



March 5, 2024

Dear Members of the Senate Judiciary and Public Safety Committee:

On behalf of the Minnesota Chapter of the Alzheimer's Association, I am writing to share our support for SF 3438, which provides some much-needed consumer protections for Minnesotans subject to guardianship. The Alzheimer Association is a nonprofit organization that provides support for people living with Alzheimer's or another form of dementia and their caregivers.

While the Alzheimer's Association supports alternatives like supported decision making, there will still be situations where a guardianship is in the best interest of someone living with dementia and their loved ones. Unfortunately, a recent court ruling involving a vulnerable adult with Alzheimer's disease in a long-term care has worrying implications for guardianship in Minnesota, granting complete immunity for guardians in even the most egregious acts of wrongdoing. The Alzheimer's Association supports the effort in SF 3438 to bring Minnesota in alignment with other states and to hold guardians accountable in certain situations when they break the law, violate their fiduciary duty, or execute their duties in a wanton and reckless manner.

The Alzheimer's Association also appreciates the creation of a task force on guardianship. We are particularly interested in the effort to identify standards of practice for guardians and the best strategies to educate guardians. It is our hope that this task force, if created, will consider policies to ensure that guardians have proper training on supporting people with Alzheimer's disease or another form of dementia. However, we also think it is important that the task force reflect the full continuum of options for vulnerable adults including alternatives like supported decision making.

Thank you to Sen. Dibble for authoring SF 3438 and your effort to ensure basic protections for Minnesotans subject to guardianship.

Sincerely,

Sam Smith
State Affairs Director
Alzheimer's Association, MN-ND