

BRIEF GUIDE TO COMPLETING THE DISABILITY DETERMINATION PACKAGE

THE ONTARIO DISABILITY SUPPORT PROGRAM (ODSP)

Under the *Ontario Disability Support Program Act, 1997*, in order to receive benefits as a "person with a disability", the person must meet the following test:

A person is a person with a disability if:

- ✓ the person has a substantial physical or mental impairment
- ✓ the impairment is continuous or recurrent and expected to last one year or more
- ✓ the direct and cumulative effect of the impairment results in a substantial restriction in either the person's ability:
 - ✓ to attend to his or her personal care **or**
 - ✓ to function in the community **or**
 - ✓ to function in a workplace
- ✓ the impairment and its likely duration and the restriction in the person's activities of daily living have been verified by a person with the prescribed qualifications.

An **addiction**, to alcohol or any other drug, is now considered as a disabling condition, if the impact of the addiction on the applicant's function is such that the other requirements, listed above, are met.

THE FORMS REQUIRED FOR AN APPLICATION

The application forms for disability assistance consist of two parts. The Health Status Report (HSR) and the Activities of Daily Living Index (ADLI) must be completed by a member of a health profession licensed to practice in Ontario. It is not necessary to have the same medical professional complete both forms. For example, a family doctor may complete the Health Status Report setting out the person's medical conditions, impairments, and restrictions, and a physiotherapist that the person visits weekly may be able to provide detailed information on the Activities of Daily Living Index indicating the restrictions to the person's functioning.

The time you spend filling out these detailed forms is billable to OHIP. Clearly, however, the amount of compensation provided is undeniably disproportionate to the amount of work required on your part.

The HSR and the ADLI are the most important components of an applicant's application for assistance as a person with a disability. Therefore, you should complete these forms in as detailed and complete a manner as possible. A carefully completed application not only increases your patient's chances of being approved, it also reduces the likelihood that you will be asked to provide a subsequent medical opinion letter to support an appeal.

➤ **HEALTH STATUS REPORT (Pages 3-10)**

The HSR is the primary assessment tool used by the doctors at the ODSP's Disability Adjudication Unit. It provides the Ministry with medical information about the applicant's condition(s), treatment and prognosis. Here are three suggestions for completing the HSR:

1. **Answer all the questions in as complete and detailed a manner as possible.** We suggest that the HSR and ADL be filled out in the presence of and in consultation with the applicant. If you wish to include additional comments, we recommend attaching a Schedule to the HSR.

2. In Question 2 of the HSR, list **all** medical conditions which affect the applicant's health and well-being. You should note that question 2 asks for you to state the **conditions** and **impairments** affecting the applicant and the **restrictions arising from the medical conditions and impairments**. For example, a medical condition listed under question 2 may include "chronic back pain" and an impairment arising from the medical condition under question 2 may include "inability to sit for more than 20 minutes without pain". A resulting restriction may include "unable to perform sedentary work".
2. Even if the applicant's disability is primarily physical, we suggest that you complete Question 8 - The Intellectual and Emotional Wellness Scale. This will give the Disability Adjudication Unit a more complete picture of the effect of the applicant's condition on his or her well being. **Completing the Intellectual and Emotional Wellness Scale is critical where the applicant has a mental health condition, learning disability or developmental disability.**

➤ **ACTIVITIES OF DAILY LIVING INDEX (Pages 11-14)**

The ADLI is intended to gather information about all **restrictions** arising from the applicant's medical conditions and impairments on the ability to perform daily living activities. At page 11 of the ADL, we suggest that all of the applicant's medical conditions be listed. At page 12, the impact of the applicant's medical condition is evaluated using a rating scale from Class 1 (within normal limits) to Class 4 (severe or complete limitations). Using the example above, if an applicant's medical condition of chronic back pain has a severe impact on his or her lifestyle because of pain limitations, it would be appropriate to indicate a rating of "4" under question 23 concerning "Able to sit for a sustained period".

DATE FOR COMPLETION

Under the ODSPA, an applicant must return the Disability Determination Package, including the HSR and the ADL, **within 90 days of the day on which he or she received it**. Failure to return the Disability Determination Package within 90 days may result in the termination of the applicant's application file with the Disability Adjudication Unit.

You must address a number of items in completing the enclosed forms but the granting of an ODSP allowance would provide an applicant with a measure of long term financial security. The likelihood that the applicant will be granted ODSP increases as more detail is included in the Disability Determination Package. Thank you for your time and consideration in helping this applicant apply for Ontario Disability Support Program benefits.

FURTHER RESOURCES FOR HEALTH PROFESSIONALS AND APPLICANTS

The Grey-Bruce Community Legal Clinic provides legal services related to ODSP matters free of charge for low-income residents of Grey and Bruce. We are happy to answer any questions that a health professional might have while completing an ODSP application on behalf of a patient. If your patient is denied on their ODSP application, we can assist with appealing that decision.

For further information, please contact:

**Grey-Bruce Community Legal Clinic
(519) 370-2200**