

Reasons for Decision:

Order # AP1920-0035

On <date removed>, <name removed> filed an appeal of three decisions by the Director - denial of funding for winter boots, denial of the start-up allowance, and denial of retroactive funding for a monthly bus pass.

Winter Boots

At the hearing, <name removed> told the Board they needed winter boots in <date removed>, and could not get funding from the Department. The appellant stated they had to borrow money from their parent to buy the boots.

The Department stated <name removed> is approved for the purchase of boots. If <name removed> provides the receipt for their boots, the Department will reimburse them.

The parties agreed this issue was resolved at the hearing.

Start-up Allowance

<name removed> stated they had issues they needed to deal with, so they attended a residential facility for treatment. The appellant stated they were at the facility from <dates removed>. The appellant returned to their parent's home briefly, then went back to the residential facility from <dates removed>.

<name removed> stated they inadvertently brought bed bugs back to their parents' house. When their parent discovered the bed bugs in the room, they threw out all the items in the room, including their furniture.

<name removed> stated they applied for the start-up allowance because they needs an orthopedic chair, a bed, and a dresser.

The Department noted the start-up allowance is available in limited circumstances, none of which apply to <name removed>. The Department explained that the provision to provide a start-up allowance for individuals with a disability who leave an institution applies to circumstances where the institution was that individual's permanent residence. The provision to provide a start-up allowance to a person whose belongings were accidentally destroyed does not apply, since <name removed>'s belongings were deliberately destroyed by a family member.

The Department stated it will pay for professional treatment of bed bug infestations, and

will provide funding for the increased laundry costs resulting from bed bugs. The Department stated it does not support the destruction of all property in lieu of professional treatment. -

After careful consideration of the written and verbal evidence submitted to it, the Board determines that the Department has determined <name removed>'s eligibility for the start-up allowance consistent with legislation, regulation and policy. The Board confirmed the Director's decision not to provide a start-up allowance to <name removed>.

Bus Pass

The Department stated <name removed> contacted it in <date removed> to request a medical bus pass. The Department explained to <name removed> that they needed to provide a medical note outlining their need for a pass.

<name removed> did not provide the medical note until <date removed>. The doctor stated <name removed> needed a bus pass, but did not explain why. The Department contacted the doctor's office to explain that applicants for a monthly bus pass required a minimum of three medical appointments per week.

The Department again explained the requirements to <name removed> on <date removed>. The Department received a note form <name removed>'s doctor on <date removed>, listing an extensive number of appointments each week. The Department approved the monthly bus pas for one year.

<name removed> told the Board that they applied for a medical bus pass at their intake appointment. The appellant asserted they were told they had to wait until they had met with their worker. The appellant's first meeting with their worker was in <date removed>. <name removed> stated they asked their doctor for a detailed note shortly after they met with their worker.

<name removed> stated they had to borrow money from their parent to pay for their bus passes in <months removed>. The appellant stated they thought the Department should have compensated them retroactively for the bus passes, since it had provided retroactive disability eligibility.

In response to a question from the Board, <name removed> stated they had four appointments per week for physiotherapy in <months removed>, as well as regular appointments with their neurologist, neuropsychiatrist, family doctor and mental health worker. The appellant stated their appointment pattern in the winter of <year removed> was the same as the pattern used by the Department to approve passes starting in <date removed>.

The Board understands the Department's need for documentation of need prior to

granting a medical bus pass. The Board also understands the Department's position that it does not provide retroactive funding, because the assistance recipient found a way to pay for the bus pass without Department funding.

However, in previous cases the Board has recognized that the Department's policy on retroactive needs does not always reflect the reality of assistance recipients' financial circumstances. <name removed> gave evidence that they did not meet their need for a bus pass by reallocating expenses. Instead, they met their need by incurring a debt to their parent.

The Department did not dispute <name removed>'s evidence that their pattern of medical appointments was consistent from <months removed>. The Board finds that, if the first note from <name removed>'s doctor had been clearer, <name removed> would have been eligible for a medical bus pass starting in <date removed>.

After careful consideration of the written and verbal evidence submitted to it, the Board determines that <name removed> was eligible for a medical bus pass in the winter of <year removed>. The Board varies the Director 's decision and orders the Department to provide retroactive funding for a medical bus pass for <months removed>.

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