ODSP & OW “Extras”:
Benefits you may not know about...!

Community Legal Workers
Legal Aid Ontario
Overview

Let's take a closer look at some Ontario Disability Support Program (ODSP) and Ontario Works (OW) Benefits:

- Special Diet
- Employment Start Up
- Community Participation
- Drug & Dental
- "Mandatory Special Necessities"
- Vision, Hearing, ADP Co-payment
- Community Start Up & Maintenance
- Women in Transition/Interval Houses
- Other Benefits (winter clothing, back-to-school, advanced age)

- OW Discretionary Benefits
- ODSP "Special Extras"
Resources

1. Legislation:
   The ODSP & OW Acts are located on-line (click on “+” sign beside the Act to access the regulations)

2. Policy Directives are also located on-line:

Special Diet Allowance

- A province-wide review of all ODSP/OW special diets is currently under review

- The new schedule lists **specific medical conditions** like HIV/AIDS, Diabetes, etc.

- Clients must re-confirm eligibility by completing the revised "Application for Special Diet Allowance" (Form 3059 & 3060)

- Clients have 90 calendar days to return form - *during this period, clients are still eligible for old amount, so advice is to submit towards end of 90 day period
Special Diet Allowance

• Forms must be completed by an approved health professional: doctor, “nurse in the extended class” or a dietician.

*In addition, midwives and traditional Aboriginal midwives can approve the pregnancy, breastfeeding, and infant formula diets.

• *Weight-related conditions: Clients whose special diet allowance has helped them achieve & maintain a health body weight (e.g. HIV/AIDS) should continue to receive the same amount, but up to the new maximums. *In addition, they will not be subject to review in the future. 
  (Based on new Ministry Bulletins – Dec 05 and April 06)
Special Diet: What they don’t tell you...

- Clients who re-confirmed eligibility for a special diet allowance before the new Ministry Bulletins, should ask for a review (file an Internal Review, contact your community legal clinic...)

- You can appeal a decision by a worker if they say “NO”
Pregnancy Diet

• If you are pregnant, you are entitled to receive a “pregnancy nutritional allowance” - $50/month non-dairy, $40/month milk-based

• This is provided in addition to other special diets and is not part of the maximum calculation

• The worker should advise you of the breastfeeding diet and that infant formula is available to you under certain circumstances
"Employment Start-Up Allowance"

- For any eligible member of the OW or ODSP benefit unit. A client must be:
  - Starting or changing a job, in a training program, or doing another EA activity under OW, &
  - have proven expenses for the approved start up

- Maximum up to $500 in any 12 month period (Before Nov. 1: was up to $253)

- Eligible expenses may be things like:
  - tools and equipment; transportation costs;
  - work wear; grooming costs;
  - licensing fees, association costs; or
  - any other item that, in the opinion of the Director, is a necessary work or training related expense;

- Many community agencies where you may want to volunteer, help people with letter requesting this Allowance
Employment Start Up: Advanced Child Care Payment

- In addition to ESUB, clients can get an “advanced child care payment”

- Where clients need to pay up-front for the amount they would normally be entitled to deduct for child care under the legislation:

  **OW & ODSP:**
  - actual child care cost for a licensed day care facility, otherwise,
  - up to $600/month for informal care

  (ODSP - Before Nov. 1: was $390/month for informal care, but now matches OW amount of $600)
Employment Assistance Expenses (EAE)

• EAE may be paid *over and above* ESUB to cover out-of-pocket expenses

• *Maximum average of $250 per month* available (need approval for costs above this) and a maximum advance of $500

Includes funding for:
• short training costs
• travel
• clothing, grooming and special equipment
• safety equipment
• child care costs
• supplies & equipment
• protective clothing
• telephone expenses
• criminal checks and medical exams or certificates for community placement
ESUB, Advanced Child Care & EAE: What they don’t tell you

- ESUB and Advanced Child Care are “mandatory benefits” and can be appealed if denied (EAE can not be appealed)

- For ODSP, clients can also qualify for a $300 deduction from chargeable net income/earnings for “disability-related expenses” (Before Nov. 1 - was $140)
“Full-Time Employment Benefit” (FTEB) for OW

• OW recipients can receive $500 (max. in 12 month period) when beginning full-time employment

• Expenses are those approved by the Administrator as “reasonable and necessary”
*Other ODSP Changes as of November 1, 2006*

- New automatic "Transportation Expense" benefit of $100/mth issued to each ODSP recipient, spouse and dependent adult who reports earnings or is in training program.

