



Missouri Developmental Disabilities Council
1706 E. Elm Street, Jefferson City, Missouri 65102
573-751-8611/800-500-7878/573-526-2755 (FAX)

Sharon Williams, Chairperson

Vicky Davidson, Executive Director

www.moddcouncil.org

Eric R. Greitens,
Governor

Overview Summarizing

HB 1553 Revisions to Missouri Guardianship Law, Chapter 475, RSMO

Why Change the Current Law?

- Current law was enacted in 1983, things have changed
- Various alternatives to guardianship and conservatorship that aren't recognized by the law (i.e. Durable Power of Attorney, Health Care Directives, Special Needs Trusts, Estate Planning Devices, Division of Assets Provisions, Supported Decision-Making etc.)
- Overuse of Public Administrators
- Little guidance for guardians
- Little "person-centered" planning required; greater emphasis on managing property and money and little focus on the person themselves

What Will the New Legislation do?

- Follows recommendations of the Missouri Working Interdisciplinary Network of Guardianship Stakeholders (MO-WINGS) and national standard-setting groups
- Emphasizes least restrictive alternatives
- Clarifies when and whom appointments are made for guardians and conservators
- Combines person-centered standards of "best interest" and "substituted judgment" for guardians to make decisions
- Adds rights for the ward/protectee (person overseen by guardian or conservator)
- Sets new person-centered standards for conservator decisions
- Establishes methods for terminating guardianship or conservatorship and restoring full or partial rights to the ward/protectee
- Facilitates processes for setting new policies and training judges, lawyers, Public Administrators, guardians, conservators, and consumers on best practices under the new provisions