

She is my hero, my best friend, and my daughter.
She has Autism. We can protect her and others like her and it doesn't cost anything but time, knowledge, and a little work.



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To: Anyone who is concerned about Developmentally Disabled Adults and the Parents/caregivers who take care of them.

RE: **Guardian Advocacy Orders provided through F.S. §393** which can protect developmentally disabled adults, **and the changes to Social Security** which deny medical assistance to them.

When she turned 18:

Her doctors and other medical professionals wouldn't talk to me anymore.

The Supplemental Security Income (SSI) rules changed.

I no longer had the right to make decisions for her.

Legally, she became an adult. She could apply for credit, enter into a contract, and be held accountable for any action she took. She could be taken advantage of or victimized and I might be powerless to stop it.

Can you imagine?

Someone making promises to her through an app on her phone, then coming to pick her up? How would I stop her kidnapping? Would the police help?

Her eating a Twinkie in the local minimart and the clerk calling the police?

Some company sending her a credit card? Her being lost and having no way for me to find her or her to find me?

Her being injured and the emergency room doctors won't let me go with her to the treatment room?

Her being recruited into a cult or taken by human trafficking offenders?

What if a caretaker sibling dies suddenly or is unable to fulfill duties?

What happens to her after I'm gone?

F.S. §393 is titled "Developmental Disabilities," and has the means and methods to protect her.

It's called "Guardian Advocacy," and it's just like a traditional guardianship, but without the high costs and difficult procedures which accompany traditional guardianships. For example, if you are the parent/caregiver of a developmentally disabled person, you do NOT need an attorney to become a guardian under F.S. §393. With a traditional guardianship you are required to have an attorney and those kinds of cases can be very expensive, time consuming, and difficult.

Is She Eligible for Social Security Disability and Medicaid?

Yes, she is, but she might be denied if the papers are filled out incorrectly. My daughter can do some things, but Autism is now diagnosed as a "spectrum." It's called "Autism Spectrum Disorder," and it allows government officials to deny the benefits my daughter needs by pinpointing what she can do as opposed to what she cannot. For example, if asked "does she help take care of household pets?" If I answer "yes," without quantification, the governmental official will state "if she can take care of household pets, she can work in a pet store, be gainfully employed, rent an apartment, pay her own bills, etc. Social Security is denying developmentally disabled people if any reason is given for them to do so. It is important to know how to make statements on the applications and forms. For example, you can state "yes, she can feed the dog, if I help her and direct her, but is generally unable to care for the animal without my assistance."

Autism is prevalent now, more than ever. The CDC (as of 2020) says it is one in 36 individuals who are on the spectrum. We have become apathetic to the needs of the most vulnerable people in our society. Help is needed now, more than ever. Contact me if you would like to learn more.

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HOW DO WE PROTECT A PERSON WITH DEVELOPMENTAL DISABILITIES?

Q: What is a Developmental Disability? From the CDC: Developmental disabilities are a **group of conditions due to an impairment in physical, learning, language, or behavior areas**. These conditions begin during the child's developmental period, may impact day-to-day functioning, and usually last throughout a person's lifetime. Most developmental disabilities begin before a baby is born, but some can happen after birth because of injury, infection, or other factors.

Includes nervous system disorders, Cerebral palsy, Down syndrome, fragile X syndrome, and autism spectrum disorders (ASDs), Metabolic conditions: Phenylketonuria (PKU) and congenital hypothyroidism. Others include: Angelman Syndrome, IsoDicentric 15, Landau-KleEner Syndrome, Prader-Willi Syndrome, Williams Syndrome, Phenylketonuria, ADHD, other genetics, and/or brain injuries.

What happens when a developmentally disabled person turns 18? They are considered to be a legal adult, together with all of the rights, duties, obligations and complications that come with being an adult.

This is a problem for those of us who are parents/caregivers to developmentally disabled persons who are over 18.

Is there a law or legal methodology to protect Developmentally Disabled persons? **Yes.**
Is it Guardianship? In some instances, but **that's not what I'm talking about here.**

It is called "Guardian Advocacy" and can be found in F.S. §393.

Very few know about it much less know how to utilize it to protect our kids who have turned eighteen years of age. You get a court order and become the "guardian." **F.S. §393.12(10) states "a Guardian Advocate has the "same powers, duties, and responsibilities required of a guardian under chapter 744."**

It does NOT require the parent/caregiver to have an attorney, some counties do not have a filing fee, generally does not require classes, background checks, annual financial reporting, or any of the other complicated requirements that exist with a traditional guardianship.

The court orders put you back into the position of **being able to care for and protect** your developmentally disabled person.