



How To Fill Out An Application for Canada Pension Plan Disability Benefits



Volunteer Legal Advocacy Program



Multiple Sclerosis Society of Canada

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The Multiple Sclerosis Society thanks The Law Foundation of British Columbia, Disability Alliance BC, Community Legal Assistance Society, Ron Jones and Ron Briggs for their support in the initial development of this booklet for the Multiple Sclerosis Society of Canada – British Columbia Division.

Revised March 2017

The Multiple Sclerosis Society of Canada is an independent, voluntary health agency and does not approve, endorse or recommend specific products, services or therapies but provides information to assist individuals in making their own decisions.

NOTE:

The content areas in this material are believed to be current as of publication, however over time, legislative and regulatory changes, as well as new developments may date the information contained within the publication. The booklet is intended to provide general information and it is not meant to substitute for or supersede, professional medical or legal advice.



Overview

Adjusting to a diagnosis of a chronic illness like multiple sclerosis is a process that requires information, support and courage. The Multiple Sclerosis (MS) Society of Canada can be part of your support network by providing current resources, practical support and help with your everyday challenges.

Whether you are looking for information to help you adjust to a new diagnosis of MS or you have lived with MS for some time, you know there will always be more adjustments to be made along your journey. Navigating the many government, community and healthcare systems can be overwhelming for someone living with a disability. The MS Society would like to help you with informed decisions that make sense for you, your family and your lifestyle. We hope this publication will provide you with the information you need to move forward with confidence as you navigate through the Canada Pension Plan Disability benefit program.

CANADA PENSION PLAN DISABILITY (CPP-D) BENEFITS

The focus of this publication is to provide you and your support network with relevant and up-to-date information to help you make informed decisions when applying for the Canada Pension Plan Disability benefit program through the Government of Canada.

This publication helps people with MS and their support networks in four ways:

- ❶ Provides information on Canada Pension Plan Disability (CPP-D) benefits
- ❷ Helps you to complete an application for benefits that is likely to succeed
- ❸ Helps you understand the appeal processes to use if you are denied benefits at any stage of the application process

- ❹ Connects you to the MS Society of Canada for support and information about local community advocacy and legal support networks

The MS Society of Canada also has additional information and supports that may help you advocate for yourself in order to live well with multiple sclerosis. MS Navigators at the MS Society can walk you through the CPP-D process and refer you to additional supports. To connect with an MS Navigator please call or email:

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This and other publications are available at <https://mssociety.ca/resources/library> or by requesting a copy from the MS Society of Canada.



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CHAPTER 1

What is Canada Pension
Plan Disability (CPP-D)?

SERVICE CANADA

While Employment and Social Development Canada (ESDC) administers the benefits, all questions and/or applications are directed to Service Canada.

Toll-free: 1.800.277.9914

TTY: 1.800.255.4786

Website: www.Canada.ca

The hours of operation are 8:30 a.m. to 4:30 p.m. EST, Monday to Friday.

Once you call, follow the prompts to access information on CPP-D.
Press 0 to speak with an agent for more questions.

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**Have your social insurance number (SIN)
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CANADA PENSION PLAN

Canada Pension Plan (CPP) is a federal benefit system administered by Employment and Social Development Canada (ESDC). CPP is linked to employment income contributions. It consists of several different benefits that may be available to Canadian residents, based on their contributions and their situation including:

- Retirement pension (CPP)
- Survivor benefits
- Disability benefits (CPP-D)

CANADA PENSION PLAN DISABILITY (CPP-D) BENEFITS

CPP-D is a monthly income benefit for people between the ages of 18 and 65 who have made adequate contributions to the plan and have a severe and prolonged disability as defined by the CPP-D legislation.

While the ESDC administers CPP-D, your primary point of contact will always be Service Canada.

Key Facts:

- 1 CPP-D is not income or asset-based. It is based on the amount of contributions made to CPP over a person's working life.
- 2 Eligibility does not depend on whether you live alone or with someone.

- 3 CPP-D is portable across Canada. It is not affected by moving from one province to another.
- 4 Quebec residents who have contributed to the Quebec Pension Plan (QPP) can apply for disability benefits through QPP. If you have contributed to both CPP and QPP, this will be taken into account when determining your entitlement to benefits. You do not need to apply to both disability benefit programs.
- 5 It may be possible for you to do volunteer work, go back to school to upgrade/complete a degree, or take a retraining program. Prior to beginning any such activities, it is highly recommended that you discuss vocational rehabilitation options with Service Canada.

1 | What is Canada Pension Plan Disability (CPP-D)?

Key Facts cont'd:

- ⑥ CPP-D does not provide funding for special medical services or equipment.
- ⑦ CPP-D is taxable.
- ⑧ Receiving CPP-D does not mean that you automatically qualify for the Disability Tax Credit (DTC).
- ⑨ CPP-D benefits can be deducted by other sources, such as a private insurer, Long Term Disability insurers, or a provincial income assistance program (if payment is for the same disability). You may still be eligible to receive the CPP-D benefit, however these other sources may adjust their payments to you.

Contact your insurance company or other income assistance program for details relating to your situation.

- ⑩ CPP-D benefits, including the child's benefit, are indexed, meaning that the benefit amount is raised each year in January according to increases in the cost of living. Each qualifying person will receive a different amount of income up to the maximum available. You will receive the basic monthly amount fixed for all, plus an amount based on how much you contributed to the CPP during your entire working career.

You can find out how much you would qualify for, as well as the current maximum benefit amount, by contacting Service Canada and asking for your CPP Statement of Contributions where it will indicate maximum benefit amount.

- ⑪ After approval of your application, you can still earn up to a limited amount that is indexed annually without losing your CPP-D benefits.

You can find this amount by contacting Service Canada.



CHAPTER 2
Eligibility Criteria

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This chapter explains criteria that is used to determine your eligibility for Canada Pension Plan Disability. Use Chapter Two to help understand how conditions may be applied in your situation.

TO BE ELIGIBLE FOR CANADA PENSION PLAN DISABILITY (CPP-D) YOU MUST:

- ❶ Be over 18 and under 65
- ❷ Have stopped working because of your medical condition
- ❸ Have made sufficient contributions
- ❹ Meet CPP's definition of having a disability

CONTRIBUTIONS

There is a minimum qualifying period for CPP-D. The **date** that your disability prevented you from working is very important. Although there are some exceptions, according to CPP-D legislation:

- if you became disabled after **January 1, 1998**, you must have made contributions to CPP in 4 out of 6 years before you became disabled.
- if you worked for 25 or more years before you became disabled, you must have made contributions to CPP in 3 out of the last 6 years.

During these contributory periods, you must have earned at least 10% of each year's Yearly Maximum Pensionable Earnings (YMPE). This amount changes every year. The YMPE used in determining your eligibility is the one in effect during the year you apply for benefits.

The current year's Yearly Maximum Pensionable Earning rates can be found by calling Service Canada or visiting Canada.ca and typing 'YMPE' into the search box.

2 | Eligibility Criteria

EXCEPTIONS

If you did not contribute to CPP for enough years, or did not apply within the contribution time frame there are certain exceptions that may help you qualify for CPP-D:

Child rearing provision: You made little or no contributions to CPP because of being a full-time caregiver to children under the age of 7 during the qualifying period.

Separated or divorced: The CPP contributions you and your spouse or common-law partner made during the time you lived together may be equally divided after a divorce or a separation. This is called credit-splitting.

Working in another country: You may be able to use credits you contributed to a National Pension Plan in another country if that country has an agreement with Canada.

Late application: If you are applying for CPP-D disability but stopped working so long ago that you are now too late to apply but you do meet all the other conditions of eligibility, you may still be eligible for a benefit. This is called the **Late Applicant Provision**. You may be eligible if:

- you had enough years of CPP contributions when you first became severely disabled
- you have been continuously disabled (as defined by CPP legislation) from that date up to the present time.

Physically or mentally unable to apply: If you were physically or mentally incapable of forming or expressing the intent to make an application for CPP-D, and you were also incapable of asking someone else to apply on your behalf, you should request the **incapacity provision**. You must apply **within a year** after you regained your capacity.

Unfortunately, if you have not made enough contributions, it does not matter how disabled you are; you will not be eligible for CPP-D.

2 | Eligibility Criteria

DEFINITION OF DISABILITY

Employment and Social Development Canada (ESDC) looks at the following factors when determining eligibility:

- You must have a **severe** disability, meaning that you are so incapacitated that you cannot work full-time, part-time, or seasonally to support yourself. According to the legislation, a disability is severe if it results in the person being **“incapable of regularly of pursuing any substantially gainful occupation”** (Section 42 [2] [a] [i]).

Determining what is considered “substantially gainful” involves looking at a number of factors:

- the nature and severity of your medical condition
- the impact of the medical condition and treatment on your capacity to work
- the prognosis
- personal characteristics such as age, education and work history
- your work performance, productivity and how much you are earning.

- You must have a **prolonged** disability, meaning that your disability is expected to continue indefinitely. According to the legislation, a disability is prolonged if it is **“likely to be long continued and of indefinite duration or is likely to result in death”** (Section 42 [2] [a] [ii]).

“Prolonged” at the time of application does not refer to past duration of the disability, although that may help show it is prolonged. The question is whether the disability is likely to be continued for a prolonged time into the **future**.

