

Supporting Individuals' Right to Sexual Knowledge

Question and Answer



Q: Can a waiver residential provider tell an individual they cannot have sex in their home? Individual is emancipated.

A: Some residential providers in Pennsylvania actually have individuals sign waivers that they will not engage in sexual relationships. Laws and policies differ from state to state. It is important to help individuals advocate for their rights and various entities exist to assist, such as Indiana Protection and Advocacy (IPAS), and the Medicaid Waiver Ombudsman.

Q: I work with a young adult man with Down syndrome who has alluded that his Dad is sexually abusive to him. Mom has contacted APS but they can't pursue it because the young man will not verbally disclose the fact. Instead he has started acting out. Police said they cannot involve the sexual assault team without this verbal disclosure. Is there anyone you suggest who can look into this possible abuse?

A: The use of visual tools and aids is very helpful in this type of situation. Resources such as [Life Cycle: How We Grow and Change: A Human Development and Sexuality Education Curriculum](#), anatomically correct dolls, or the SSKAAT-R (Socio-Sexual Knowledge and Attitudes Assessment Tool-Revised) have proven to be very helpful.

Q: Can a guardian force the individual to have a vasectomy?

Q: Can guardians tell individuals they cannot have sex because of religious beliefs?

Q: If a person is not emancipated, can a guardian prevent a ward from having sex?

Q: How do you suggest that we handle a guardian who is unwilling to "allow" sexual activity for an individual with ID?

Q: If a high functioning individual wishes to consent to sexual activity but has a guardian that disagrees, how would you handle this?

A: Guardianship laws differ from state to state and on the type of guardianship awarded by court. It is important to work with the guardian in determining the concerns and address this in a supported decision making manner.