- New $500 "Employment Transition Benefit" (ETB) will be paid if recipient leaves ODSP for employment (FT or PT) or training.

- New "Transitional Health Benefit" (THB) - for those who are: ineligible for ODSP because their income is too high; can’t get coverage through their employer; and, they’re not eligible for the Extended Health Benefit. Will include drugs, dental and vision benefits. Coverage continues until you are covered by employer health plan. No time limit, but eligibility must be re-established annually.
Community Participation (CP)

- Unpaid volunteer placements for OW and ODSP recipients

- In Toronto, we know that clients can usually get $100 per month for such things as:
  - TTC pass,
  - clothing and grooming,
  - special equipment supplies & equipment required for the placement.

- Clients can volunteer up to 70 hours each month (there is no minimum), for up to 6 months (can request to volunteer for longer)
Community Participation (CP): What they don’t tell you...

- If a client qualifies for the $, this does not necessarily mean they are ineligible for medical transportation. (However, if you get a TTC pass for CP, and this covers your transportation to medical appointments, you will not get additional funds for the TTC under medical transportation)

- Most ODSP recipients are not told they can voluntarily participate in CP and get some funding for it.

- As CP is voluntary for people on ODSP, it is not appealable to the Social Benefits Tribunal.

- For OW clients, CP may be a required activity under their participation agreement.
Drug Benefits

• A monthly drug card is provided to all members of the *benefit unit for ODSP & OW

• Covers the cost of prescription medication (listed in the Ministry of Health’s Ontario Drug Benefit Formulary)

• No cost to the client except the pharmacy dispensing fee (clients can ask the pharmacy if they can waive this fee)

(*“Benefit Unit” means a person and all of his or her dependants on behalf of whom the person receives or applies for income support)
Dental Benefits

- A dental card, providing coverage for dental services, is only provided to:
  - OW: dependent children
  - ODSP: all recipients except dependent adults 18 and over, and

*All those not covered can apply for OW “discretionary benefits” for dental coverage.

- The “MCSS Schedule of Dental Services and Fees” sets out coverage of services

- Clients should talk to their dentist about the services that are available to them and any limitations with respect to services they require
Drug & Dental: What they don’t tell you...

- A Drug Card can be issued to a non-compliant dependent adult who has a serious illness or health condition.

- ODSP recipients who have a health condition that affects their teeth (disability, medications or treatment) may be eligible for the dental special care plan, which includes:
  - more frequent cleanings and visits
  - enhanced levels of coverage

- Clients should ask their dentist about the “MCSS Dental Schedule” which talks about the plan.

- A dental special care service plan must be pre-determined through the ODA. Once approved, plans are valid for 5 years.
“Mandatory Special Necessities”
(MSN)

• ODSP and OW use the term “Mandatory Special Necessities” to talk about 3 kinds of benefits:
  - Diabetic Supplies
  - Surgical Supplies/Dressings
  - Medical Transportation

• To receive any of these benefits, clients must fill out the “Mandatory Special Necessities” form
**MSN: Diabetic Supplies**

- Clients can get coverage for supplies such as:
  - Needles, syringes, swabs, platforms, lancets and blood glucose monitors. (Insulin and test strips are covered under the drug card as they are ODB listings)

- *Clients must access other sources of funding first as some of these supplies may be fully or partially covered by the Canadian Diabetes Association, the Assistive Devices Program, the drug card, or another program...*
“Surgical supplies and dressings” are items prescribed by a physician that are required as a result of a surgical, radiological or medical procedure or disease.

Again, ODSP & OW will pay for these supplies if they cannot be paid by another source (hospital, Community Care Access Centre, Easter Seals Society, Assistive Devices Program, drug card).
MSN: Medical Transportation

- ODSP & OW will cover the cost of transportation for medical purposes if costs exceed $15 a month per benefit unit.

- Travel to any registered health professional (designated under the Regulated Health Professions Act, 1991)

This includes:
- physician, optometrist, occupational therapist, physiotherapist, dentist, dental surgeon, dental technician, dental hygienist, denturist, optician, dietician, medical radiation technologist, massage therapist,
- midwife, nurse, pharmacist, speech language pathologist, audiologist, medical laboratory technologist, psychologist, respiratory technologist, chiropractor, chiropodist, or podiatrist
Medical Transportation: What they don’t tell you...

- **Clients can** get transportation covered for AA or NA if a doctor/psychologist prescribes.

- **Clients can** get transportation for mental health therapy and counselling if it’s prescribed and **supervised** by a doctor, psychologist or psychiatrist.

