Independent Living, Abuse, Neglect, Exploitation, and/or Self-harm - Alternatives to Consider

Supported Decision-Making (SDM)

SDM is a way for people to make their own choices with help from people they trust. The supporters can be friends, families, or others to help them understand options, review pros and cons, and communicate decisions. The individual and supporters can create a supported decision-making agreement, or they can operate more informally.

Why consider this:

SDM helps the person maintain independence. Michigan does not have any laws recognizing supported decision-making, but you can still use it as an alternative to guardianship.

Helpful Resources:

- About Supported Decision-Making - *An overview of supported decision-making, an alternative to guardianship that helps individuals make their own decisions with support.*

Caregiver support - family/friends or hired

A trusted family member, friend, or hired caregiver can help with daily tasks and assist with decision-making. This support lets the person remain independent while staying safe.

Why consider this:

This is often the least restrictive alternative and helps maintain relationships and personal independence. In considering this alternative, also consider respite care for family caregivers.

Helpful Resources:

- MI Caregiver Connection – *The Area Agency on Aging Association of Michigan's resource to connect caregivers with local support.*
- Caregiving Toolkit: Information and Resources to Support Caregivers - *A comprehensive toolkit from the National Institute on Aging with practical information, checklists, and resources to help caregivers support older adults.*
- AARP's Family Caregiver Resource Guides - *AARP's curated guides connect family caregivers to local, state, and national resources, services, and support programs.*
- The Arc Michigan – *Information on resources for people with intellectual and developmental disabilities, their families, and their caregivers.*

Home or community-based services

These are services that are provided in a person's own home or community setting by a professional caregiver or a paid family member or friend. They help with daily living tasks, nursing services, and case management.

Why consider this:

These services allow the person to remain in familiar surroundings while receiving necessary support, often at a lower cost than institutional care.

Helpful Resources:

- Michigan Area Agency on Aging Directory – *Listing of Area Agencies on Aging that provide information and resources for older adults and adults with disabilities and their caregivers including home-delivered meals, adult day care, caregiver supports, respite care, and other services.*
- Michigan Alliance for Families – *Information on Assistive Technology for special education students.*
- Assistive Technology Lending Library – *A lending library of assistive technology items such as communication devices and personal care*

items that users can borrow to decide if they want to purchase them for permanent use.

- Behavioral Health Home – *Information on the Medicaid program that provides care management and coordination services to support individuals with serious mental illness or serious emotional disturbance.*
- Michigan Center for Independent Living Directory - *Listing of Centers for Independent Living that provide advocacy, services, and supports for people with disabilities.*
- MI Choice Waiver Agent Directory – *Listing of MI Choice Waiver Agents, the organizations that offer the MI Choice Medicaid Waiver program for adults who need meet a nursing home level of care but who want to receive long-term care services and supports in their home or another community setting instead of a nursing facility.*
- PACE Association of Michigan – *Information on PACE (Program of All-Inclusive Care for the Elderly) – a Medicare and Medicaid program for adults age 55+ who meet nursing home level of care criteria and need comprehensive medical, social, and long-term care services coordinated through an interdisciplinary care team that is based in a regional center.*
- Habilitation (Hab) Supports Waiver – *Information on the Medicaid program designed to assist individuals with severe developmental disabilities to live independently, with supports, in their community of choice.*
- Michigan Independent Living Services (Home Help) – *Information on the Medicaid program designed to support individuals who want to live independently in their own home as opposed to an adult foster care home, home for the aged, or nursing home.*
- MI Coordinated Health Waiver – *Information on the Medicaid Program that provides home and community based services to adults who are dually eligible for Medicaid and Medicare and who meet a nursing home level of care.*

- Home Health Care Agency Compare - *A searchable database of Medicare-certified home health care agencies, including quality and provider information.- A searchable database of Medicare-certified home health care agencies, including quality and provider information.*
- Community Resource Finder - *An online tool to locate local resources for aging, caregiving, housing, transportation, meals, and social connection.*

Memory aids

Tools and strategies to help with memory and decision-making. This could be calendars, medication reminders, written instructions, or special apps or devices.

Why consider this:

Simple supports can significantly improve a person's ability to manage independently and may eliminate or delay the need for more restrictive options.

