ODSP: Know Your Benefits

ODSP Action Coalition
February 2013
Who We Are

- ODSP Action Coalition has been around for more than 10 years
- Advocate for changes to ODSP
- Have a shared leadership model:
  - Made up of people on ODSP, and those who work in this field (at legal clinics, agencies and patient advocacy groups)
- This workshop is part of our efforts to build knowledge and confidence in our members for personal and political advocacy
Overview

- Applying for ODSP
- Rates
- Income, Earnings, Assets & Changes
- Benefits
  - Mandatory
  - Discretionary
  - Employment
- Appeals
- Tips & Strategies
- For more information
Applying for ODSP

- Everyone has the right to apply if they think they fit the definition of disability

- You can apply for ODSP in 3 ways:
  1. Through Ontario Works (OW)
  2. Directly to ODSP
     - If you’re not on OW or don’t qualify for OW
  3. Be “fast tracked” if you are:
     - Age 65+ and not receiving Old Age Security (OAS)
     - Receiving OAS and been in Canada 10+ years
     - Receiving CPP-Disability or QPP-Disability
     - Resident in certain health facilities
Applying for ODSP

Two different types of eligibility requirements:

- **Financial**
  - Financial eligibility is considered first, before the medical part of the application process
    - A single person cannot have an income over $1075/month or assets over $5000
    - Different income and asset limits apply where the benefit unit is larger than a single person
Applying for ODSP

2. Medical

- If eligible financially, then given a Disability Determination Package (DDP)

- Must meet the definition of a person with a disability as set out in the ODSP Act
  - Including, 1) that the impairment is continuous or recurrent and expected to last 1+ years; 2) that it results in substantial restriction in daily living; and, 3) has been verified
## Rates

<table>
<thead>
<tr>
<th></th>
<th>ODSP Basic Needs</th>
<th>ODSP Max Shelter</th>
<th>ODSP Max OCB</th>
<th>ODSP Total</th>
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</thead>
<tbody>
<tr>
<td>Single</td>
<td>$596</td>
<td>$479</td>
<td>$0</td>
<td>$1075</td>
</tr>
<tr>
<td>Couple</td>
<td>$882</td>
<td>$753</td>
<td>$0</td>
<td>$1635</td>
</tr>
<tr>
<td>Single Parent + 1 Child</td>
<td>$739</td>
<td>$753</td>
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<td>$1584</td>
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<tr>
<td>Couple + 1 Child</td>
<td>$882</td>
<td>$816</td>
<td>$92</td>
<td>$1790</td>
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Income, Earnings, Assets & Changes

- All income and earnings must be reported to ODSP by the 7th of the month
- Income includes:

<table>
<thead>
<tr>
<th>Earnings from work</th>
<th>Long term Disability</th>
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<tbody>
<tr>
<td>Foreign pensions</td>
<td>Canada Pension</td>
</tr>
<tr>
<td>Credit card cash advances</td>
<td>Old Age Security</td>
</tr>
<tr>
<td>Child support</td>
<td>WSIB payments</td>
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<tr>
<td>Boarder/lodger income</td>
<td>Employment Insurance</td>
</tr>
<tr>
<td>Loans</td>
<td>Child Tax Benefits</td>
</tr>
<tr>
<td>Honorariums</td>
<td>Assets or windfalls</td>
</tr>
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</table>
Allowable Asset Levels

- **$5000** for Recipient
- **$2500** for Spouse
- **$500** for dependent (other than a spouse)
- Sometimes more assets could be exempted if they will be used to purchase disability-related items or the health of a benefit unit member (Director’s permission needed)
Income, Earnings, Assets & Changes

Other exempt assets:

- Principle residence
- One motor vehicle
- Pain & suffering awards: $100,000
- Car Accident, criminal injuries compensation, Bill 165, Ontario Child Benefit equivalent payments for children in care, disaster relief
- Awards: WSIB Non-Economic Loss, Family Law, First Nation, Hep C, Walkerton, Grandview, Helpline, Veteran Affairs
- Inheritances: $100,000 (in trust)
- Gifts: $6000 or less in 12 month period
- Lottery winnings: $5000 or less in 12 month period
- Registered Education Savings Plans & Registered Disability Savings Plans
- Disability related education, items or services
- Student loans, bursaries, grants – tuition and educational costs
- Business or self employment loan or assets - $20,000 (tools & vehicle)
Changes to report

- Changes in address
- Changes in people living or moving away from home
- Children turning 18
- Adults turning 65
- Changes in amount of rent you pay
- Changes in assets or income
Benefits: Two main types