- **ODSP/OW** will only pay for the **cheapest** possible mode of transport (public transit, taxi).

- **ODSP/OW can** pay for accommodation and meals if you have to travel overnight for medical treatment (along with someone who needs to accompany you - as specified by the approved health professional).

- You **can** appeal a decision about medical transportation.
Extended Health Benefit (EHB)

- Available for both ODSP and OW

- If a client’s income is too high to qualify for OW or ODSP, but they have high health costs, they may be eligible for the Extended Health Benefit (i.e. HIV+ client with extraordinarily high prescription drug costs)

- Talk to your OW/ODSP Caseworker (or Community Advocate) for more details
EHB: What they don’t tell you...

- Often, that it even exists and is available to people

- Clients can get their pharmacy to produce a list of medications for the past six months or year to figure out average monthly drug costs which will help determine eligibility

- A decision about EHB can be appealed

- The Trillium Drug Program is an option if not eligible
Vision

• **OW** - only dependent children
• **ODSP** - all benefit unit members, except dependent adults
  *All those not covered can apply for “discretionary benefits” under OW*

• **Covered costs include:**
  - eye exam every 24 months if not covered by OHIP (20-64 no longer insured)
  - new frames and/or lenses every 3 years
  - necessary repairs
  - replacement for loss or damage for kids, but **not** for adults except if no fault loss/damage
Vision Benefit: what they don’t tell you

• There is a lot of discretion in the policy to approve the cost of glasses

• You can appeal a decision regarding coverage for glasses.

• **Guide Dog Benefit** – each member of the benefit unit can receive up to $66/mth to assist with care/feeding costs.

  *Note: This benefit is not limited to persons with a visual or hearing impairment, but can apply broadly to persons with autism, cerebral palsy, muscular dystrophy, ABI, MS*
Hearing Benefit

- **ODSP**: all recipients, except dependent adults
- **OW**: Not provided
  *All those not covered can apply for “discretionary benefits” under OW*

- Covers the cost of a hearing aid evaluation, the remaining cost of a hearing aid not covered by ADP, and replacement batteries and repairs.

- The hearing aid device can be replaced every 3 years (if device doesn’t work and can’t be repaired)

- The cost of a hearing assessment may be covered if it’s not already covered by OHIP.
Assistive Devices Co-payments

- The ADP (Ministry of Health) provides financial assistance to people with long-term physical disabilities to obtain aids, devices & supplies.

- The ADP only covers 75% of costs...so OW and ODSP will pay the remaining 25%, if there is no other source of funding for these items.

- Assessments along with batteries and repairs for assistive devices are covered.

- There is no appeal if you are denied this benefit.
Community Start Up & Maintenance Benefit (CSUMB)

- CSUMB is available to OW and ODSP clients for help with moving costs, paying rent/utility arrears, to avoid being evicted.

- **Up to** a maximum of $799 for a single person or $1500 for a family with one or more dependent children.

- Available only **once** in any 24 month period.
Community Start Up & Maintenance Benefit (CSUMB)

Clients will need to prove they need $ to set up a new, permanent home -or- remain in their existing home and:

- they’ve been evicted or need $ to prevent eviction or
- they are coming out of an institution that provided basic needs and shelter (e.g. hospital, nursing home) or
- it would be harmful to their health or welfare to stay in their current place or
- they need $ to assist with utility arrears/re-connections or prevent utilities from being shut off or
- they are required to move, or need assistance moving, because of a disability or
- any other situation deemed to be an “exceptional circumstance” approved by the Director...
CSUMB: What they don’t tell you...

• It is possible to receive CSUMB more than once in a 24 month period, up to the maximum amount of $799 or $1500

• You can appeal a decision about CSUMB.
Women in Interval & Transition Homes...

• If a client is temporarily living in a shelter for abused women, she is eligible for the “basic needs and shelter allowance” for the first 3 months (discretionary beyond 3 mths)

• Client must be “preserving her right to return to home” (principal residence) - i.e. still paying for the home

• If client does not maintain her right to return home, or the Director chooses not to extend basic need and shelter benefit beyond 3 months, she and each of her children will receive a personal needs allowance of $116/month
Other Benefits - Winter Clothing Allowance (WCA)

• Both OW and ODSP clients are eligible to receive a mandatory winter clothing allowance of $108 - once per year (effective Oct/Nov 2006).

• This allowance is only available for dependent children who are eligible for assistance in the months of Oct-Dec (ODSP) or Nov-Dec (OW).