Explanations of Terms

The following section provides explanations of terms used when assessing eligibility:

- A. Medical condition
- B. “Incapable”
- C. “Regularly”
- D. “Pursuing” and “Any” Occupation
- E. “Long Continued” and “Indefinite Duration”

2 | Eligibility Criteria

A. MEDICAL CONDITION

Your medical condition is the prime factor in determining severity. The medical diagnosis of MS does not necessarily equal a severe and prolonged disability. The level of disability that you experience is determined by the nature of symptoms and their impact on your everyday functioning.

At first glance, some disabilities may not seem severe according to the legislation, while others will. Analysis of your medical condition will be required. Medical experts do the initial “medical adjudication” when your application is received.

In order for the experts to be able to assess your level of disability, they will need detailed information about how symptoms or impairments impact your functioning and your ability to perform day-to-day activities, especially as they relate to work.

Factors that may be taken into account are described next.

What is the nature of the medical condition?

This is assessed by medical adjudicators (health care professionals) with extensive knowledge of complex medical issues as well as CPP-D legislation. The adjudicators use the information provided by you and your doctors. Having complete and accurate information is essential.

What are the functional limitations of the condition?

Such limitations must impact your ability to work to a severe degree – not mildly or moderately. However, you don’t need to be bedridden or completely confined to your home. Symptoms, such as extreme fatigue or spasticity, if properly explained, can show inability to work.

What is the impact of treatment?

Ongoing medication or treatments may affect your long-term ability to work and if so, you must be sure to describe how.

What do the medical statements suggest?

A medical statement of “severe” disability will be examined to determine if it fits the CPP-D definition. If your doctor states your condition is severe, the evidence presented must support this.

2 | Eligibility Criteria

Are there multiple medical conditions?

A symptom or impairment may not be considered severe on its own but a combination of mental or physical limitations may be. Therefore, it is important to describe all medical conditions/symptoms in your application.

Will personal characteristics be considered?

Any personal characteristics that show incapacity to work now and in the future are considered, although medical condition is the most important factor. For example, your age and education will be considered in whether or not you are suitable for other employment. Each application is decided individually.

B. “INCAPABLE”

In determining whether you are “incapable” of working, many factors will be considered. These can include past and current work history, any reduction in hours due to your condition or sick leave, and medical history including assessments of your functional abilities.

What is the effect on eligibility if I am currently working?

If you are working full-time, your claim will be denied as you do not require disability benefits. Part-time work may also indicate that you do not require benefits. If your disability has reduced the amount of time you can work and if your earnings are below the earnings of a substantially gainful occupation, you may be able to demonstrate a need for CPP-D. However, any type of employment is often interpreted to mean that you do not need disability benefits.

If I am not working, what effect does that have?

To have the greatest chance of receiving benefits, you should not be working when you apply. However, the fact that you do not work does not make you automatically eligible. The issue is whether or not your medical condition indicates inability to ever be able to work again and if evidence can support this.

Will my volunteering affect eligibility?

Volunteering does not automatically indicate capacity to work but it might. Medical condition and medical evidence will still be looked at. Factors that will be considered will be the nature of your volunteer engagement and the amount of volunteering you do.

2 | Eligibility Criteria

If I am self-employed, what effect will this have?

Your capacity to work is assessed with an even greater reliance placed on medical evidence. They will also look at the impact of the disability on the business, previous job duties compared with current job duties, whether others aid in your efforts, and income tax and business statements (to assess earnings).

If I am receiving Employment Insurance (EI), will this affect my eligibility?

Employment Insurance (EI) benefits include temporary benefits in a range of situations including regular benefits (if you have lost your job), sickness benefits, maternity/paternity benefits, compassionate care benefits, and more. If you are receiving regular EI, you are believed to have the capacity to work, therefore a CPP-D application may be refused. However, receiving EI sickness benefits indicates that you are currently not able to work due to illness or disability. If you are receiving EI sickness benefits and you meet the criteria outlined in this chapter, you may want to apply for Canada Pension Plan Disability (CPP-D) benefits.

What if I am receiving other insurance benefits or compensation?

Whether you are receiving other benefits is not a factor in determining eligibility for CPP-D, or in determining the amount given, if qualified. Many benefit and insurance providers will reduce their benefits by the amount of CPP-D you receive. This is called deducting of benefits. See chapter 3 for more information.

What if I am going to school or pursuing retraining?

Acquiring new skills and education does not automatically make you capable of working. However, it will indicate capacity to work in the future, thus less likely to make your disability prolonged. You will still want to apply while you are going to school, as there is no guarantee that you will be able to work when you have completed the schooling or retraining.

What if the job market is bad and I cannot find work that is suitable for my abilities?

If the only reason you are not working is because the job market is poor, you will not qualify. In this case, you are able to work but have just been unable to find a job.

2 | Eligibility Criteria

C. “REGULARLY”

You must be able to show that the limitations associated with your disability are persistent and regular for you and you do not have the capacity to pursue any substantially gainful occupation. In the case of MS, your symptoms may not be regular because of the episodic nature of the disease however they may be regularly unpredictable which makes it difficult or impossible to work.

What if I work only a few hours a week or only once in a while?

If your condition prevents you from working more than this, that will be considered, along with your past work history. If you have only ever worked a few hours a week or you worked periodically, then this may show your disability is not causing reduced work and the disability is not severe, in which case you will not qualify.

D. “PURSUING” AND “ANY” OCCUPATION

CPP-D requires incapacity to engage in the employment rather than the incapacity to find or obtain work. You are also assessed based on your ability to do any occupation that you may have the skills to do or are able to acquire the skills or training to perform, with consideration to other barriers to employment that you face.

If I am looking for work, will that disqualify me from eligibility?

While the fact that you are looking for (“**pursuing**”) work does not automatically mean you are capable of actually working, it may suggest that you do not think you need disability benefits and you may be denied. A detailed explanation would be required.

“**Any**” substantially gainful employment is not limited to employment similar to what you previously had. According to CPP-D legislation, “any” employment refers to employment that you might reasonably be expected to do.

Will CPP-D look at whether I can do a different job than my current one and consider my skill level for other jobs?

CPP-D will first evaluate your ability to work in general, not only limited to your current job. Next, they will look at your general skills and the suitability for retraining.

2 | Eligibility Criteria

Examples of potential scenarios:

- You may have broad skills that would allow you to do a range of jobs, even some that you never did before, but nevertheless be unable to work regularly because of your disability. For example, your fatigue is so severe that you can only tolerate working for two hours per day. In this case you would likely qualify for CPP-D.
- You may not be able to do your job because of its unique demands but can still do other work. For example, you are no longer able to perform your current work due to its physical demands (heavy lifting or walking/standing all day) but you could be gainfully employed in a more sedentary position (primarily sitting).

In this instance there will be a consideration of factors such as your education, skills, and ability to be retrained. This will determine if you will qualify for CPP-D or not (see next question for details on retraining).

It is important that you provide clear information as to what you can and cannot do in the workplace, how long you can work and whether you have the ability to be retrained. For example, you may be able to tolerate sedentary work but you don't have any office skills such as computer knowledge, and have significant difficulties remembering new information. This may limit your ability to be retrained.

Will my ability to be retrained be considered?

Yes. If you would be capable of working regularly with retraining, and retraining is a practical option, then you will likely not qualify for CPP-D. If retraining can be obtained in the long-term, you may be granted the benefit and then be offered vocational rehabilitation, if appropriate.

Factors considered with respect to retraining include:

- Your age: being in the most active years of your working career
- Your level of education and other skills
- Availability of retraining options of short duration for your level of education and other skills

Will CPP-D consider barriers unrelated to my disability in assessing my ability to do any occupation?

Yes, language barriers and lack of adequate basic education will be considered. The lack of suitable jobs where you live will probably not be considered in granting you CPP-D.

2 | Eligibility Criteria

At what level of earnings will I be deemed ineligible for CPP-D?

As a guideline to determine eligibility, CPP-D uses a set earnings level which is based on a formula that changes every year. At first glance, receiving earnings, wages, and income will usually indicate that you have the capacity to work and your claim will be denied.

However, they will still consider your reduced workload due to your disability, whether you are viewed as working to your full capacity, and your ability to work at a different job. It may be possible to show that the earnings are not sufficient and disability benefits will be required.

What if I have income but it is not from actual work on my part?

It is rare that you will have income and not be considered productive. Strong evidence would have to show that the earnings or profit is not a sign of capacity (e.g. the earnings are attributed to the person with a disability only for tax purposes.)

What if I am employed but have so many difficulties that I cannot carry out my job duties?

Your current job performance will be considered if it is affected by your disability. Some individuals can continue to be employed because of a generous employer, for example, but they are really unable to work. Your difficulties doing your job must be long-term and related to your disability. Statements from your employer outlining the change in your performance and any accommodations that have been attempted would be helpful.

2 | Eligibility Criteria

E. “LONG CONTINUED” AND “INDEFINITE DURATION”

The disability must be seen as likely to continue into the future and likely be of “indefinite duration”.

In order for a disability to be deemed of “indefinite duration”, a date for potentially regaining the capacity to work **cannot** be accurately predicted. If a date of regained capacity **can** be identified, even if it is greater than one year, you will not be eligible for the benefit.

I will regain my capacity to work within one year of the date of application. Will this affect my eligibility?

Your disability will likely not be considered “long continued”, thus not prolonged. Therefore, even if it is considered severe, you will still be denied.

If it is believed I will be able to return to work in the future, will this affect my eligibility?

If it is thought that you will be able to work by a certain date, you will not be considered to have a disability of indefinite duration. Therefore, you do not meet the prolonged component of disability. However, your ability to return to work is often not a certainty. Where return to work is not certain, you are encouraged to still apply, as there is a possibility you will not regain capacity. If you do regain capacity, your benefits may be discontinued.