- Mandatory
  - Available across Ontario
  - If ODSP says ‘no’ to your request, **you can appeal all the way to the Social Benefits Tribunal**
  - Funding for mandatory benefits is based on needs

- Discretionary
  - Available through municipalities
  - Different benefits are available in different places
  - You can ask for a review if you are denied, but there is **no higher level appeal**
  - Funding is limited/capped
Benefits: Mandatory

- **Special Diet Allowance**
  - Recipient must ask his/her worker for the Application for Special Diet Allowance
  - Doctor, nurse practitioner or dietician must complete the application
  - **Amount depends on applicable medical condition(s)**
  - Maximum is $250/month

- If a person is pregnant or nursing she should also ask for the Pregnancy/ Breastfeeding Nutritional Allowance
Benefits: Mandatory

Drug Benefit

- **A monthly drug card is provided** to all members of the “benefit unit”
- Covers cost of prescription medications listed in Ministry of Health’s Ontario Drug Benefit (ODB) Formulary (co-pay could be required up to $2)
- If medication not listed in ODB Formulary, ask doctor about Ministry of Health and Long Term Care’s “Section 8” process
Benefits: Mandatory

Dental Benefit

- A dental card is provided to:
  - All recipients, their spouses and dependent children from 0 to 17 years old
  - If not covered (for example, dependent child 18 or over) can apply for OW discretionary dental coverage
  - An emergency dental card can be issued in exceptional circumstances
  - Talk to dentist about services that are available and what you may require.
Benefits: Mandatory

Vision Benefit

- ODSP covers cost of an eye exam every 24 months
- Recipients and members of benefit unit (except dependent adults) receive coverage for purchase (every 3 years) and repair of lenses and frames
- Replacement lenses if any change in prescription for kids, only for adults if “significant” change
- Replacement for loss or damage for kids but NOT for adults except if no fault loss/damage
Benefits: Mandatory

Hearing Benefit

- Cost of hearing evaluation
- ODSP covers 25% of cost of hearing aid or appliance; Assistive Devices program covers 75%
- Replacement batteries and appropriate repairs
- Hearing aids can be replaced every 3 years as long as it's no longer working and cannot be repaired at a reasonable cost
- Cost of Visual Smoke Alert System and installation for each room (must be hardwired)
Benefits: Mandatory

Mandatory Special Necessities (MSN)

• **Health professional must fill out the Mandatory Special Necessities Form to access these benefits**

  - **Diabetic Supplies**
    - Covers needles, swabs, lancets, blood glucose monitors

  - **Surgical Supplies and Dressings**
    - Prescribed by physician as a result of surgical, radiological or medical procedure or disease.
Benefits: Mandatory

Mandatory Special Necessities

- Medical Transportation
  - If costs are more than $15/month, ODSP may cover:
    - Transport to doctor’s appointments
    - AA or NA support groups (prescribed, local)
    - counselor or psychiatrist sessions
    - mental health therapy
  - Emergency costs (ambulance, family member driving) may be covered with receipts & details
Benefits: Mandatory

- Medical travel continued
  - If doctor indicates recipient must take taxi, ODSP may pay for the taxi (with receipts)
  - If overnight travel is necessary to get medical treatment, ODSP may pay for travel, accommodation and meals if specified by approved health professional
  - Northern Travel Amount - $100 for accommodation if live more than 200km away, plus $.41/km less 100km
Benefits: Mandatory

Guide Dog Benefit

- If you have a guide dog you may receive up to $74 a month to help with care and feeding costs.
- Veterinary bills are not included in this amount. Look for an animal foundation or a sympathetic vet!
Benefits: Mandatory

- Extended Health Benefit
  - If you have too much income to remain on ODSP
  - AND your monthly health related cost are greater than your monthly entitlement, you can get coverage for:
    - Prescription drugs
    - Dental & vision (incl. eye exam every 24 months)
    - Diabetic & surgical supplies
    - Batteries and repairs to mobility devices
    - Medical transportation costs (more than $15/month)
    - Co-payments for Assistive Devices Program
Benefits: Discretionary

Health-related

- Prosthetic appliances (e.g., back braces, surgical stockings, artificial limbs, etc)
- Cost of completing other medical forms
- Air conditioners for people with severe asthma
- Funeral and burial costs (unless you receive CPP death benefits)
Benefits: Discretionary

