

Missouri is Lagging on Alternatives to Guardianship

Adults with Developmental Disabilities Fare Better in Other States

Education is Needed for Families, Educators, Medical Professionals, Judges, and Attorneys

According to a 2019 report from the National Council on Disability (NCD), Missouri was among the top three states in terms of the percent of adults with developmental disabilities who had been ordered into a guardianship.

In 2017-2018, some 82% of such adults in Missouri had a guardian, as compared to a ten-year national average that ranged between 45 to 55% in the 20 states reporting this data. The five states that had the lowest percent of guardianized adults with developmental disabilities were Delaware (5%), South Carolina (9%), Georgia (16%), Louisiana (16%) and Pennsylvania (18%).

According to the NCD, “Missouri has consistently been the state with one of the highest percentage of people with ID/DD under guardianships (ranging from 80 percent in 2015-16 and 2016-17 to 87 percent in 2009-10 and 2013-14).”

More recent data shows a slight reduction in guardianized adults in Missouri. In a survey done in 2021-2022, 78% of families reported their developmentally disabled adult was in a guardianship. The national average was 65%.

One reason that Missouri has such a high percent of guardianized adults with developmental disabilities is that educational systems have been recommending guardianships when a student turns 18. One guardian told NCD: “The educators do not support alternatives to guardianship.”

Another reason may be that parents don’t know of alternatives. In a recent survey of families with a minor who had I/DD (2021-2022), 86% of respondents said they did not have information on this topic. Some 50% of families with an adult who had I/DD said they were unaware of alternatives.

It is well known in the developmental disability community that in addition to schools, the health care industry is a medical pipeline to guardianship for adults with a developmental disability.

When guardianship petitions are filed, judges and court-appointed attorneys are not always insisting on a serious exploration of alternatives such as supported decision-making, powers of attorney, a representative payee, or a limited guardianship.

Through research, education and collaboration among stakeholders, the Missouri Medical Rights Workgroup seeks to reduce the number of unnecessary guardianships of adults with developmental disabilities by promoting feasible alternatives.

References: “Turning Rights Into Reality: How Guardianship and Alternatives Impact the Autonomy of People with Intellectual and Developmental Disabilities,” National Council on Disability (June 10, 2019) – [link](#) / Missouri Adult Family Survey (2021-2022), National Core Indicators – [link](#) / Missouri Child Family Survey (2021-2022), National Core Indicators – [link](#) / “The Hospital to Guardianship Pipeline,” Journal of the ABA Commission on Law and Aging (July-August 2023) – [link](#)



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