Helpful Resources:

- Memory Aids for Individuals - *A practical guide with memory aids and strategies designed to support individuals living with cognitive challenges.*
- Assistive Technology Lending Library – *A lending library of assistive technology items such as communication devices and personal care items that users can borrow to decide if they want to purchase them for permanent use.*

Personal Protection Orders (PPO)

A Personal Protection Order (PPO) is a court order that can help protect someone from threats, violence, harassment, or stalking by ordering the other person to stop certain behaviors and stay away. Michigan has different types of PPOs depending on the relationship between the parties. PPOs do not require a romantic or dating relationship.

Why consider this:

A PPO can be a fast, targeted way to improve safety without changing a person's legal decision-making rights. It can require the respondent to stop contacting or approaching the petitioner, avoid certain places (like home, work, or school), and comply with other court-ordered protections tailored to the situation.

Helpful Resources:

- Overview of Personal Protection Orders - *Plain-language overview of PPO types, what a PPO can do, and what to expect after a judge signs an order.*
- Do-It-Yourself Domestic Personal Protection Order (PPO) - *Free guided tool to help prepare a Petition for PPO and a proposed order. These PPOs can be used against a current or former romantic partner, your child's other parent, or someone you live or used to live with such as a roommate or other family member.*

Investigative Authorities and Advocacy

Certain cases of abuse, neglect, or exploitation may be looked at by agencies that have investigative authorities. Other programs exist to speak up for individuals regarding their concerns or worries.

Adult Protective Services (APS)- ***855-444-3911*** *APS protects vulnerable adults from abuse, neglect and exploitation by coordinating with mental health, public health, law enforcement, the probate courts, the aging network, community groups, and the public. Some professionals are mandatory reporters to APS.*

Licensing and Regulatory Affairs (LARA) - *Investigates complaints against certain licensed facilities and professionals.*

- Bureau of Community and Health Systems (BCHS)
    - Adult Foster Care and Homes for the Aged - *Investigates alleged violations of facility governing acts and rules. Complaints can be made online, by mail, fax, or by phone.*

- Bureau of Survey and Certification (BSC)
    - Nursing homes, hospitals, home health agencies, and other providers -

Processes complaints about care or services received or not received against various state-licensed and federally certified health facilities, agencies, and programs. Complaints can be made online or by phone.

Office of Recipient Rights (ORR) - ORR *works to protect and promote the constitutional and statutory rights of recipients of public mental health services. Rights Complaint Form*

Michigan Department of Attorney General – *Acts as the state's chief law enforcement officer. Conducts numerous responsibilities including investigations of fraud, abuse, and neglect.*

- Elder Abuse and Fraud – **517-335-7560** *Accepts complaints when an individual knows or has reason to believe that someone is stealing from or misusing the money or property of an older or vulnerable adult.*
- Medicaid Fraud - ***800-242-2873*** *Accepts complaints when an individual knows or has reason to believe that a Medicaid fraud has occurred.*
- Patient Abuse – **800-242-2873***Accepts complaints of abuse or neglect of patients in nursing facilities, nursing homes, hospitals, adult foster care, homes for the aged, and assisted living facilities.*

Michigan Long Term Care Ombudsman Program (MLTCOP) - **866-485-9393** M*LTCO advocates for residents in licensed nursing homes, homes for the aged, and adult foster care homes. All services are free and guided by the wishes and consent of the resident. The MLTCOP strives to improve the quality of care and quality of life experienced by residents of these facilities.*

MI Community, Home, & Health Ombudsman (MICHHO) - **888-746-6456** *Provides help to people who are enrolled in or applying for services in MI Coordinated Health, the MI Choice Waiver Program, Community Transition Services, and the Program of All-Inclusive Care for the Elderly (PACE).*

Medical Treatment and Discharge Planning - Alternatives to Consider

Unlike most states, Michigan law does not generally allow family members to consent to medical treatment on behalf of their loved ones. There are narrow exceptions for situations of advanced illness and limited life expectancy.

Release of information

A written authorization that allows an adult to name specific people (such as parents, family members, or trusted supporters) who may receive information from doctors, hospitals, therapists, case managers, or programs about diagnoses, medications, treatment plans, appointments, and discharge planning.

