

## About GAPS

The Guardianship, Advocacy and Planning Services (GAPS) program of The Arc Oregon was established in 1978 in response to parents' concerns about who might support their child with an intellectual/developmental disability (I/DD) when they were no longer able. We currently **support adults with I/DD throughout Oregon** as legal guardian, health care representative, and/or advocate.

Utilizing guardianship as a last resort, we strive to **ensure a good life** for people we support through team collaboration, **person-centered planning** and **supported decision-making**.

## About The Arc Oregon

The Arc Oregon envisions a world in which all persons have the **support and opportunities** they need for personal development and independence, interdependence with family and friends, and **inclusion in the community**.

As part of the largest grassroots advocacy movement in the country, The Arc Oregon and its affiliated chapters works to ensure people with I/DD have the **resources needed** to meet their needs and live **self-determined lives**.

## Contact GAPS



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(503) 581-2726 phone  
(503) 363-7168 fax



info@TheArcOregon.org

## Need more Information?

For more information about our GAPS services, as well as answers to many frequently asked questions about guardianship and its alternatives, visit our website at



[TheArcOregon.org](http://TheArcOregon.org)



## Planning for the Future?

Planning ahead can help guide a person with an intellectual or developmental disability (I/DD) to lead a good life as independently as possible. Having a plan is important throughout all stages of life and especially for when a parent or caregiver is no longer able to provide support. To learn more and access online planning tools, visit

[FuturePlanning.TheArc.org](http://FuturePlanning.TheArc.org).



**Guardianship, Advocacy and Planning Services**  
is a program of  
**The Arc Oregon**

*Guardianship*  
*Health Care Representation*  
*Advocacy*  
*Future Planning*

## What is **Guardianship**?

Guardianship is a legal process used **when a person cannot make or communicate safe or sound decisions** about their own person or property. It can also be implemented for a person who has become susceptible to abuse, fraud, exploitation, or undue influence.

Establishing a guardianship **removes a person's individual rights** and, so, The Arc Oregon only considers appointment as a legal guardian of a person when all other alternatives have been proven ineffective, insufficient, or unavailable.

In Oregon, a guardian of the person is different than guardian of the estate, and is responsible **for the care and comfort of a person**, which includes:

- Establishing and monitoring the person's place of **residence**
- Arranging for support **services**
- Making **medical** decisions

## How does the **GAPS Program** work?

Our GAPS program representatives **become a part of a person's life**, listening to their needs, being a trusted friend, and supporting them with important decisions about where they live, medical care, supports and services, future planning, and enhancing **the quality of life**. This approach applies whether The Arc Oregon is appointed legal guardian or health care representative, or is acting in an advocacy role.

We work closely with the person's support team to ensure all supports and services are designed in a way that **honors the person's values and choices**.

The **GAPS Advisory Committee** is a group of volunteers who have interest, experience, and expertise in supporting people in with I/DD. In addition to personal experience, members may have an area of proficiency that helps the GAPS staff make **informed decisions** about medical, legal, behavioral and other aspects of a person's life. Whenever and to whatever extent possible, **the individual is involved in the decision-making process**.



## How do I **request GAPS Services**?

The Arc Oregon strives to deliver GAPS services in a way that respects the individual, assists them in making their own decisions when possible, and seeks **the least restrictive alternative available** based on a person's needs.

To find out if our services are right for the person, we **start with a conversation**. We would like to meet with the person and their support team to learn more about them.

From there, we can help **develop a plan of support** for the person, determine what services are needed, discuss fees and payment arrangements, and guide you through the service application process.

Get started by contacting the **GAPS Program Director** at **503-581-2726**.

## What are the **Alternatives** to Guardianship?

### HEALTH CARE REPRESENTATIVE

A Health Care Representative (HCR) is a person who steps in to make **health care decisions** for someone who can't make them alone. For Oregonians with I/DD, an HCR is authorized by the Oregon Administrative Rules. The HCR has a duty to act according to any known desires and in the **best interests of the person** who is represented.

### REPRESENTATIVE PAYEE

A Representative Payee is a person appointed to receive and manage the **Social Security benefits** of a person with a disability who cannot manage or direct the management of their benefits. The Representative Payee must use the benefits to pay for **current and future needs** of the represented person, save benefits not used for current needs, and keep accurate records of expenses.

### SPECIAL NEEDS TRUST

A Special Needs Trust is a financial tool that transfers **control of a person's assets** to a third party called a trustee. A Special Needs Trust can be a private trust drafted by an attorney or a pooled trust, such as The Arc's **Oregon Special Needs Trust**, wherein a single "Master Trust Agreement" is used to serve many individuals. All Special Needs Trusts must be **irrevocable**, and funds can only be used for the **sole benefit of the person**.

### SUPPORTED DECISION MAKING

Supported Decision-Making (SDM) is a model for supporting people with I/DD to make decisions. SDM allows individuals with I/DD to choose people they know and trust to be part of a support network to help with decision-making. It promotes **self-determination, control, and autonomy** by using the same tools we all use in our daily lives to make decisions with the **support of people we know and trust**.