

Paid Supports and Services and Your Rights: What are my rights with my guardian?

If I have a guardian, do I still have rights?

An individual receiving HCBS services who has an appointed guardian still has rights, like:

- Keeping your current and previously stated desires, preferences for health care and medical treatment, and religious and moral beliefs.
- Remaining as independent as possible, including giving priority to your preference for residence and standard of living.
- Being given the greatest amount of freedom possible, consistent with the reason a guardian was appointed for you.
- Engaging in any activity that the court has not specifically reserved for the guardian, including marriage or domestic partnership, traveling, working, or having a driver's license.
- Being treated with respect and dignity.
- Being treated fairly by your guardian.
- Maintaining privacy and confidentiality in personal matters.
- Receiving telephone calls and personal mail, and associating with relatives and acquaintances, unless the guardian and court determined that the association should be restricted or banned according to law.



References:

- [Utah Code Annotated 75-5-301.5](#)
- [Utah Code Section 75-5-312.5](#)
- [Utah Administrative Code R432-152-7](#)

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If you have questions or concerns about your rights being restricted, contact your support coordinator or DSPD Constituent Services at dspd@utah.gov. Submit any questions to: HCBSSettings@utah.gov

Additional information: <https://medicaid.utah.gov/ltc-2/hcbstransition/>



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