



TRANSITION PLANNING

Transition planning for students can be a stressful time for families and persons with disabilities. Because a student is recognized as a legal adult upon turning age 18, it is important for families to begin thinking ahead of time about the issues that may arise involving medical care, education, money management, employment, and independent living. Fortunately, the state of Florida provides pathways for parents, guardians, or caretakers to support their child or family member in the decision-making process. The following fact sheet addresses some of the common concerns that you may have.

Guardian Advocate – a special law for persons with developmental disabilities.

The state of Florida has authorized the use of guardian advocates as a less restrictive form of guardianship. The benefits and requirements for a guardian advocate appointment include:

- Determination of incapacity not required, less expensive and less time consuming
- Development disability diagnosis before age 18 and lacks some, but not all, decision making ability to care for one's person or property
- Application initiated when student is 17½ years old or anytime afterwards (the sooner the better)
- Allows guardian advocate to make educational, medical, and financial decisions for person with a disability, including applying for public benefits
- Attorney representation is usually not required for guardian advocate appointment

Other decision-making methods for persons with developmental disabilities which may be included with Guardian Advocate powers:

- 1. Power of Attorney** - delegates decision making to another person without losing the right to make one's own decisions.
- 2. Representative Payee** - manages benefits for person with disability such as Social Security Disability Insurance (SSDI), Supplemental Security Income (SSI), or retirement.
- 3. Advance Directive** - includes living will or health care surrogate, which designate who can manage an individual's health care when person is unable to make health decisions.
- 4. Medical Proxy** - when no advance directive is established, person lacks capacity, and a medical decision is needed. Florida law provides for the order of priority of persons entitled to make health care decisions for a person with a developmental disability.

Financial Planning:

ABLE Account - similar to a 529 education savings plan, an ABLE plan is a tax-deferred savings vehicle designed to help families set aside funds for future costs related to the disability of the beneficiary. (www.ableunited.com)

Special Needs Trust - created to allow family members to contribute financial support without impacting a child or family member with a disability's public benefits. A properly administered trust will not subject a beneficiary to ineligibility or reduction of public benefits. There are various types of special needs trusts available to fit the needs of persons with a disability.



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The following agency providers are often involved in the planning and delivery of transition services:

Agency for Persons with Disabilities (APD) - state agency that provides services through the Medicaid Home and Community-Based Services Waiver. The agency provides a range of support and services for community living including in-home supports, supported employment, personal care, and rehabilitative services. It is highly recommended to apply for benefits early, as the wait list can be 5-6 years on average. (www.apd.myflorida.com)

The **Florida Developmental Disability Wait List** is prioritized by group as follows:

- Category 1: Crisis
- Category 2: Children in Welfare System
- Category 3: Intensive Needs
- Category 4: Caregiver Over Age 70
- Category 5: Transition From School
- Category 6: Age 21 and Over
- Category 7: Age 21 and Under

***NOTE:** APD assigns the highest wait list priority to developmentally disabled persons in crisis, which includes homelessness, danger to self or others, and caregiver unable to give care.

- **Loveland** – provides a planned residential community tailored specifically for adults with developmental disabilities. (www.lovelandcenter.org)
- **The Haven** - provides transition, community employment and living, and occupational training to adults with disabilities. (www.thehavensrq.org)
- **Easter Seals Southwest Florida** - provides residential care and training. (www.easterseals-swfl.org)
- **Suncoast Center for Independent Living** – provides computer loans, medical equipment loans, advocacy, independent living skills training, and home modifications for people with disabilities. (www.scil4u.org)
- **Lighthouse of Manasota** - provides developmental/transition vision rehabilitation training for eligible high school students ages 14 to 21. Lighthouse of Manasota also provides advocacy services for children with visual disabilities. (www.lighthouseofmanasota.org)
- **Goodwill Industries of Manasota** - provides employment opportunities to people with disabilities and barriers. Jobs Plus helps individuals with disabilities learn traditional workplace behaviors and skills through a variety of job opportunities (www.experiencegoodwill.org)
- **United Cerebral Palsy of Southwest Florida** – provides residential habilitation, adult day training, supported living, supported employment, companion services, and respite care. (www.ucpswfl.org).
- **Division of Vocational Rehabilitation** - state agency that provides training, supported employment, and placement services for persons with disabilities. Students can be referred to the Transition Youth program from ages 14-21. (website: www.rehabworks.org)

DISCLAIMER: The information is not, nor is it intended to be, legal advice. You should consult an attorney for advice regarding your individual situation.