Likelihood of Death

Where the evidence shows that the medical condition is likely to result in death, then the criteria of prolonged is met. The date at which death is likely to occur is not a factor.



CHAPTER 3
Receiving CPP-D Benefits

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This chapter explains the potential benefits that you may be eligible to receive and their related requirements. Use Chapter 3 to understand these possibilities and the requirements for you to continue to receive benefits once approved.

DURATION OF CPP-D BENEFITS

CPP-D is not a lifelong benefit. Benefits will be discontinued when:

- ❶ The recipient reaches age 65 and CPP-D will automatically be converted to a regular retirement pension.
- ❷ The recipient is no longer considered to have a prolonged and severe disability as a result of a significant improvement in level of disability.
- ❸ Employment and Social Development Canada (ESDC) cancels the benefit as a result of non-compliance with CPP-D legislation such as:
 - Not reporting earnings above the allowed limit
 - Refusing to provide updated medical information
 - Not reporting a change or improvement in circumstances

When you apply for CPP-D, you agree to continue providing information about your medical situation and your ability or inability to work.

ESDC can:

- Find out if you have been working by checking with insurance companies, employers, and Revenue Canada.
- Make you pay back benefits you received when they think you should not have been receiving them.

Any decision by ESDC can be appealed. Please refer to Chapter 5 for information about appeal processes.

3 | Receiving CPP-D Benefits

DEDUCTING OF BENEFITS

Most private insurance carriers that offer long-term disability benefits and other benefits will reduce their benefits as soon as you begin receiving CPP-D. This is called **deducting of benefits** (sometimes known as offsetting of benefits).

In the case of retroactive CPP-D benefits (payments for time when you were eligible but were not receiving benefits), you will have to repay your other benefit provider, as you are essentially being paid twice for the same period (once by CPP-D and again by the other benefit provider).

You can make arrangements for CPP-D to pay the money directly to the other benefit provider by giving written consent. CPP-D can only do this from your first retroactive payment and your first monthly payment. You should not cash your cheque right away if you have not had the repayment amount automatically deducted by CPP-D.

Although you may need the money, you need to repay the other benefit provider first.

CHILD'S BENEFIT

Dependent children may receive benefits if you qualify for CPP-D. The child benefit can be back paid up to twelve months. If at any time you, as the applicant, are no longer eligible to receive benefits, your children are also no longer eligible.

Dependent children are:

- Under 18 years or between 18 and 25 and attending school full-time
- Your natural or adopted children
- In your custody and control

Children under 18

For all children under 18, attach their birth certificates and proof of their relationship to you along with the application. The form **Application for Benefits for Under Age 18 Children of a Disabled Contributor** must also accompany the application. In a case where the child is in the care of someone other than yourself, this individual/agency will receive the benefit for the child. In the event of joint custody of a child, contact Service Canada.

3 | Receiving CPP-D Benefits

Children between 18 and 25

When children turn 18, they are not considered dependent and must be attending school in order to continue receiving benefits. Benefits are paid directly to the child. Children between 18 and 25 who are attending a recognized educational institution must fill out two forms:

- 1 Application for a Canada Pension Plan Child's Benefit
- 2 Declaration of Attendance at School or University

- Both forms must be signed by a school official every year or semester.
- If the child ceases to be a full-time student, they no longer qualify for benefits. If they resume student life, they must reapply for benefits.

Children over 25

If the child is over 25, they are not considered dependent whether or not they are attending school full-time.

OTHER BENEFITS

Any person receiving CPP-D **may be eligible** for other government benefits. These benefits are separate from CPP-D and require individual applications. There will be some differences between provincial and territorial benefits depending on where you live.

Check the Canada Benefits Finder for a customized search of possible benefits:
www.canadabenefits.gc.ca

Examples of other benefits include:

- Accessible and affordable housing
- Property tax deferment
- Home owner grants
- Disability Tax Credit
- Handicapped driver discount
- Federal gasoline tax refund
- Provincial motor vehicle fuel tax rebate
- Parking permits
- Transportation assistance

3 | Receiving CPP-D Benefits

CPP-D AND EMPLOYMENT

Earning Exemption

Once you are deemed eligible for CPP-D you are able to earn up to a maximum amount before tax within a calendar year without it affecting your CPP-D benefit. You do not need to declare this money until you have earned over this amount at which time you are required to report it so you can discuss the regularity of your work and the possibility of your return to gainful employment.

The earning exemption amount is updated annually so check with Service Canada for current amounts.

CAUTION: Many Long-Term Disability (LTD) Insurance plans will not allow you to work in any capacity. If you are receiving combined LTD & CPP-D benefits, and are considering going back to work, it is very important that you check the terms of your LTD plan carefully.

RETURN TO WORK

If you are able to return to work, you have several options:

A. Trial Return to Work

ESDC will give you three months to explore if you are medically capable of regular employment while continuing to provide your CPP-D benefit. If at the end of three months you are coping with the demands of the job, your CPP-D benefit will stop.

It will be important to communicate with ESDC regularly during the work trial to inform them of your actual ability to work. You may be able to continue receiving CPP-D if you are only able to work occasionally or very limited hours because of your disability, even if your income is somewhat higher than the current earning exemption.

It is important that you make the necessary contributions to CPP once you return to work. Most employers do this automatically, however, if you are self-employed, you must file payments manually.

3 | Receiving CPP-D Benefits

B. Vocational Rehabilitation

This is a voluntary program meant to assist people in returning to work at some point.

Eligibility criteria include:

- Receiving CPP-D
- Medical stability
- Motivation and willingness to participate
- Ability to cope with a work-related rehabilitation program according to a doctor
- Permanent Residency status in Canada

These are the stated regulations. Prior to agreeing to vocational rehabilitation, you need to evaluate and consider:

- Your ability to work regularly to ensure sufficient income
- The impact that regular employment may have on your symptoms and overall functioning

Rehabilitation services may include guidance, a return to work plan, or assistance in retraining. ESDC may assist in finding new employment and may cover the costs. Retraining may be for a different field of work than you had before.

While receiving vocational rehabilitation services, you will continue to receive CPP-D. After retraining, the rehabilitation worker will assist you for three months with finding work, (which may be extended in exceptional circumstances), during which time you will continue to receive benefits.

Retraining may not result in finding new work. If you are capable of working, but you have not found work, your benefits will probably stop after three months because the reason you are not working is due to labour market conditions, not your inability to work. If you do find a job, you will receive benefits for the first three months of your new job.

You may volunteer and receive training without being a part of the vocational rehabilitation program and without having to notify ESDC.

3 | Receiving CPP-D Benefits

C. Automatic Reinstatement & Fast-Track Reapplication

Automatic Reinstatement

If, within two years of the date your benefit stopped, you cannot continue working because your disability has recurred, you can ask to have your benefits reinstated without having to go through the usual reapplication process.

There may be times when you can work on a regular basis, followed by periods when you cannot work because of your disability. With automatic reinstatement, there is no limit to how many times you can request a reinstatement of benefits, provided you meet the requirements.

Fast-Track Reapplication

If your disability recurs after you've been working and contributing to CPP for more than two years and up to five years, you may be eligible for a fast-track reapplication. That means when you reapply there is a shorter application process and if you re-qualify, you will receive a retroactive payment reinstating your benefits within 90 days.

Even if you are fast-tracked, you will not automatically become eligible for benefits. You must still meet the definition of disability and have made the appropriate contributions. The years you were receiving benefits are left out of the calculation of contributions.



CHAPTER 4
CPP-D Application
Package and Process

SERVICE CANADA

While Employment and Social Development Canada (ESDC) administers the benefits, all questions and/or applications are directed to Service Canada.

Toll-free: 1.800.277.9914

TTY: 1.800.255.4786

Website: www.Canada.ca

The hours of operation are 8:30 a.m. to 4:30 p.m. EST, Monday to Friday.

Once you call, follow the prompts to access information on CPP-D.
Press 0 to speak with an agent for more questions.

To contact Service Canada by mail, you can call the number above, visit **www.Canada.ca** and type 'returning Service Canada forms' into the search box or click **here**.

To contact Service Canada in person, you can call the number above, visit **www.Canada.ca** and type 'find a Service Canada office' into the search box, or click **here**.

**Have your social insurance number (SIN)
handy when you contact Service Canada.**

MULTIPLE SCLEROSIS SOCIETY OF CANADA

MS Society Navigators can help answer questions about MS, direct you to supports within the organization and help connect you with additional resources as you go through the CPP-D application process.

Toll-free: 1.844.859.6789

Email: msnavigators@mssociety.ca

Website: www.mssociety.ca

This chapter provides information on the Canada Pension Plan Disability application and steps to assist in the completion of the forms. Use Chapter Four to understand how preparation can help you with your application and learn some of the important questions and areas of focus that will need attention.

STAGES OF APPLICATION

SECTION 1: Preparing for your CPP-D Application

SECTION 2: The CPP-D Application

SECTION 3: Submitting the CPP-D Application and Beyond

SECTION 1: PREPARING FOR YOUR CPP-D APPLICATION

To begin the process there are two things that you need to obtain from Service Canada. These are the CPP-D application package and your CPP Statement of Contributions.

How to obtain the CPP-D Application Package

The complete package can be obtained online, by phone, or in person as described in the following paragraphs.

Online: The CPP-D application and all additional components for the application can be found at www.Canada.ca. Type 'CPP-D Application' in the search box.

