long known and well trusted supporter who you know will not abuse the access to money, and only use the access to support and assist with your finances in the way you have decided.

Assistive Technology

Technology can also help people make decisions and stay independent. Examples include reminder apps, budgeting tools, communication devices, and medication alarms that tell you when it's time to take your medicine.

Food Delivery

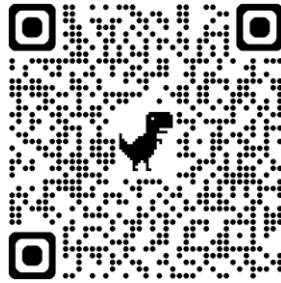
There are many options available to have groceries and prepared meals delivered to your home. A supporter can assist with reviewing a grocery or meal order to help ensure you are staying within a budget and ordering in time to ensure it will be available the next time you will need food. There are also home delivered meal programs like Meals on Wheels New Mexico that you can apply for to have nutritious meals brought to your home that are either frozen or ready to eat.

Transportation Services

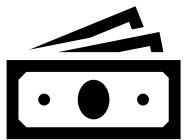
Sun Van in New Mexico allows for you to arrange for transportation to and from medical appointments, shopping centers, and other locations as needed to manage your personal affairs. New Mexico Support Network provides transport for medical appointments, therapies, and community outings. Dungarvin offers non-medical transportation for individuals with intellectual and developmental disabilities and seniors. Ride sharing services

like Lyft and Uber are proving helpful for some as the convenience of charging to a card on file eliminates the need for cash or concerns about in-person payment.

You can explore even more tools on DRNM's website by scanning the QR code or using the link below.



<https://drnm.org/wp-content/uploads/2025/07/Guardianship-Alternatives-for-Young-Adults.pdf>



Tools to Help with Decision-Making

Area of Life	Task	Tool
Money Management	<ul style="list-style-type: none"> -Paying bills and rent -shopping -Managing accounts, benefits, and assets -Learning to recognize scams, prevent exploitation 	<ul style="list-style-type: none"> -Using a money-managing app -Using auto-pay for bills -seeking financial counseling -Having a Representative Payee (for Social Security funds only) -Conservatorship or trust
Health Care	<ul style="list-style-type: none"> -Visiting the doctor, therapist, or other providers -Taking medications -Making decisions about medical treatment 	<ul style="list-style-type: none"> -Using a phone app to remember to take medication -Getting advice from health care professionals -Sign a HIPAA release so that Supporters may access health care information -Getting a Health Care Power of Attorney -Getting Advanced Directives (Living Will)
Employment	<ul style="list-style-type: none"> -Seeking employment -Maintaining employment 	<ul style="list-style-type: none"> -Working with NM Division of Vocational Rehabilitation (DVR), Medicaid waiver to get employment supports such as job training, education, and job coaching
Housing & Community Living	<ul style="list-style-type: none"> -Living independently by paying bills, cooking, cleaning, and caring for yourself 	<ul style="list-style-type: none"> -Using assistive technology to help perform household tasks -Using Medicaid or other supports to receive help with daily living -Keeping a list of community resources that can be used as needed

Legal Issues	-Understanding legal documents (like your lease, phone contract, etc.) -Communicating your wishes -Understanding the legal consequences of some behaviors	-Allowing Supporters to explain contracts -Demonstrating consequences, such as through role-playing -Seeking advice from legal professionals

Self-Advocacy

Self-advocacy means speaking up about what you want and what is important to you. All adults have the right to make decisions about their lives, including where they live, what job they have, who they spend time with, and what healthcare they receive.

Deciding What Supports You Want

Different people need support in different areas. Some people want help understanding medical information. Others may want help with budgeting,



Alex attends a doctor’s appointment. He asks his sister, who is a **Supporter**, to come along so she may write down what the doctor says so that Alex can remember it later. With his sister’s help, Alex asks questions, get information, and decides which treatment options feels right for him.



school, or finding housing. It can be helpful to think about questions such as:

- What decisions do I already make on my own?
- What decisions are harder for me?
- What kind of help would make those decisions easier?
- Who do I trust to help me?

