

# Moving from the guardianship to the social autonomy model of disability

## COSTA RICA / MORPHO INDEPENDENT LIVING CENTER – PERSONAL AUTONOMY LAW

In 2016, Costa Rica passed a law for the promotion of the personal autonomy of persons with disabilities, a key provision of which is the right to a personal assistant, thus replacing the guardianship model. Assistance is requested through the public disability agency, which conducts an evaluation of how many people require assistance and for how many hours. An annual budget of \$1.5 million enabled over 200 persons with disabilities to receive personalized assistance services in 2022. Furthermore, four independent living centres have been established to implement this new regulation.

### Problem targeted

In Costa Rica people with disabilities are usually cared for by their families or people they know, often lacking adequate support.

### Solution, innovation, and impact

In 2016 Costa Rica passed a law centred on the independent living of persons with disabilities by eliminating guardianships and creating government-funded personal assistants. The law protects the right of persons with disabilities to personal autonomy and to reduced dependency on their family members and carers. The public disability agency manages all requests and assigns the personal assistants. There is a limit of up to 192 service hours per month. More-

“Independent living recognizes each of us as a human being, as a person who has a voice and who counts.”

Ms. Wendy Barrantes Jiménez, a personal assistant beneficiary

over, there are four new disability-led independent living centres like Morpho that complement the public services. They provide support in times of emergency or in non-working hours when the public system does not cover those needs. The person contacts the independent living centre and must publish on a platform how many hours of assistance the state provides and how many hours he/she is without assistance. The support timetable is then adapted to the needs of the person. All centres train their own personal assistants. Centro Morpho, the first of four independent living centres to be built in Costa Rica,



Dependency on families and carers is reduced by the law, and personal assistants are stepping in to provide additional services.

pioneered the training of personal assistants in the country and supported the creation of other centres at the national and international level.

### Outlook, transferability, and funding

In 2022, \$1.5 million has been allocated for the implementation of the law. Centro Morpho estimates that there is a much higher demand for personal assistants and is therefore advocating to reform the law and to increase the budget. Centro Morpho has led the creation of the Latin American Independent Living Network and is already replicating the personal assistants training model in other countries, such as Bolivia.

### FACTS & FIGURES

Start: 2016

- The Morpho Centre assisted over 200 persons with disabilities in 2022.
- The Costa Rica law has served as a reference for other countries in Latin America.
- *A project of the Public Sector.*

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