Why consider this:

Privacy laws (including HIPAA) can limit what providers share with family or supporters once someone is an adult. A release of information lets the person keep decision-making rights while allowing chosen supporters to stay informed and help with care coordination, medication management, and discharge planning. The person can set limits (what information, which providers, and how long the authorization lasts) and can usually revoke it at any time. For substance use disorder treatment records, additional protections may apply and a specific written consent may be required.

Helpful Resources:

- Authorization to Disclose Protected Health Information (MDHHS) – *Michigan form (DCH-1183) and instructions that meet HIPAA requirements for authorizing release of health information*.

Patient Advocate Designation/Healthcare Power of Attorney (POA)

A legal document allows a person to choose a person to make medical decisions for them if they are not able. The person has the option to also say what kind of medical care they want or don't want. In Michigan, two doctors

(or a doctor and a psychologist) must determine that a person cannot make their own medical decisions before their agent can act.

Why consider this:

This allows a person to make choices and ensures their wishes are respected while providing clear guidance for healthcare providers and family members. In Michigan, a person can revoke a patient advocate designation/healthcare Power of Attorney at any time and in any way.

Helpful Resources:

- Health Care Powers of Attorney - *A guide to Making a Health Care Power of Attorney in Michigan, including a DIY form*.
- Making Medical Decisions for Someone Else – *Guidance from the American Bar Association for agents under a health care power of attorney*.
- Choosing A Health Care Proxy - *Step-by-step guidance on choosing a health care proxy and understanding their role in medical decision-making*.

Michigan Physician Order for Life-Sustaining Treatment (MI-POST)

An optional order from your physician, nurse practitioner, or physician assistant that includes your wishes for care in a crisis, such as CPR. These forms are intended for adults with advanced illness and limited life expectancy.

Why consider this:

This provides immediate guidance to medical professionals and can prevent unwanted medical treatments during emergencies. The orders are valid even if a patient later loses capacity to consent, providing an alternative to guardianship for adults who may not have anyone in their life they wish to name as a Patient Advocate.

Helpful Resources:

- Michigan Physician Orders for Scope of Treatment - *Information about MI-POST forms and eligibility, including frequently asked questions and discussion sheets. and discussion sheets.*

Finance and Benefits - Alternatives to Consider

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Why consider this:

SDM helps the person maintain independence. Michigan does not have any laws recognizing supported decision-making, but you can still use it as an alternative to guardianship.

Helpful Resources:

- About Supported Decision-Making - *An overview of supported decision-making, an alternative to guardianship that helps individuals make their own decisions with support.*

Banking tools

Many financial institutions offer tools that let you add safeguards, share limited access, or set spending controls—without giving someone full ownership of your money or broad legal authority.

Why consider this:

These options can add oversight and fraud protection while keeping the account owner in control. Many tools can be tailored (for example, alerts, transaction delays, or limited signer permissions), making them less restrictive than joint accounts or guardianship.

Helpful Resources:

- Choosing a trusted contact person can help you protect your money – *Consumer Financial Protection Bureau guide explaining how a trusted*

contact can be used if a bank suspects fraud or can't reach the account holder (the trusted contact cannot transact or access account details without permission).

- Considering a Financial Caregiver? – *Consumer Financial Protection Bureau guide explaining options for formal and informal caregivers, including choosing someone.*

Note about joint bank accounts: While joint bank accounts may seem appealing because they are easy to use, they can create confusion about ownership and lead to complications related to Medicaid eligibility, taxes, and probate. Joint accounts also give the other account holder unrestricted access to the funds, which can increase the risk of financial exploitation. In a joint account, both parties typically have equal access to the money.

Financial power of attorney

A legal document that allows a person to name someone to manage their finances and make legal and financial decisions on their behalf.

Why consider this:

This is less restrictive than guardianship and can be limited to specific financial matters while allowing other rights and freedoms.

Helpful Resources:

- Legal and Financial Powers of Attorney – *A guide to making a power of attorney in Michigan, including a DIY form.*
- Help for Agents Under a Power of Attorney - *A guide from the Consumer Financial Protection Bureau on how to serve as an agent.*
- Considering a Financial Caregiver? – *Consumer Financial Protection Bureau guide explaining options for formal and informal caregivers, including choosing someone.*

Authorized representative for medical assistance

A person chosen to help apply for medical assistance and to talk with healthcare programs, doctors, and insurance companies on their behalf.