Non Health-related expenses

- Vocational training/retraining
  - Used after employment assistance expense funds used up and include transportation costs
  - Must be job specific and connected to a job available in local labour market
- Moving expenses (may include storage)
- Non health-related travel/transportation
  - To return home outside Ontario
  - To attend court to seek spousal support
  - To visit next of kin in hospital or for funeral
Benefits: Discretionary

Other special items and services:

- New Born Allowance ($360 for stroller, crib, etc)
- Blood test – for child support application
- One time $50 energy conservation benefit
- Caulking, weather stripping, insulating water pipes
- Cost of preparing a will (where not covered by another service)

- And “any other service” – it can’t hurt to ask!
Benefits: Discretionary

Assistive Devices Program

- Ministry of Health provides assistance to people with longer term physical disabilities
- Assistive devices include walkers, mobiles and wheelchairs
- Ministry of Health covers 75% of cost and ODSP pays remaining 25%
- If assessment needed for any device, ODSP will pay for assessment
- ODSP covers cost of batteries and repairs
Employment Benefits

- You can work when you are getting benefits from ODSP. Here’s how it works:
  - What you earn (Gross Income)
    - Minus mandatory deductions like CPP, EI, federal tax (based on Revenue Canada formulas)
    - Minus daycare expenses, disability related expenses (max $300), self employment business expenses
  
  \[ \text{Net Earnings} = \text{Net Earnings} \]

- ODSP will deduct 50% of Net Earnings from your ODSP Income Support
Employment Benefits

- **When starting a new job**
  - Up front child care costs (such as a deposit for daycare).
    Up to $600 for informal care or the actual child care cost at
    a formal (licensed) daycare
  - Employment and training start up benefits. This includes
    things like tools and equipment, work wear, and the cost of
    a pardon

- **Work related benefit**
  - $100/month if there are net positive earnings from
    employment or training

- **Employment Supports**
  - Technical aids or devices to support access to work
Employment Benefits

- **Transitional Health Benefit (THB)**
  - Exit ODSP due to excess earnings. No coverage with employer. Don’t qualify for Extended Health Benefit.

- **Rapid Reinstatement**
  - If you’ve exited ODSP and want to reapply, AND you’re financially eligible, this allows you to skip the full reapplication process IF:
    - Exited for employment and were previously on family benefits
    - Exited for any reason and didn’t have a medical review date
    - Had a medical review date and exited before date passed, but no review by Director has taken place yet.
Employment Benefits

- Employment transition benefit
  - Up to $500 once every 12 months
  - If leave for full time or part time employment or training
  - Salary is greater than ODSP entitlement

- Courses and training opportunities

- Self employment supports
Appeals

- The process for appealing is the same **first step** for:
  - Applying for ODSP
  - Mandatory benefits
  - Discretionary benefits
  - Suspensions, changes or reductions in benefits

- **Submit an Internal Review request** (in writing)
  - Within 30 days of a decision (if miss deadline, request an ‘extension of time’)

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Appeals

- **Discretionary Benefits = no further appeal beyond the Internal Review**

- The **second step** for appealing exists for:
  - Applying to ODSP
  - Mandatory Benefits
  - Suspensions, changes or reductions in benefits

- If the Internal Review answer still no, you can **appeal that negative decision to Social Benefits Tribunal (SBT)**
  - Within 30 days of receiving the Internal Review answer ([www.sbt.gov.on.ca](http://www.sbt.gov.on.ca))
Appeals

- Contact local community legal clinic for help with Internal Review & Appeal to Social Benefits Tribunal (SBT)
  (http://yourlegalrights.on.ca/resource/76312?tid_ref=125)

- If you appeal to the SBT, they will notify you of a hearing date

- If your ODSP benefit is cancelled and you have appealed the decision, you can ask for Interim Assistance until the Social Benefits Tribunal (SBT) has made a decision
  - If you lose the appeal, you will have to pay back that Interim Assistance.
Tips & Strategies

- Know about the benefits available
- Ask in writing and keep a copy (of everything!)
- Ask your worker if specific form needed (and get the form)
- Pay attention to time limits (for ex, for appeals)
- Keep letters, benefit statements, and work stubs
- Make records about conversations, contacts, etc
- Where possible and needed, get doctors or other professionals to support your requests in writing
- Ask for help from your local community legal clinic
For more information

- This presentation is very general and may not have answered your questions.
- To find out more information about the work of the ODSP Action Coalition, please see our website: www.odspaction.ca or our facebook page: facebook.com/ODSPACTION
- To find your local community legal clinic for free legal advice on ODSP, as well as more information about applying for and receiving ODSP, see http://yourlegalrights.on.ca/