Choosing Supporters

Supporters should be people that the Decision-Maker knows well and trusts. Supporters might include family members, friends, neighbors, teachers, service providers, advocates, professionals in the community, or anyone else that the Decision-Maker wants involved. Good supporters will follow the Supported Decision-Making Agreement. Decision-Makers can assign different roles to different people. For instance, a person may want his friend to provide support for decisions about housing, but he wants his brother to help with decisions about money. Decision-Makers can “fire” (let go of) their Supporters at any time, and Supporters have the option of quitting as well. No one should force the Decision-Maker into choosing them as a Supporter.

Supporters should not help make decisions in areas that the Decision-Maker did not agree to, and they should never make decisions in place of the



Rosa chooses three different **Supporters**. Rosa’s mother helps with health care decisions. Rosa’s friend helps with housing choices. Rosa’s roommate helps her think about her employment goals.



Decision-Maker. The Decision-Maker is at the center of the Supported Decision-Making Agreement at all times. If changes to the SDMA are made, like removing a person as a supporter, or changing what the supporter provides support in, then a new SDMA in writing must be done to reflect those changes, and provided to all who had a copy of the previous SDMA so they know they should rely on this new version instead of the old version.

Talking to Potential Supporters

Once a person chooses who to trust for support with decision-making, they will need to find out if the potential Supporter is able and willing to help. The Decision-Maker might want to:

- Share what areas they'd like support in.
- Share how they'd like to get that support.
- Share a sample Supported Decision-Making agreement.

It's important that the potential Supporter understands what is involved. It's also essential that they are able and willing to fulfill the role of Supporter.

Supporters do not make decisions for the person. Their job is to help the individual understand choices and to communicate their decisions.

Questions I want to ask my DRNM worker:

1. _____

2. _____


3. _____

Worksheet: How I Make Decisions


This worksheet may help you think about how you make decisions. Read each task on the left and fill in the columns to the right. For example, read “Paying my rent and bills on time” and think about that task. Can you do it alone? Does it help to have some support? Is there someone you would like to help you with paying rent and bills on time?

Fill in the columns with a check mark and if you think of a potential Supporter, write their name in the column on the far right.

My Money


	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Paying my rent and bills on time			
Keeping a budget so I know how much money to spend			
Making big decisions about money (like opening a bank account or signing a lease for an apartment)			
Making sure no one is taking my money to use for themselves			

My Health Care

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Making medical choices in every day			

situations (getting a check-up or buying medicines from the store)			
Making medical choices in serious situations (like getting surgery)			
Making medical choices in an emergency (like treating a big injury)			
Understanding how health care costs are covered (insurance, co-pays)			
Making choices about birth control or pregnancy			
Remembering to take medicine			
Scheduling doctor's appointments			


My Employment

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Choosing if I want to work			
Understanding my work choices			
Choosing classes or training I need to get a job I want			
Applying for a job			
Going to my job every work day			
Knowing what accommodations I need at work and how to request them			
Understanding the employee handbook or work policies			


Living in My Community

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Choosing where I live			
Choosing who I live with			
Choosing what to do and who to see			
Finding support services and hiring/firing support staff			
Traveling to places I go often (work, stores)			
Traveling to places I go to occasionally (doctor's office, special events)			
Choosing who to vote for and voting			

My Legal Matters

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
Understanding my rights			
Signing contracts and formal agreements			
Talking with a lawyer if I need one			

My Personal Safety

	I can do this alone	I need some support	Someone I trust to support me with this task, if I need it
How to plan for an emergency			
Making safe choices at home			
Making safe choices in the community			
Understanding if I am being treated badly, and getting help for abuse, neglect, or exploitation			

Filling Out a Supported Decision-Making Agreement

After you have thought about what kind of decision you'd like support with, and your Supporters have agreed to participate, it's time to complete the Supported Decision-Making Agreement.

Great news! DRNM can help you with this process. Talk with your DRNM worker about putting together a Supported Decision-Making Agreement that meets your needs. If you haven't heard from DRNM and would like our help, call us at (505) 256-3100 and let us know that you're interested in making a Supported Decision-Making Agreement.

A Supported Decision-Making Agreement should explain:

- who the **Decision-Maker** is.
- who the **Supporters** are and what areas they will help make decisions in (medical, financial, housing, etc.).
- how the Decision-Maker will **communicate** their final decisions.