These documents can be filled out online but cannot be saved and will require printing.

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By phone: Call Service Canada at 1-800-277-9914

In-Person: An application may be obtained by visiting a Service Canada location in your community. Visit www.Canada.ca and type 'find a Service Canada office' in the search box to find an office convenient for you.

Suggestion: Request two packages – one for a draft and one for submission.

CPP Statement of Contributions

The Statement of Contributions to the Canada Pension Plan is your record of pensionable earnings and contributions to the Plan. This record provides your total contributions for each year of employment and the earnings on which the contributions are based. It also provides an estimate of what your pension or benefit would be if you and/or your family member were to receive it now.

To obtain a copy of the Statement of Contributions: You can request your Statement of Contributions when requesting your CPP-D application package.

If you choose to obtain your statement online, visit www.Canada.ca and enter 'Statement of Contributions' into the search box.

Remember to check the accuracy of your statement.

4 | CPP-D Application Package and Process

SECTION 2: THE CPP-D APPLICATION

The Canada Pension Plan Disability application involves several forms to complete and requirements to meet. The package includes:

General Information
and Guide

Information on completing the application
and required documents

Application for
Disability Benefits

Basic government information form

Questionnaire for
Disability Benefits

Best opportunity for applicant to describe the nature,
extent, and impact of the disability

Consent to Disclose
Information

CPP-D will request your medical files to assess your
claim. This form gives them permission to do so.

Medical Report

Doctor provides details about your medical condition(s),
history, prognosis and treatment

Child Rearing
Provision Form

Information on children and child rearing activities that
may affect benefit amount

It is recommended that everyone receive support to work through the CPP-D process. Call the MS Society or an advocate in your community for more information.

4 | CPP-D Application Package and Process

GENERAL INFORMATION AND GUIDE

You should apply for CPP-D by completing all components of the application package as soon as you are unable to work because of your disability.

You are responsible for providing clear and accurate information including basic personal information such as your date of birth, address, and social insurance number (SIN) as well as your spouse or common-law partner and children as required.

Your application package along with the medical report and documentation will form the basis of the decision and outcome of your application. All information received as part of your CPP-D application will be reviewed. It is important that the information provided by yourself and your doctor is consistent and accurate and that it reflects the severity and prolonged nature of your disability in order to meet the criteria of the CPP-D program.

Before starting an application for CPP-D benefits it is helpful to ensure you have all the required information necessary to complete the application.

Review the application components to ensure that you have all the important information that you or the person assisting you will need to complete the application. Be sure to get started as soon as possible as it may take a significant amount of time to collect this information.

Personal Impact Statement (optional)

You may choose to prepare a personal impact statement that provides detailed information on your symptoms and the impact of MS on quality of life for yourself and your family. Describe what a day in your life looks like. Consider how much time and effort it takes to complete activities and tasks that you would routinely do. It is your story and no one else's. Preparing this statement before you complete the forms will help you put your thoughts in order to capture and organize the type of information you need for your application.

4 | CPP-D Application Package and Process

Use your personal impact statement to capture the whole impact that MS is having for you. You will be asked to describe your experience in various ways during the process and to share it with others who are contributing to your application. By developing a detailed statement you will be better prepared.

The personal impact statement can be submitted with your application as an optional element. You can also use it to help inform your doctors or anyone else who may comment on your application.

This can be a deeply emotional process BUT it is important to be open about the symptoms and impacts. Many people tend to downplay the impacts and severity of their symptoms for a variety of reasons. The information needs to be explicit and clear for the medical adjudicators to understand how your medical condition impacts your inability to work and to participate in personal and family activities and events.

A sample personal impact statement is provided at the end of this chapter (appendix A).

Get someone who knows you well to review your personal impact statement to see if there are any areas that might need more information.

You can include your personal impact statement when you submit your completed CPP-D application. They are required to read and take into consideration any information you submit when making a decision on your application.

4 | CPP-D Application Package and Process

CPP-D Application General Hints and Tips:

- Record your social insurance number on the top of each page of the application and any additional pages or documents submitted.
- It is recommended that you submit certified photocopies of your documents. If this is not possible, ensure you make copies of your original documents for your records and send your package by registered mail. You can find information about certified photocopies by visiting www.Canada.ca and typing 'certified photocopies' in the search box. Gather the social insurance numbers for your spouse or common-law partner and for each child born after 1958.
- Base the information you provide on the days when the symptoms and functional limitations of MS are in the average to most severe range.
- Choose your language carefully and be specific when answering questions. Avoid using words such as: always, frequently, sometimes, or never.

EXAMPLE:

Instead of: I frequently wake during the night to use the washroom

Use: I wake every 2-3 hours to go to the bathroom and it takes me 20-30 minutes to get back to sleep

OR

I wake 3-4 times per night to go to the bathroom

- Provide only relevant and focused information based on your health/medical condition(s) and impairments.
- Provide enough relevant detail to demonstrate how MS prevents you from working AND how it affects your daily life.

EXAMPLE:

If MS exacerbations make you an erratic worker, point out how often this happens and how you are affected by exacerbations.

If fatigue is a debilitating symptom for you, describe in detail the triggers that make fatigue worse for you (activity, heat, stress) and how this affects your capacity to work.

- Provide information on other aspects of your life including impacts on:
 - your ability to spend time with your children
 - your ability to perform regular household duties (shopping, cleaning, cooking, etc.)
 - your ability to socialize with others.

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- When completing the application, you will find that each box will only allow you to input a limited amount of information but you can and should provide more details whenever relevant. If you need more room, you can create and attach additional documents. Record the question number with your responses on the separate documents. On the CPP-D form, reference the additional information and where it can be found (e.g. full details are provided for this response in Attachment A, Question 2).
- Review the information in your application with the doctor completing your Medical Report to ensure the information is consistent rather than contradictory.
- If possible, type your answers. If this is not possible, print clearly and legibly or request assistance to complete the application.

APPLICATION FOR DISABILITY BENEFITS

Provide all the required personal information about yourself, your spouse/common-law partner and any children.

QUESTIONNAIRE FOR DISABILITY BENEFITS

This is one of the most important parts of the application and is your best opportunity to describe the nature, extent and impact of your disability (your MS and other medical conditions). **The information contained in the following sections is directly related to the headings and question numbers in the questionnaire.**

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SECTION: Education

This section requests information on your secondary and post-secondary schooling including college or university attendance and technical, trade and on the job training.

SECTION: Work History

In this section, you will provide information on your work status including the dates and reasons why you have stopped working and your past work history (length and type of work along with reasons for leaving the jobs).

QUESTIONS 5 and 6: Enter the date you stopped working as well as the details about your most recent work. Include the reason(s) why you stopped working.

The date you stopped working is very important because disability benefits are payable to you from the fourth (4th) month after you have become disabled with a maximum of twelve months of retroactive payments from the date your application was received.

QUESTION 7: Complete this section if you are or were self-employed and include the reason you stopped working in the business, a description of the business operation, and your involvement in the business.

QUESTION 8: If you did not work with the current employer for longer than two years OR you held more than one job during the past two years, provide this information. Include the type of work and work details including start date and your last day on the job along with the name and address of the employer.

QUESTION 9: Include information on all types of work you did in the past five years that is not included in questions 6, 7, and 8. If you do not know the exact dates indicate this in the information under the type of work. At a minimum include the year and month that you did this work.

QUESTION 10: Include whether your employer accommodated your disability by changing your job so it was easier for you to do, or by reducing your hours.

This includes a change in job duties and responsibilities, a change in type of work (example standing/lifting to sedentary/seated work), and/or a change to different equipment (example headset for phone, ergonomic seating/desk, lighting, etc.)

4 | CPP-D Application Package and Process

QUESTIONS 11 and 12: In order to qualify for CPP-D, it is assumed you cannot or will not likely return to work because of the prolonged duration of your disability.

Do not suggest or imply that you will be returning to work, want to return to work, or that your doctor thinks you should or can return to work at some point in the future. If you do, your application will likely be denied.

QUESTIONS 13 to 15: These questions request information that you will need to provide regarding other sources of income support.

SECTION: Medical Information

This section requests information on your medical condition as it relates to your disability and the impact it has on your participation in daily activities of living, work, household management, and participation in social and recreational activities. The information you provide will give the medical adjudicators a picture of how living with MS and your disability impacts your life overall and work life more specifically.

QUESTION 16: It is important to ensure that the date you felt that you could no longer work coincides with the date given in question five for when you stopped working. If the date is not the same, provide a clear and detailed explanation for why the date is different.

QUESTION 17: Information on your height, weight and which hand you use.

QUESTION 18: State your illness or impairment precisely. This may be MS alone or MS and other medical conditions.

QUESTION 19: Describe your illness or impairments precisely and thoroughly and include how they prevent you from working.

It is useful to describe your symptoms using the following categories and then list your specific symptoms and the impact on your life and how they prevent you from working.

If one of these symptom categories does not apply to you, you can leave the category out or write “to date I have not had any (e.g. vision problems)”.

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The following are short examples for question 19, however, it is important that you give thorough and concrete examples.

