

## TOP 5 CHANGES YOU SHOULD KNOW ABOUT THE NEW KANSAS GUARDIANSHIP LAW

*(Takes Effect January 1, 2026)*

Kansas has made positive updates to its guardianship law! The new law gives people with disabilities **more rights, more control, and more choices.** Learn about the top 5 changes below.



# 1



### Every Guardianship Must Have a “Guardianship Plan”

If the court finds someone is in need of a guardian, their guardianship **MUST** have an individualized “guardianship plan.” **The plan clearly says what the guardian can and cannot do.** The plan helps limit the powers a guardian has over the person under the guardianship.

*If you have a guardianship from before Jan. 1, 2026 you can ask the court for a guardianship plan. Contact DRC for help!*

# 2



### Guardians Must Consider What the Person Under the Guardianship Wants

The new rule is that guardians must use “substitute decision-making” instead of the “best interest” standard. This means **the guardian must consider what the person under the guardianship wants, not just what the guardian thinks is “best.”**

*This change applies to both new guardianships and existing guardianships created prior to Jan. 1, 2026.*

# 3



## Guardianship Is a Last Resort

Courts must first consider alternatives to guardianship, like:

- **Supported decision-making:** having people you trust help you with decisions
- **Power of attorney:** allowing someone you trust to legally help you with financial and/or health care decisions
- **Limited guardianship:** where you only need a guardian for a short period of time or for certain services

These options let the person with the disability keep more control over their own lives.

# 4



## Stronger Protections

**End of Life** - The new law fixes a flaw in the guardian's end-of-life powers under the prior guardianship law. Under the prior law, guardians had powers to stop life-sustaining care (like medical treatment, food, or water) too easily. **The new law limits the guardians power to stop life-sustaining care.**

**Grievances** - The new law also **allows for anyone to file a grievance** (complaint) if a guardian isn't following the law, the guardianship plan, or even if they believe the guardian limits too many of the person's rights. Courts will review the complaints and fix problems when needed.

*These new protections apply for all guardianships, established before or after the effective date of the law (Jan. 1, 2026).*

# 5



## The Law is "Person-Centered"

The new law requires that people under guardianship get clear written notice of their rights. They must be involved in decision-making. The new law also uses person-centered terminology like "individual subject to guardianship" instead of "ward" or "incapacitated person."

The law moves Kansas towards a more person-centered system - one that respects choice, dignity, and independence.



**Scan for More Details**

*(link to full 20 page guide about the new law)*

<https://tinyurl.com/awadvhe7>

**Contact DRC of Kansas**

Toll-Free Phone: (877) 273-9661

Online Help Form: [drckansas.org/get-help](https://drckansas.org/get-help)