You should meet with your Supporters either one-at-a-time or all at once together. You should read through the SDM Agreement together and talk

about what is in it. It is important for all Supporters to understand what you would like help with and what you don't need their help with. If you are receiving help from DRNM, your DRNM worker will walk you through this process.

When it is time to sign the SDM Agreement, a notary public must witness the signatures. A notary is a person who will certify that the people signing a document are who they say they are. The notary will need to verify the identification of each signer by looking at their ID (like a state ID card, passport, or driver's license). DRNM may notarize your SDM Agreement for you.

Important Note:

In New Mexico, you will eventually need to use a special form for your Supported Decision-Making Agreement that has been created and approved by the New Mexico Supreme Court. Unfortunately, that form has not been released yet at the time this guidebook is being published (Spring 2026). If you are working with DRNM to develop a Supported Decision-Making Agreement, please note that some banks, hospitals, or other entities might not accept the form you receive from the DRNM attorney you are working with to help create a SDMA. When the Court releases the statutory form, you will need to transfer all of your information onto the Court's statutory form. You and your Supporters will also need to sign the new form again in front of a notary. If you received help from Disability Rights New Mexico, you may also get help from us to fill out the new statutory form when it becomes available from the Court.

A SDM Agreement is a "living document," which means that it can be changed or updated at any time. You may want to change your Supporters. A Supporter may decide to drop out. The SDM Agreement is easy to change. The most important thing is that you are getting the kind of help you want from the people you decide to help you.

Once the SDM Agreement is signed, it is ready to use. You and each Supporter should keep a copy of it. You can share copies of it with your

doctors, service providers, banks, employer, or anyone else who you expect to acknowledge and honor your wishes.

Disability Rights New Mexico can help you with your Supported Decision-Making Agreement. You may contact us at:

Disability Rights New Mexico

3916 Juan Tabo Blvd. NE

Albuquerque, NM 87111

Phone: (505) 256-3100 Toll-free: 1-800-432-4682 Fax: (505) 256-3184

Email: info@drnm.org

Website: www.drnm.org



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Disability Rights New Mexico would also like to thank Disability Rights Texas for their tutorial video titled *Supported Decision Making and Other Guardianship Alternatives*, which has helped many people better understand guardianship and SDM.

Additional Resources

The Ability Center

715 E. Idaho Ave.
Building 3E
Las Cruces, NM 88001
Phone: (575) 526-5016
Toll-free: (800) 376-4372
Fax: (575) 526-1202

Brain Injury Alliance of New Mexico

3050 Carlisle Blvd. NE
Suite 208
Albuquerque, NM 87110
Phone: (505) 292-7414
Toll-free: 1-888-292-7415
Website: <http://www.braininjurynm.org>

Choices Independent Living Center

1717 W. 2nd St.
Roswell, NM 88201
Phone: (575) 627-6727
Fax: (575) 627-6754

Independent Living Resource Center (ILRC)

316 Osuna Rd. NE, Suite 401
Albuquerque, NM 87107
Phone: (505) 266-5022
Website: <http://ilrcnm.com>

New Vistas Independent Living Center

1205 Parkway Dr.
#A
Santa Fe, NM 87507
Phone: (505) 471-1001
Website: www.newvistas.org

San Juan Center for Independence

1204 San Juan Blvd.
Farmington, NM 87401
Phone: (505) 566-5827
Website: www.sjci.org

Center for Development and Disability Information Network

University of New Mexico
2300 Menaul Blvd NE
Albuquerque, NM 87107
Toll-free: (800) 827-6380
Website: <http://cdd.unm.edu/infonet>

New Mexico Commission for the Blind

2200 Yale Blvd. SE
Albuquerque, NM 87106
Phone: (505) 841-8844
Toll-free: (888) 513-7968
Website: www.cfb.state.nm.us

New Mexico Commission for the Deaf and Hard of Hearing

PNC Bank Plaza
505 Marquette Ave. NW
Suite 1550
Albuquerque, NM 87102
Website: www.cdhh.nm.gov

New Mexico Developmental Disabilities Council

625 Silver Ave. SW
Suite 100
Albuquerque, NM 87102
Phone: (505) 841-4519
Website: www.nmddpc.com