• **Not** available if benefit unit only getting emergency assistance or EHB.
Back-to-School Allowance

- Both OW & ODSP clients are eligible to receive a mandatory “Back-to-School” allowance for dependent children in the benefit unit.

- Payable in July-December (ODSP) or August-December (OW) and only available once per year (*but can be paid if you come on the program between August and December)

- The benefit is $71 for every child ages 4 -12, and $131 for every child ages 13-17 who is or will be attending school.
Advanced Age Item

• *OW also contains an additional benefit of $31 for each member of the benefit unit who is older than 65 years of age, for personal needs.*
OW Discretionary Benefits

- OW has what it calls “discretionary benefits” which may be issued under the legislation.

- Discretionary benefits can be paid to OW or ODSP recipients

- 3 categories: health related, non-health related, & “other special items & services”

- Discretionary benefits are not appealable.
Discretionary Benefits -
1. Health-related

- For OW adults: Dental care (emergency or to support participation requirements), vision care, hearing aids & batteries
- Prosthetic appliances
- Prescription drugs not listed under ODB
- “cost of completing other medical forms”
- Air conditioners for severe asthmatics
- Funeral costs
  - max of $2250
  - no gravestone included, but markers and care charges are included
  - cost of the grave plot only if the administrator also owns the cemetery!
Discretionary Health Benefits -
2. Non Health-Related

- “Vocational training/retraining”
  - can be used after employment assistance expense funds are used up, and can include transportation costs. “Must be job specific and connected to a job available in the local labour market”

- Non health-related travel & transportation:
  - Transport to return to home outside of Ontario
  - To attend court to seek spousal support
  - To visit people at hospital or funeral for next of kin.

- Moving expenses
  - Can include storage...sometimes can even include storage charges incurred prior to application if stored furniture is “essential to the family”
Discretionary Benefits –
3. “Other special items & services”

- Home repairs
  - where not providing would be detrimental to health and well-being
  - paid only once invoiced
  - usually approved only if “urgent” or “emergency”
  - can be provided as payments included in shelter, and may be divided over a number of months to fit within maximum shelter allowance.

Continued...
• layettes and baby supplies
• repair/replacement of essential furniture and appliances
• replacement of household goods after emergency (fire, flood)
• blood test in child support applications
• the cost of preparing a will where the cost cannot be paid by some other source
• *** “Any other service” - so always ask your caseworker - there is no harm in asking!
Discretionary Benefit: Energy Conservation

- One-time discretionary benefit up to $50, for ODSP and OW
- For low-cost energy conservation measures such as caulking, weather-stripping, insulating hot water pipes, etc.
- Seek approval in advance
- Can not be appealed
ODSP “Extras”

• **ODSP** recipients may also be eligible for benefits such as:

• **Necessary home repairs** (can appeal if say “no”)

• **Costs for second residence:**
  - If you maintain your normal place of residence but have to temporarily change residences for training in a program that will improve your chances of getting employment
  - the amount will be the lower of:
    • the costs of maintaining your normal place of residence during the training and not available elsewhere
    • $455
How do I get these benefits?

• In almost every case, in order to access these benefits you must:
  - Know about them!
  - Ask for them!
  - If a specific form is required, ask for the form!
  - If a decision is made and they say no, ask for it in writing!!!!!
What if they say NO?

• Appeal, appeal, appeal!

• You start the appeal process by requesting an Internal Review which must be:
  - in writing - one sentence - “I want an internal review of this decision.”
  - submitted within 10 days of getting the “no” decision from the Caseworker

  *Contact your local community legal clinic for help

• You can request an extension if you’re past the 10 days (and you should)

• *Even decisions which are not appealable can be internally reviewed.
What if they still say NO?

• If your internal review is not successful, you can file an appeal to the Social Benefits Tribunal (SBT) (www.sbt.gov.on.ca)

• You must submit the appeal form **within 30 days** of the internal review decision. *Contact your local community legal clinic for help.

• All “mandatory” benefits can be appealed: CSUB, ESUB, drug/dental card, vision, hearing, mandatory special necessities, special diet, necessary home repairs, child care costs.

• *Discretionary benefits may not be appealed, but if you are in Toronto you can still apply to the “Decision Review Committee of Ontario Works” to have your case reviewed
Community Legal Clinics

• For information about benefits or for help at anytime – especially when a Caseworker says “no” – contact your nearest Community Legal Clinic!!!

• To find your nearest Clinic, go to www.legalaid.on.ca/en/contact.asp OR call 1-800-668-8258