

Turning 18 Safely in Your Community



**TIP
SHEET**

As a young person turns 18, in many states, including New York, they reach the “age of majority,” or when they are seen legally as adults. Many changes may be happening at this time. Some youth may be preparing to leave high school and some may even be preparing to move out of their family’s home. For youth with disabilities, turning 18 may present some additional considerations or concerns in navigating the community and systems as an adult.

EDUCATION

As a parent, or a caregiver with parental rights, of a young person with a disability, there are “procedural safeguards” that are your legal rights as a parent within the special education process and to ensure that the young person receives a free and appropriate public education. These legal rights are in place from when the young person is 3 years old through age 21. Even after the young person turns 18, you have the right to be informed of changes to the young person’s Individualized Education Plan (IEP), consent to evaluations and services, and access education records.

HEALTHCARE

The privacy regulations that protect health and healthcare information are commonly known as HIPAA. When a young person turns 18, their healthcare providers, including doctors, nurses, pharmacies, and hospitals, are not required to share information with caregivers or family members. Healthcare providers can share information with caregivers or family members if they are involved with the young person’s care or payment of care, if the young person provides permission, if the young person does not object to sharing of information, or if using its professional judgment, a provider believes that the young person does not object. Healthcare providers have simple consent forms that the young person can sign to give caregivers or family members permission to be informed and involved in their healthcare. Families may also consider guardianship or guardianship alternatives to continue to be informed and involved in the young person’s healthcare.

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FINANCES

At age 18, the young person may become eligible for some government benefits, such as Supplemental Security Income (SSI) and Medicaid, based on their own income and resources as opposed to their household or caregiver's income and resources. If a young person has resources above \$2,000 in resources or may receive a gift, inheritance, or payment that would put their resources above \$2,000, then you may want to consider establishing a special needs trust fund. A special needs trust, also referred to as a supplemental needs trust, is a fund or account that holds assets (money) for the benefit of a person with a disability, and assets in those types of accounts do not count against an individual when determining eligibility based on resources for some government benefits.

VOTING

The young person with a disability has a right to vote starting at age 18. If the young person is interested in voting, they can register to vote online, by mail, or in person. The U.S. Election Assistance Commission works to ensure that the election process, polling places, and voting services are accessible.

SELECTIVE SERVICE

The Selective Service Registration is how the U.S. government keeps a list of names of men from which to draw in case of a national emergency requiring rapid expansion of the Armed Forces. Almost all male residents are required to be registered with Selective Service if they are between the ages of 18 and 26. This includes all young men who have a disability, unless he is continually confined to a residence, hospital, or institution. A young man can register online, by mail, or by using the SSS Form 1 at a post office.