Category	Example
Motor Symptoms	I experience heaviness in my arms and hands which makes it difficult to type for hours. I also experience weakness in my arms and legs which leads to incoordination and difficulty walking and standing for the period of time that my job requires.
Sensory Symptoms	I experience pins and needles in my hands that interfere with my dexterity and ability to type.
Visual Symptoms	I regularly experience double vision that makes me feel off balance and dizzy and I find it very difficult to concentrate on my work.
Fatigue	I experience bouts of fatigue. It is probably my most debilitating symptom. Feelings of weakness, listlessness, and emotional fatigue result in an inability to function towards the end of the work day and to participate in work duties and responsibilities. This is a safety risk to myself and others.
Dizziness	I experience feelings of dizziness and spinning that cause extreme nausea and make my job as a bus driver very difficult.
Mood Changes	I get irritable and impatient at work the more tired I get. This is difficult when I am working with the public every day.
Memory	I have problems with concentration, particularly when I am in meetings or reading information. My short-term memory is noticeably impaired; however, my long-term memory appears to be OK at this time.

QUESTION 20: If you have other health related conditions or impairments that have not been described in question 18 include them in this question. The combined effects of your primary disability (MS), plus any additional health conditions and

impairments, may cause you to be unable to work according to CPP-D legislation.

Examples of other health conditions and impairments that you may live with include osteoporosis, diabetes, high blood pressure, etc.

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QUESTION 21: Describe the extent of your disability as it relates to non-work activities. By providing a thorough answer to this question you are showing how **ALL** of your life activities are impacted and affected in a negative way.

This can include hobbies, social activities, volunteer work, sports, recreation activities, family activities, etc.

State the limitations your disability has created in these areas and how long ago you had to stop or limit your participation in the activity(ies).

EXAMPLES: Played tennis three times per week; however, the effects of heat and fatigue caused me to stop playing in June 2013.

Watching TV – I find it difficult to concentrate or remember what is happening from the beginning to the end in a half hour program. Stopped watching in December 2014.

QUESTION 22: Fully explain the extent of your limitations in activities such as standing, walking, reaching, sleeping, driving, etc.

For many of these activities, it is useful to describe your ability to perform the activity based on your having a bad day and a good day. For each task or activity provide as much detail as possible about what you cannot do rather than what you can do.

If applicable, note that many of these activities may cause or increase pain and fatigue for you.

Some general questions for consideration:

- What triggers or worsens the pain and/or fatigue levels?
- How does the pain and/or fatigue affect your functioning?
- How long does it take you to complete a task or activity?
- How long can you participate in a task or activity before needing to take a break?
- How far can you lift, carry, walk, bend or reach before having to stop a task or activity?
- What happens when you lift, carry, walk, bend or reach?
- Do you need to slow down or take breaks? What is the impact of doing a task or activity faster?
- Do you require assistance or use a mobility aid?
- Do you experience an increase in pain and/or fatigue?
- What is the maximum time you can perform the task/activity before needing assistance or stopping?
- Do you forget things and if so what kinds of things?
- What does the task or activity look like for you? (think of this like you are painting a picture for the reader)
- Do you use special devices or assistance to complete the task or activity?
- How has your disability changed the way you can complete the task or activity?

4 | CPP-D Application Package and Process

The following examples include the type of detail that is required to show the impact of your disability on these daily activities.

Describe the impacts in each area using your own words and examples.

Category	Examples
<p>Walking</p>	<p>Walking for longer than 10 minutes (or one block) causes severe pain in my legs. This results in worsening of my leg coordination and a higher risk of falling.</p> <p>Walking one block takes 20 minutes as I have to stop and rest halfway down the block due to an increase in my fatigue levels. Upon arriving at my destination I have to sit down and rest for 15 minutes before continuing.</p> <p>I am able to walk from the street to my door without falling while using my cane.</p>
<p>Standing/Sitting</p>	<p>Sitting: On a good day I can sit for 2-3 hours before I feel pain, providing I am sitting in a chair with armrests and good padding. On a bad day I can sit for 1 hour. I tend to have 2 bad days, 3 good days, and 2 average days per week.</p> <p>I find it difficult to cross my legs while sitting as I tend to lose my balance.</p> <p>Standing: On a good day I can stand for 20 minutes without support; on a bad day I can only stand momentarily without support. I tend to have 2 good days, 3 bad days and 2 average days per week. I can stand for longer if I have a walker or cane, but I still find it difficult.</p>
<p>Seeing/Hearing</p>	<p>Seeing: I have blurred vision that tends to get worse in the evening when I often experience double vision making it extremely difficult to focus on tasks and activities. I experience frequent headaches that require me to close my eyes.</p> <p>Hearing: I occasionally have ringing in both my ears, otherwise my hearing is OK at this time.</p>

4 | CPP-D Application Package and Process

Category	Examples
Speaking	<p>I slur my words when I am really tired.</p> <p>I need to repeat what I am saying to people and I speak slowly so people can understand me.</p>
Lifting/Carrying	<p>Lifting is a daily challenge as I require support to hold onto when bending from the waist or I will fall over.</p> <p>I can lift a maximum of a 5-pound bag of flour from the pantry and can carry it to the counter by using the basket on my walker.</p>
Remembering	<p>I have extreme difficulties with my short-term memory and I need to carry a notebook with me at all times to write reminders. I forget words very easily but even more when I am feeling stressed. My long-term memory seems fine at this time.</p>
Reaching	<p>I cannot reach up without getting dizzy and losing my balance. I do not use the upper cupboards in my kitchen or closets.</p>
Concentrating	<p>I have difficulty concentrating during conversations, reading, or watching TV. My mind wanders easily particularly when I am in stimulating and busy environments.</p>
Bending	<p>I can bend at the waist as long as I am holding on to support. If I do not have support, I prefer to get on my knees otherwise I get dizzy and feel like I will fall.</p>
Sleeping	<p>My sleep is fitful. I go to sleep at 10 pm and wake at 3 am. I sleep lightly until 7 am. I rarely feel rested, even when I take a sleeping pill to help me sleep. I need to nap every day for 2 hours.</p>

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Category	Examples
<p>Personal Needs</p> <ul style="list-style-type: none"> • Eating • Washing hair • Dressing • Other personal needs such as cutting nails, shaving, brushing teeth, etc. 	<p>Eating: Food tends to go down the wrong way more than it used to. I have particular trouble with hot liquids. I use a straw when I drink.</p> <p>Washing hair: I cannot wash my hair in the shower because I need one hand for stability on the wall. Instead, I usually wash my hair in the sink every 3 days. I used to wash my hair daily.</p> <p>Dressing: I get dressed sitting on the bed rather than standing due to fatigue. It takes me approximately 15 minutes to get dressed now, whereas before it would take 5 minutes.</p> <p>Other personal needs: I can no longer use a razor to shave due to muscle spasms. I used to shave every other day but now I use an electric razor every 4 days.</p>
<p>Breathing</p>	<p>I find myself taking deep breaths/sighs in order to get a good breath.</p>
<p>Bowel/Bladder Habits</p> <ul style="list-style-type: none"> • Bowel habits: constipation, diarrhea, urgency, or loss of control • Bladder habits: frequency, retention, hesitation, urgency, loss of control 	<p>Constipation & diarrhea are common and cyclic occurrences for me. I have experienced a loss of control on a few occasions.</p> <p>I experience the following bladder issues: frequent night voiding, retention, hesitancy, and the occasional loss of control.</p>
<p>Driving a Car</p>	<p>I am able to drive on good days for distances no longer than 40 km (or time: 2 hours maximum). On bad days I do not drive as I feel less confident in my ability to concentrate and respond.</p>

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Category	Examples
<p>Household Maintenance</p> <ul style="list-style-type: none"> • Cooking • Cleaning • Laundry • Shopping • Other 	<p>Cooking: I tend to cook instant meals or get takeout because I do not have the energy to cook. I used to enjoy cooking and would make homemade meals from scratch approximately 5 days a week.</p> <p>Cleaning: I used to vacuum and dust every week. Now I vacuum and dust every 2 months. I use disposable plates as I do not have the energy to do dishes. Although I try to sweep the floors every 2 weeks, I rarely wash the floors.</p> <p>Laundry: I used to do laundry twice a week but now I do it every 2 weeks as it takes too much effort to walk to the laundry room in my building. I find it difficult to carry large loads and often require assistance.</p> <p>Shopping: I do not shop for groceries as often as I used to (now every 10 days compared with 2 times per week). I always require a shopping cart for stability while shopping. On a good day I can shop for 20 minutes using the cart as a mobility device. On a bad day I cannot shop and I request help from family to pick up the things I need.</p>
<p>Using Public Transportation</p>	<p>I do not use public transportation because I cannot walk the 4 blocks to the bus stop. I also worry about not having access to a washroom on a bus. If I did take transit I would require a seat as I could not stand without losing my balance. I sometimes use specialized public transportation when I cannot drive.</p>

In the spaces provided for your answers to Question 22 on the original application, state the page number of the attached document where your answer can be found (e.g. Reaching – See page 5 of attached pages).

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SECTION: Information about your Physicians

QUESTION 23: When deciding which doctor you will be having complete the CPP-D Medical Report, consider who will be able to provide the most complete information that supports your CPP-D application. However, it is recommended to have your neurologist complete the form as they are the MS experts and have the most detailed knowledge and understanding of the diagnosis.

QUESTIONS 24 and 25: These questions ask you about every general practitioner (GP) and specialist you have seen in the past two years and every hospital admission and stay for the past two years.

List every one of these doctors and hospitalizations and include the time periods and reason/purpose for the visits.

If you do not remember this information, ask your doctor if they have a record of these referrals and admissions to help ensure accuracy in the application.

SECTION: Medication and Treatment

QUESTION 26: List all medications including over the counter medications, vitamins, supplements, pain relievers and natural health products. It is important for the medical adjudicators to understand the condition/reason, dosage and frequency for taking the medication.