Why consider this:

This ensures benefits are maintained and medical needs are met without requiring broad financial guardianship.

Helpful Resources:

- Appointment of Representative Form CMS-1696 - *CMS Form 1696, used to authorize a representative to act on behalf of a Medicare beneficiary.*

Social Security Agency (SSA) representative payees

SSA-appointed individuals who manage Social Security benefits for someone unable to manage these funds themselves.

Why consider this:

This protects essential income while allowing the person to maintain control over other financial matters and personal decisions. If a person has no or few assets, their only income is from SSA, and they have a representative payee, there is no need for a conservator.

Helpful Resources:

- Social Security Agency Representative Payee Program - *Information on the Social Security Representative Payee Program, which helps manage benefits for individuals unable to do so themselves.*
- Office of Personnel Management (OPM) Representative Payees - *Guidance on representative payees for federal retirement and annuity benefits managed by the Office of Personnel Management.*
- Help for Representative Payees and VA fiduciaries - *A guide from the Consumer Financial Protection Bureau on how to serve in these roles.*

U.S. Department of Veterans Affairs (VA) fiduciaries

VA-appointed individuals who manage veterans benefits for someone unable to manage these funds themselves.

Why consider this:

This protects essential income while allowing the person to maintain control over other financial matters and personal decisions.

Helpful Resources:

- US Department of Affairs Veterans Affairs Fiduciary Program - *The VA Fiduciary Program, which appoints fiduciaries to manage VA benefits for veterans who cannot manage finances independently.*
- Help for Representative Payees and VA fiduciaries - *A guide from the Consumer Financial Protection Bureau on how to serve in these roles.*

Achieving Better Life Experience (ABLE) accounts

Special savings accounts that allow people with certain disabilities to save money without losing eligibility for government benefits like Medicaid or SSI.

Why consider this:

These accounts provide financial security and planning opportunities while maintaining access to essential government support programs. ABLE account funds can only be used for qualifying disability-related expenses.

Helpful Resources:

- ABLE National Resource Center - *Web tool allowing users to select their state and view ABLE program details.*

Revocable living trust

A legal arrangement that names a trustee to manage and protect a person's money and property for their benefit.

Why consider this:

Allows a trustee to manage an individual's financial assets, but is more flexible than a guardianship and allows the individual to predetermine how

the trust should operate. These arrangements can be ended or changed at any time.

Helpful Resources:

- SSA (social Security Administration) Spotlight on Trusts - *An overview of how different types of trusts affect eligibility for Supplemental Security Income (SSI).*
- CFPB (Consumer Financial Protection Bureau) "What is a revocable living trust?" - *An explanation of revocable living trusts and how they are used in estate planning.*
- Help for Trustees Under a Revocable Living Trust – *A guide from the Consumer Financial Protection bureau on how to serve as a trustee.*

Special needs trust

A special needs trust moves ownership of property or money from a person to a trust.

Why consider this:

This can allow someone with a disability to receive or keep certain income without losing eligibility for needs-based public benefits.

Helpful Resources:

- SSA (social Security Administration) Spotlight on Trusts - *An overview of how different types of trusts affect eligibility for Supplemental Security Income (SSI).*
- Special Needs Trusts and Personal Injury Settlements - *Information on special needs trusts, including how they interact with public benefits.*
- Administering a Special Needs Trust Handbook - *A detailed handbook for trustees and administrators on managing and administering special needs trusts.*

Estates and Protected Individuals Code Protective Order

A court order that authorizes a particular financial action, such as selling a property, freezing a bank account, executing a contract, or accessing financial records for an application for medical assistance.

Why consider this:

Appropriate if there is a one-time need.

Helpful Resources:

- Petition for Protective Order – *The Michigan court form used to request a protective order. This is different from the similarly named "Personal Protection Order "(commonly known as a restraining order) that is used to protect a person from threats, harassment, or violence.*

Mental Health - Alternatives to Consider

Patient Advocate Designation/Healthcare Power of Attorney (POA)

A legal document allows a person to choose a person to make medical decisions for them if they are not able. The person has the option to say what kind of medical care they want or don't want. In Michigan, two doctors (or a doctor and a psychologist) must determine that a person cannot make their own medical decisions before their agent can act.

