



# RNAO

Registered Nurses' Association of Ontario  
L'Association des infirmières et infirmiers  
autorisés de l'Ontario

Hon. Helena Jaczek  
Minister of Community and Social Services  
6<sup>th</sup> Floor, Hepburn Block  
80 Grosvenor Street  
Toronto, ON M7A 1E9

September 16, 2015

## **RE: Timely Action on the ODSP Medical Review Process**

Dear Minister Jaczek,

On behalf of the Registered Nurses' Association of Ontario (RNAO), I would like to commend you and your ministry for revising an aggressive timeline on medical reviews for the Ontario Disability Support Program (ODSP). Although we were heartened to read in the media of your ministry's pledge to "get the process right,"<sup>1</sup> we remain worried about both the short-term and long-term issues related to the medical review process.

Registered nurses, nurse practitioners, and nursing students,<sup>2</sup> physicians and health sector colleagues,<sup>3 4</sup> people with lived experience, and the community legal sector<sup>5 6</sup> remain profoundly concerned about the 600 people per month who are undergoing the medical review process. While relieved that the medical reviews did not escalate to 1,900 per month as proposed, the 600 medical reviews per month remain a danger to some of Ontario's most vulnerable residents. The 21-page medical review process is the identical, arduous process used in the original ODSP application process. For many who have transient lives due to homelessness, severe mental illness or addictions, the review application may go astray or they may have difficulty accessing a primary care provider to obtain the needed documentation. Instead of just assessing the situation of people on ODSP benefits, the current system of medical reviews "seems most likely to kick off those who are most unwell and unable to navigate the system."<sup>7</sup> The impact of these monthly reviews is not only hazardous for those immediately affected, it also puts an additional strain on precious health care and community legal service resources that are already overburdened. This unnecessarily perpetuates wait-times and creates inefficiencies in both systems.

The long-term issue has been described by the Income Security Advocacy Centre (ISAC) as thousands of people who should be receiving ODSP supports whose "health, housing and overall well-being are being jeopardized because of a process seemingly designed to ensure failure."<sup>8</sup> Because the ODSP application process is so complicated and initial rejection rates are so high, more than half of the community legal clinic cases now involve ODSP appeals. ISAC also reports that half of the appeals heard before the Social Benefits Tribunal are approved.<sup>9</sup> The "extremely cumbersome" application process, especially for people with intellectual or mental disabilities, was flagged by Deb Matthews over a decade ago.<sup>10</sup> The result of this flawed process, then and now, is that some people who qualify for ODSP never access the program and a "significant number" of Ontario Works clients "should, in fact, be ODSP clients."<sup>11</sup> The Ministry website describes ODSP as "a program of last resort."<sup>12</sup> With the rise in precarious employment and corresponding erosion of employer-triggered disability income programs,<sup>13</sup> it is all the more critical that we get ODSP right to protect the health and well-being of Ontarians with disabilities.

In the short term, RNAO recommends that the ministry cease its review of the eligibility of 600 ODSP recipients per month. Instead, the ministry should work with front-line clinicians experienced with working with marginalized people, community members with lived experience of the ODSP system, and social and health policy experts to revise the original application and any subsequent review process. This would improve health outcomes, effectiveness, fairness, and accountability for those needing ODSP support with cascading benefits for the health, social service, and community legal sectors. In the longer term, RNAO looks forward to a transformed social assistance system with fair, transparent, and evidence-informed processes that enable all Ontarians to live in health and dignity.

We look forward to your response on this critical issue.

Warm regards,



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Chief Executive Officer, RNAO

copy: Mary Marrone, Director of Advocacy & Legal Services, Income Security Advocacy Centre

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<sup>1</sup> Monsebraaten, L. (2015). Ontario rethinks complex disability reviews. *Toronto Star*, May 17, 2015.

<http://www.thestar.com/news/canada/2015/05/16/ontario-to-rethink-disability-welfare-reviews.html>

<sup>2</sup> Grinspun, D. (2015). Letter: Ontario rethinks complex disability reviews. *Toronto Star*, May 29, 2015.

[http://www.thestar.com/opinion/letters\\_to\\_the\\_editors/2015/05/29/simplify-odsp-process.html](http://www.thestar.com/opinion/letters_to_the_editors/2015/05/29/simplify-odsp-process.html)

<sup>3</sup> Goel, R. (2015). Holding on to disability benefits an unfair struggle. *Toronto Star*, May 28, 2015.

<http://www.thestar.com/opinion/commentary/2015/05/28/holding-on-to-disability-benefits-an-unfair-struggle.html>

<sup>4</sup> Canadian Mental Health Association, Ontario (2015). Change coming to ODSP medical reviews. May 21, 2015.

<http://ontario.cmha.ca/news/change-coming-to-odsp-medical-reviews/>

<sup>5</sup> Income Security Advocacy Centre (2015). *ODSP Medical Reviews: What to do if you get a review letter*. Toronto: Author, April 2015. [http://www.incomesecurity.org/medical\\_reviews\\_odsp.htm](http://www.incomesecurity.org/medical_reviews_odsp.htm)

<sup>6</sup> Tadesse, Y. (2015). Clinics bogged down by disability support applications. *Law Times*, April 6, 2015.

<http://www.lawtimesnews.com/201504064592/headline-news/tribunals>

<sup>7</sup> Goel.

<sup>8</sup> Income Security Advocacy Centre (2003). *Denial by Design: The Ontario Disability Support Program*. Toronto: Author, 1.

<http://www.incomesecurity.org/documents/DenialByDesignfinal.pdf>

<sup>9</sup> Monsebraaten.

<sup>10</sup> Matthews, D. (2004). *Review of Employment Assistance Programs in Ontario Works and Ontario Disability Support Program: Report to the Honourable Sandra Pupatello, Minister of Community and Social Services*. Toronto: Author, 10.

[http://www.mcscs.gov.on.ca/documents/en/mcscs/social/publications/EmploymentAssistanceProgram\\_Matthews\\_eng1.pdf](http://www.mcscs.gov.on.ca/documents/en/mcscs/social/publications/EmploymentAssistanceProgram_Matthews_eng1.pdf)

<sup>11</sup> Matthews, 10.

<sup>12</sup> Ministry of Community and Social Services (2012). ODSP: Information Sheet. Toronto: Author.

[http://www.mcscs.gov.on.ca/en/mcscs/programs/social/odsp/info\\_sheets/what\\_odsp.aspx](http://www.mcscs.gov.on.ca/en/mcscs/programs/social/odsp/info_sheets/what_odsp.aspx)

<sup>13</sup> Stapleton, J. (2013). *The "Welfareization" of Disability Incomes in Ontario*. Toronto: Metcalf Foundation.

<http://metcalfoundation.com/wp-content/uploads/2013/12/Welfareization-of-Disability-Incomes-in-Ontario.pdf>