You can request a copy of your current medications from your pharmacist. The list will include the name of the medication, dosage and when it was prescribed and refilled. You may want to ask your pharmacist if they can provide information sheets that explain the purpose of each medication and include these in your application.

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QUESTION 27: Describe other treatments you have had for MS or treatments you are currently receiving. Include **all treatments**, including counselling, physiotherapy, acupuncture, massage therapy, etc.

QUESTION 28: If your GP or neurologist is planning on future treatments or medical tests, describe what they are and when you expect to start them.

For example: My neurologist is planning to start me on a different medication in July or August of this year.

QUESTION 29: List all medical devices you require (cane, walker, wheelchair, scooter, grab bars, ceiling lifts, etc.).

For example: I use a cane every day and my walker when I am having extreme difficulty with my balance and walking. I have grab bars beside my bathtub to assist me with getting in and out safely.

QUESTION 30: Indicate **YES** – that you would consider vocational rehabilitation if your condition improved, and if your doctor recommends it. However, it may be reasonable not to consent, when, for example, you are close to the traditional retirement age.

CONSENT TO DISCLOSE INFORMATION

There are **two different consent forms** in the application which ask for your authorization and consent to gather your medical, financial and employment information.

When signed, they allow a very large amount of information to be collected about you. The information includes medical, employment, and educational information. It also provides consent to be evaluated by a doctor and/or to submit to diagnostic tests.

You have the right not to consent. However, in practical terms, your lack of consent may be interpreted negatively and your application may not be accepted. If you do consent, the Privacy Act, Access to Information Act and Canada Pension Plan Act will protect the information collected about you. You can also request access to any such personal information collected about you.

All of this information is collected to determine your inability to work. Make sure that you are aware of what your employer, insurance company, doctors, and hospital records say about your inability to work. Make sure they know how important it is that the information they provide is consistent with CPP-D eligibility criteria.

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Since the only information ESDC wants is related to your inability to work, the information given to them by those listed above should only include that information. That is, they do not have to send all information about you to ESDC, only that which relates to your inability to work. You may want to talk to the people who may be approached by ESDC representatives for further information so that they understand what information they should provide and what information they should not provide.

By providing consent you ensure the CPP-D medical adjudicators have the necessary and relevant medical and employment information to effectively review your case.

Be sure to review the declaration and complete the correct consent areas on both consent forms. Submit the one copy marked for the Physician along with the Medical Report and the one marked for Service Canada along with the rest of your application.

MEDICAL REPORT

The Medical Report is a very important part of the application. It gathers the relevant information on your medical status and ability to work from the doctor's perspective.

You should know that if your doctor does not support your application, does not provide evidence for severe and prolonged disability or provides contradictory information, you most likely will not receive CPP-D benefits. Here are some points to help you with this section:

- Choose the doctor to complete this report who best knows you, your disability, why and how it has prevented you from working, and how it has affected your daily life. However, due to their understanding of MS, your neurologist is recommended where possible.
- Make an appointment with this doctor, prior to starting the process, specifically to talk about your application and how they should complete the report to increase the likelihood of your application being accepted. You might want to prepare a letter for the doctor so they can reference exactly what you need at a later date when they write the letter.

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- Share your personal impact statement (if you chose to prepare one) with them prior to their completing the report. This provides them with an opportunity to understand from your perspective how your MS impacts your ability to work and participate in personal life events and activities.

Your doctor should complete the medical report knowing that ESDC:

- wants to know about your medical condition(s), history, treatments, and prognosis.
- will most likely reject the application if the doctor indicates the possibility of return to work of any kind.
- is only interested in the person's inability to work at **any** job. Therefore, references to being unable to return to specific former employment are irrelevant.
- is not interested in irrelevant information such as age, educational level, language ability, and past work history (these may be deficits for some people but they are not disabilities).
- is only interested in detailed, objective medical information that proves the severity and prolonged duration of your disability such as x-rays, lab reports, and other test results.

Additional information from specialists such as neurologists, urologists, surgeons, and neuro-ophthalmologists may carry extra weight or status in the application process. These specialists have a deeper knowledge of your specific condition. This knowledge may be very helpful in illustrating the level of your disability and its impact on your ability to work.

If you have reports from specialists, make sure they include only relevant information. Ensure that their information is consistent with your primary doctor's report. Put your name and SIN on every page that is additional to the application.

Request that your doctor return the medical report to you so that you can include it with the rest of your application and send it all at once. Photocopy it with their permission. All of your doctors will bill you for writing their reports. A portion can be billed directly by the doctor to Service Canada. Contact Service Canada for more information.

If you think your doctor does not understand the variability and unpredictable nature of MS very well, feel free to provide them with literature from the MS Society of Canada or suggest they call the MS Knowledge Network.

4 | CPP-D Application Package and Process

Documents and/or letters of support from other medical professionals, employers, family, and friends can also be submitted to support your application. All of these documents must be relevant, consistent, and up-to-date. To be useful, all of them must focus on your inability to work or on the way your daily life has been affected by your disabilities.

CHILD REARING PROVISION FORM

If you have children, you will want to complete this form even if your children are no longer under age 18 or between 18 and 25 and attending post-secondary school.

Once approved, the CPP-D benefit you receive may be increased if you qualify for the child rearing provision and if you did not work or your earnings were reduced during the primary child rearing years prior to the children turning seven years old.

Provide information on all the children born after December 31, 1958 for whom you were considered the primary caregiver prior to age 7, and any child tax benefits or family allowance benefits received during those years.

SECTION 3: SUBMITTING THE APPLICATION AND BEYOND

Once you have completed your CPP-D application it is important for you understand your next steps before submitting the completed application to Service Canada.

Review all the information to ensure the answers to all the questions are consistent and accurate in the reflection of your inability to continue working. This will ensure that you meet the CPP-D's program criteria of **severe and prolonged** and that you meet the **CPP contribution requirement** as outlined earlier in this publication.

Ask a trusted family member or friend to review your application to see if your answers are consistent and whether there is any missing information.

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Since pulling together all the required information is complex, you are not required to submit all documents at the same time however it is recommended that the application for disability benefits form is the first document submitted. Your application file is opened and review begins as soon as your first document is received therefore it is still important to ensure you do submit all the required documents in a timely fashion.

Here is a list of documents and tips to ensure you have submitted everything necessary to your application.

- ❶ Application for Disability Benefits
 - ❷ Questionnaire for Disability Benefits
 - ❸ Consent for Service Canada to Obtain Personal Information (Service Canada's copy and physician's copy)
 - ❹ Medical Report
 - ❺ Child Rearing Provision Form (if applicable to you)
 - ❻ Include all optional documentation (personal impact statement, additional doctor letters, etc)
- Include photocopies of identification documents for you and your children (Birth Certificate, Social Insurance Number (SIN) card).
 - Number and write your name and SIN on all pages you are submitting.

- Read the declaration on each form to ensure you understand what you are signing.
- Sign and date every form.

If you are mailing your application, send it by **registered mail** to the nearest Service Canada location.

If you are submitting the application in person, contact Service Canada to make an appointment. Bring proof of birth to this appointment. Submitting the application in person does not speed up the process or increase the likelihood of being approved for CPP-D benefits.

NOTE: It will take between 4-6 months to hear if your application has been accepted.

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APPENDIX A: Sample Personal Impact Statement

DATE

Re: PERSONAL IMPACT STATEMENT

The purpose of this document is to provide a very specific description of how Multiple Sclerosis (MS) and its symptoms have affected my ability to perform my current job, and sustain gainful employment. I also want to show the impact of MS on my personal life, and how I am no longer able to perform basic tasks.

The following is a list of symptoms and functional activities that prevent me from leading the same quality of life I had before MS.

- **Motor Symptoms:** As a result of MS, I have coordination problems. My last three fingers on my right hand are always numb and twitch continuously, so pressing the buttons on the screen at my till becomes difficult. I find that I miss the buttons which takes longer in the transaction. It also makes typing on a computer harder because of constant typing errors. I end up typing with one hand. This movement makes my arm tired and after 10 minutes of typing my arm is sore. Due to paresis, I find my muscles get weaker quicker. Any leg movement always decreases during the day because my muscles have trouble communicating to my brain. Cerebellar Ataxia causes incoordination of my extremities as well as my speech. My tongue cannot keep up with my brain, so when I think and say something I end up tripping over my words and it sounds like I have marbles in my mouth. This happens very often and being in guest services I talk with people every shift.
- **Bladder/Bowel Dysfunction:** Since my relapse I have had trouble controlling my bladder and bowels. At age 27, I am now accustomed to wearing menstrual pads or Depends. I have had 23 bladder incidents and 12 bowel incidents. Luckily at work the bathrooms are less than 12 feet away, but if there is a lineup of guests I have to get someone to take over my till so I can go to the bathroom. I find it frustrating and embarrassing. Dr.XXXXXX had given me Vasicare, which is used for Overactive Bladder (OAB). The medication gave me terrible stomach pains, but I continued the medication to see if it would work. Unfortunately it did not work. Dr.XXXXXX had no other options for me, so I had to start timing my solid/liquid intake.