Why consider this:

This allows a person to make choices and ensures their wishes are respected while providing clear guidance for healthcare providers and family members.

Helpful Resources:

- Health Care Powers of Attorney - *A guide to Making a Health Care Power of Attorney in Michigan, including a DIY form*.
- Making Medical Decisions for Someone Else – *Guidance from the American Bar Association for agents under a health care power of attorney*.
- Choosing A Health Care Proxy - *Step-by-step guidance on choosing a health care proxy and understanding their role in medical decision-making*.

Peer support services

Support provided by individuals who have personal experience with mental health challenges and can offer guidance, encouragement, and practical assistance.

Why consider this:

Peer support has been shown to improve recovery outcomes and can provide valuable assistance with daily decisions and life management.

Helpful Resources:

- Community Mental Health Services Programs Directory – *A directory of Michigan's CMHSPs*.
- Mental Health America Peer to Peer Resources - *Information on how to find peer support programs and how individuals with lived experience provide mutual mental health support*.

Crisis intervention planning

A collaborative process to develop a plan for responding to mental health crises, including early warning signs, preferred interventions, and emergency contacts.

Why consider this:

Proactive planning can prevent crises from escalating and reduce the need for emergency interventions or involuntary commitments.

Helpful Resources:

- Community Mental Health Services Programs Directory – *A directory of Michigan's CMHSPs*.
- NAMI Crisis Guide - *A guide for families and caregivers on preparing for and responding to a mental health crisis*.

Voluntary treatment agreements

Agreements between the person and mental health providers that outline treatment goals, responsibilities, and expectations for voluntary participation in care.

Why consider this:

These agreements promote collaboration and shared decision-making while ensuring consistent access to mental health support.

Family therapy or counseling support

Professional counseling that includes family members to improve communication, resolve conflicts, and develop strategies for supporting the person's mental health and independence.

Why consider this:

Family support can be crucial for mental health recovery and may eliminate the need for more formal interventions while strengthening relationships.

Helpful Resources:

- Community Mental Health Services Programs Directory – *A directory of Michigan's CMHSPs*.
- NAMI Crisis Guide - *A guide for families and caregivers on preparing for and responding to a mental health crisis*.
- SAMHSA (Substance Abuse and Mental Health Services Administration) Find Help & Support - *A national directory to locate mental health and substance use treatment, crisis services, and support programs*.
- 211 National Resources - *A nationwide service that connects people to local resources for basic needs, including counseling*.

Education and Programming – Alternatives to Consider

Release of information

A written consent form that allows an adult student (age 18+) to authorize a school, college, or service provider to share information about education records, evaluations, IEP/transition planning, or program participation with a parent or other supporter.

Why consider this:

When a student turns 18, education rights (including privacy rights under FERPA) generally transfer from the parent to the student. A release of information lets the young adult keep their rights while still involving parents/supporters in meetings, planning, and problem-solving—without needing guardianship. The student can choose who receives information, what information can be shared, and how long the consent lasts.

Helpful Resources:

- Transfer of Rights & FERPA – *Michigan Alliance for Families overview explaining that FERPA rights transfer at 18 and that students may give written permission for parents/supporters to access education record information.*
- Sample Consent Form for Disclosure to Parents – *Michigan Alliance for Families sample form that adult students can sign to give their parents or other trusted individuals information about their education.*
- A Guide to Transition from Special Education into Adulthood (MITT) – *Michigan Interagency Transition Team guide with practical transition planning information for youth, including roles, rights, and participation.*
- Welcome to Michigan Rehabilitation Services (MRS) – *A guidebook for using Michigan's Vocational Rehabilitation system. MRS addresses barriers and other needs in employment for people with disabilities.*

Caregiver support - family/friends or hired

A trusted family member, friend, or hired caregiver can help with daily tasks and assist with decision-making. This support lets the person remain independent while staying safe.

Why consider this:

This is often the least restrictive alternative and helps maintain relationships and personal independence. In considering this alternative, also consider respite care for family caregivers.

Helpful Resources:

- MI Caregiver Connection – *The Area Agency on Aging Association of Michigan's resource to connect caregivers with local support.*
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