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- **Fatigue:** Fatigue is one of the most limiting symptoms that I experience. While at work I slowly become weak, unable to communicate properly, unable to concentrate, and my vision goes foggy. This results in increased forgetfulness and decreased vigilance. I am unable to complete any household tasks when I am working and have to rely on my husband to shop, prepare meals, and care for our young child. After working a four or six hour shift I am exhausted to the point where it is difficult to get myself to my car and into the house. Once there I need to rest. Much to my despair I am unable to sleep at this time because my daughter is four and needs me until her dad comes home after work. I do my best to rest my body and stay awake for her but after working it is beyond my control. On most days I have to ask my mother, if she is home, for help with watching my daughter so I can rest. This being said, it leaves very little opportunity for my daughter to have the much needed time with me because I am just not physically able.
- **Cognition and Focus:** I have cognitive concerns that impact my ability to remember and concentrate on the tasks and responsibilities expected by my employer. I have noticed that this varies with my fatigue level and the more tired I get the worse it becomes. I find it very difficult to complete tasks, remember what comes next, and learning new skills is a real challenge. If I am asked to do something and get distracted, it takes me a while to remember, if I can even recall at all. It becomes embarrassing when I continuously ask what I was supposed to do again.
- **Sitting:** On a good day I can sit for an hour at a time. However most days sitting this long can greatly impact the rest of my day. On an average day the pain starts to radiate in the middle of my back as soon as I sit. I have to constantly shift my upper body to help decrease the pain. Within 30 minutes my lower back starts to radiate pain and I have to shift my whole body constantly to be able to stay sitting any longer but it is done with great pain. It can be so frustrating as when most people would consider their body at rest while sitting, mine is causing so much pain that it greatly impacts my fatigue level. After one hour I have to get up and move around.
- **Standing:** Standing for long periods of time is also a real challenge due to muscle pain and fatigue. Balance also becomes an issue once my legs get tired. This occurs within the first half hour. First my right leg becomes tired so I lean on the left leg to give it some rest. I am only able to do this for five minutes before I have to sit to rest or my leg will start to buckle under my weight. Once I have been working for an hour even with short breaks, it leaves me requiring an extended work break to regain a small portion of energy to keep going. Being that I am a cashier this is a real challenge for me. They have allowed me to sit, but only when there are no customers around.

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- **Walking:** I am told I should be able to walk 4+ blocks but please let me describe what this is like for me. Due to Cerebella Ataxia (lesions in my cerebellum), I start to limp after a half a block and by this time my muscles react as if they have spent three hours at the gym. Even from the beginning I am unable to walk a straight line and I continually trip over my right leg. After I have walked 4 blocks I am so tired that I need to rest. Depending on what kind of day I have had leading up to this I may sleep for the remainder of my day. If I do get up later my legs feel like jelly and I am barely able to support myself. I used to be able to walk 4 blocks in under 10 minutes but now it takes a minimum of 40 minutes. If I am walking on uneven surfaces this impacts my fatigue that much more. Walking is embarrassing sometimes because I will have to stop walking because the signal from my brain hasn't reached my right leg so it won't lift right away causing me to trip. Vestibular Ataxia (lesions on my brain stem) causes me to have loss of balance and periodic dizziness. I am continuously leaning to my left to support myself when I am not walking, but when I start to walk I constantly have to focus so I don't lose my balance and fall over. I have fallen several times while working.
- **Stairs:** I have to hold onto a railing even for the 3 stairs into my house. Once I get to the top of a set of stairs, my legs feel like jelly and I have to go down them one at a time. Also sometimes the signal doesn't reach my leg right away, so my knee might buckle because my muscle isn't prepared to hold my weight up. I could only do 10 stairs two times a day.
- **Visual Problems (Optic Neuritis):** At times my vision can be simply described as blurry/foggy then, without notice, I feel pressure behind my eyes leaving me with an intense headache and sometimes double vision. I will blink my eyes and they become clear but only for a second or two. When this happens it is very difficult to see. At times the things I am looking at vibrate, making it hard to know what I am really seeing. I never know when this is going to happen or how long it will last. There are also times when I am trying to read where everything starts to swim. This causes a slight carsick feeling, headache and vertigo. Working on a computer has become so difficult that I do the best I can and get off. At times I need someone to proof read what I have written before it can be sent. Watching TV has the same effect.
- **Depression:** I understand that depression can be a symptom of MS but that does not make it any easier to handle. The medications help but the underlying feelings never leave. This greatly impacts my fatigue level as well. It can make it very difficult to get out of bed in the morning and leaves me feeling hopeless while I am going through so many new challenges. I tend to feel useless, because there is so much I want to do in a day but I know that my energy level decreases rapidly.

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- **Leisure:** I used to love to draw but I can no longer hold a pencil properly and the shaking makes it frustrating. I don't see my family and friends too often unless they come to see me, because I know that once I get ready, drive there, sit and hangout, I would want to leave after half an hour because I am so tired. This goes for events as well.
- **Medication Results:** I have been prescribed medication to slow the progression of MS (*Copaxone, Vitamin D*), as well as medication for pain (*Gabapentin, Tylenol 3*), depression (*Cymbalta/Cipralext*), sleep (*Zopiclone*), muscle spasms (*Baclofen*), dizziness (*Bethistine*), and birth control (*Yaz*). The pain medication helps lessen the pain by 70% and I always reach my limit of what I am allowed long before my day ends or the pain feels under control. The other challenge I have is that the pain medication leaves me feeling drowsy and impaired. Also, if I don't take fluids or solids with my medication it causes stomach pains, but without the medication I am in such intense pain that I am not able to accomplish anything. After I take the Copaxone injection I have a red, swollen lump that feels like a "Charlie Horse" and lasts for 3 - 4 days. Also twice a week at the least, my injection causes extreme chest tightness, flushing, and light headedness.

Household Maintenance:

- **Cooking:** On weekends I am able to cook breakfast and supper only if I have had an easy week. During weekdays when I work, after getting up and showering I have no time to make breakfast, but my daughter has breakfast at daycare. After work I lay down to rest, which always lasts until the next day, so my spouse or my mother have to make supper for the family.
- **Shopping:** Due to not making a lot of money, I pay my bills and don't go shopping. If anything is needed, my spouse will get it before coming home from work.
- **Cleaning:** I only clean on weekends because I work on weekdays, and by the end of my shift I have to go home and rest. Cleaning is usually done in the morning after I wake up because that is when I have the most energy. My mother picks up the slack during the week so it's not so messy.
- **Laundry:** I only do laundry on the weekends because I work on weekdays, and by the end of my shift I have to go home and rest. Laundry is usually done after I have a nap or rest because it gives me more energy. My mother picks up the slack during the week so I don't have so much on the weekends.
- **Childcare:** After work on weekdays I try to stay awake, but if I am not able to, my mother steps in and helps. On days my mother is working, my daughter has to take care of herself until my spouse comes home, then he takes care of her.

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Different working situations I have tried since my diagnosis:

- **Home daycare provider:** I ran a very successful home daycare and wished in the future I could expand into a daycare centre. After my relapse my agency considered me a liability so I was no longer able to continue childcare. Being paralyzed on my right side proved difficult to find a position I was able to go into. So I was unemployed until I regained my ability to move my right side, but it was a challenge to get a position. Once I concealed my disability in my interview, I found a position at my current employer.
- **What different positions have you tried at your employer?** I was hired as a cashier but after a month I found standing for a long period of time became harder. I requested to try “hardline” where you put product away. This new position required me to lift more than 30lbs which I could not do and also my leg continuously gave out because of the up and down motions to put products away. Then I tried “softline” where I put clothes away. Unfortunately the continuous layout changes, display relocating and the need to go back and forth from stockroom to sales floor made the position worse for me. I would have liked to try “human resources” but I know that sitting in a chair for a 4 hour shift would cause me to take more pain killers. Currently I am staying in my position as cashier.

Time Management:

I was a very active individual who was able to accomplish many things in a day before my diagnosis. Now I really need to preplan and prioritize as I only have so much energy in a day. What used to take me minutes in the past can be a real challenge now. Cleaning is one that takes forever now. After 15 or 20 minutes I have to rest and most of the time I don't get up. I only take showers because it a challenge to sit in a tub, lay down to wash my body and hair, be in hot water for 15 minutes and try to remove myself. The temperature of the water affects my muscles and causes fatigue.



CHAPTER 5

Outcome of Application: Acceptance, Denials & Appeals

SERVICE CANADA

While Employment and Social Development Canada (ESDC) administers the benefits, all questions and/or applications are directed to Service Canada.

Toll-free: 1.800.277.9914

TTY: 1.800.255.4786

Website: www.Canada.ca

The hours of operation are 8:30 a.m. to 4:30 p.m. EST, Monday to Friday.

Once you call, follow the prompts to access information on CPP-D.
Press 0 to speak with an agent for more questions.

To contact Service Canada by mail, you can call the number above, visit **www.Canada.ca** and type 'returning Service Canada forms' into the search box or click **here**.

To contact Service Canada in person, you can call the number above, visit **www.Canada.ca** and type 'find a Service Canada office' into the search box, or click **here**.

**Have your social insurance number (SIN)
handy when you contact Service Canada.**

MULTIPLE SCLEROSIS SOCIETY OF CANADA

MS Society Navigators can help answer questions about MS, direct you to supports within the organization and help connect you with additional resources as you go through the CPP-D application process.

Toll-free: 1.844.859.6789

Email: msnavigators@mssociety.ca

Website: www.mssociety.ca

This chapter explains the potential outcomes of a Canada Pension Plan Disability application and how to appeal the decision if you are denied benefits. Use Chapter 5 to understand your outcome and how to embark on next steps, including the appeal process.

ACCEPTANCE

If you were accepted for CPP-D, you will receive a **Notice of Entitlement** letter. It will tell you:

- The date you will begin receiving money (usually four (4) months after ESDC judges you to be disabled, known as the **date of onset**)
- The amount of money you will be receiving
- The amount of retroactive benefits if any (for no more than 15 months)

DENIAL OR CANCELLATION

- If your initial application has been denied, you will be notified and receive a letter of decision explaining the reasons for your denial along with an explanation of your right to appeal.
- If your previously successful application has been reassessed or cancelled due to non-compliance with specific conditions, your benefits may be withdrawn. These decisions can also be appealed.

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APPEALS

You may not be satisfied with the decision you receive regarding your application. It is possible to appeal decisions regarding:

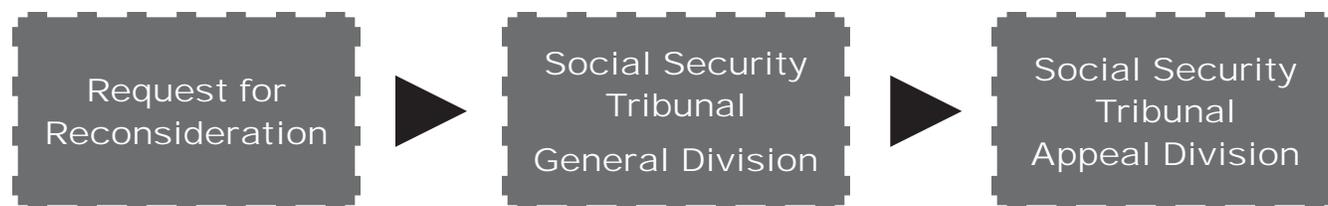
- the amount of benefit
- the date the benefit begins
- the ineligibility decision
- the cancellation decision

Appeals **must** be based on the reasons for the denial of CPP-D benefits (example: why it was deemed that you do not meet the criteria for disability or because of inadequate contributions). You will receive this information in writing. It is irrelevant to argue that you need more money to live on since financial need is not one of the criteria for eligibility.

If you are beginning an appeal, ask for assistance from a local advocacy program. Contact information can be found through the MS Society of Canada or through PovNet at www.povnet.org.

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THERE ARE THREE STAGES OF APPEAL



If you are not successful at the first stage you may then move on to the second stage and then the third stage of appeal.

Each time your appeal is denied you will be given the addresses and contact numbers for the next relevant stage of appeal.

At each level of appeal, you must make your request within the specified time limit. If you do not, you may lose your right to appeal.

Assistance with the Appeal Process

At the reconsideration stage, you may or may not require legal help. The assistance of lay advocates, family, and friends may be all you require. If the appeal process continues on to the Social Security Tribunal, at either the General Division level or the Appeal Division level, it is advised that you seek out legal and/or advocacy supports.

Important Tips for Letter Writing in the Appeal Process

In each stage of appeal you will be required to write letters explaining why you should qualify for CPP-D, as explained in the following sections. Here are some important tips to assist you through this process:

- Make sure you send in all documents within the specified time frame. If you are not able to, contact the body to which you are appealing to notify them in writing. They will advise you on required steps to be taken.

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- Make sure that the arguments and information contained in your letter specifically address the reasons that you were denied. For help with this ask a friend to review your submission or contact an advocate.
- When explaining a reason why you qualify, reference relevant information you have already submitted.
- Always include your name, address, Social Insurance Number (SIN) and phone number.
- If a friend or advocate is helping you at this stage, indicate this and provide their name, address, phone number and relationship to you.
- Sign the letter.

For more information on the appeal process please consult Disability Alliance BC at www.disabilityalliancebc.org.

STAGE 1: REQUEST FOR RECONSIDERATION

At this first stage of appeal, reconsideration, you are asking the medical adjudicators from ESDC to complete another review of your original application and any additional information you submit with this request. This is an internal ESDC process and will be completed by a different medical adjudicator than who first reviewed your application.

In order to start the reconsideration appeal process you must send a preliminary notice of appeal within 90 days of receiving your letter of decision. As soon as you receive the denial letter, calculate your 90 day deadline and mark it in your calendar. Once you have sent the notice of appeal, you can then work on your reconsideration letter and on preparing additional supporting documentation to support the appeal.

Notice of Appeal

In your appeal letter, provide your name, address, Social Insurance Number, phone number and date on the denial letter, as well as the date you received the denial letter. Be sure to provide the reasons for your disagreements and sign the appeal letter.

If someone helped you with this stage of appeal, provide their name, address, phone number, and relationship to you.

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Important Time Limit: You must send a notice of appeal within 90 days of receiving the letter of decision denying you benefits. If you do not, you may lose your right to appeal.

You must also indicate that you will be sending supporting documents to support your claim. Follow up by phone to ensure they will wait for these documents prior to moving forward with their reconsideration decision.

Personal Information Request Form

You should also request all the information that ESDC has on your file. This can be used to help you counter their reasoning and decisions.

The Privacy Act of Canada gives you the right to see any file the government has concerning you. You can do this by filling out a Personal Information Request Form. You can request this form by calling Service Canada. You can also visit www.Canada.ca and type 'personal information request form' into the search box to access an online request form or a hard copy to download and print.

Deliver or mail the completed form to your nearest Service Canada office.

It will likely be a month after you submit your request form before you receive your file from ESDC.

The file you receive will include:

- Your application form
- Your doctor's medical report
- The Disability Summary Sheet that will tell you why your claim was denied. This is helpful because it shows you what areas to address in your appeal.
- Other documentation sent to ESDC regarding your application that you may not have seen such as additional medical letters.

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Gathering Supporting Documents

Gathering supporting documents that address the reasons you were denied is the main way you can convince the adjudicators that you do meet the criteria for receiving CPP-D.

REMINDER: If you are delayed in obtaining important documents, call to ask that ESDC wait to finish adjudication of your case until they receive those documents.

Supporting documents could include:

- New information from doctors, addressing the reasons you were denied CPP-D.
- Additional relevant information on MS that is pertinent to your diagnosis.
- A summary of your symptoms.
- Additional information from your previous employer (if relevant).
- A journal of how your life has been affected or a description of the ways your life has changed for the worse. Focus on the relevant time frame ESDC is interested in.
- Any new information demonstrating that you meet the CPP-D eligibility requirements.

New Medical Information

New medical information is the most important type of supporting documentation to include in the reconsideration process especially if you were denied because you did not meet their definition of disability (see Chapter 2, Definition of Disability).

For this reason, new medical information must focus on the relevant time frame ESDC is interested in and address the reasons that you were denied as stated in the Disability Summary Sheet.

Request relevant letters, recent test results, and/or reports as soon as possible from doctors and specialists. This information should specifically address the reasons that you were turned down for CPP-D.

For a sample letter requesting new information from a doctor see Appendix B at the end of the chapter. Note that most doctors will charge for letters and ESDC will not help cover the cost at the appeal level.

5 | Outcome of Application

Letters of Support

You may request new letters of support from anyone who can provide relevant information on your case as long as the information they provide focuses on the issues and dates contained in the Disability Summary Sheet. This includes health professionals other than your doctors such as physiotherapists, mental health workers, counsellors, and nurses, etc. It can also include past employers, rehabilitation personnel, and family and friends who have observed your difficulties working or managing daily activities.

Submission for Reconsideration Letter

As soon as you have gathered all the information to support your case, you can write your submission for reconsideration letter.

In your letter, use the Disability Summary Sheet as a guideline and address all areas that you do not agree with, state why you do not agree, and cite evidence you have gathered including any information already submitted which supports it.

See Appendix C for a sample submission for reconsideration letter.

Decision

If you are successful at this level of appeal, you will receive a letter stating so. The time this takes will vary depending on many variables including whether or not ESDC has requested additional information from your doctors. If you are successful, you will receive benefits beginning the fourth month after you stopped working. If you are unsuccessful, you may proceed to the next level of appeal, Social Security Tribunal - General Division.

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STAGE 2: SOCIAL SECURITY TRIBUNAL – GENERAL DIVISION

Social Security Tribunal of Canada (SST) is an independent administrative body composed of a General Division and an Appeal Division that makes quasi-judicial decisions on appeals related to the Canada Pension Plan (CPP), Old Age Security Act (OAC) or the Employment Insurance Act (EI).

For more information about the SST, please visit **www.Canada.ca** and type **‘sst’** into the search box.

If you do not agree with your reconsideration decision, you may appeal to the SST's General Division. They will review and hear all evidence presented by you and ESDC in order to decide if the original decision will be upheld or overturned. Any decision is based on the criteria for CPP-D as set out in the legislation.

The SST General Division does not have the power to change the definition of disability and cannot grant people disability on compassionate grounds if they do not meet the criteria.

Notice of Appeal

In your letter, provide your name, address, Social Insurance Number, phone number and date on the denial letter, as well as the date you received the denial letter. Be sure to provide the reasons for your disagreements and sign the appeal letter.

If someone helped you with this stage of appeal, provide their name, address, phone number, and relationship to you.

It is very important that you get help from an advocate or a lawyer if you need to appeal to the Social Security Tribunal General Division. Contact the MS Society of Canada or **www.povnet.org** for more information.

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IMPORTANT TIME LIMIT: You must send a notice of appeal within 90 days of receiving the letter of decision denying you benefits; if you do not you may lose your right to appeal.

Supporting Documents

Submit any new information that supports your case to the SST General Division as soon as it is available. This information does not have to accompany your notice of appeal but should be sent in as soon as possible. For information on what type of documentation could be helpful, please refer to Gathering Supporting Documents in the previous section. For help in gathering documentation please contact an advocate or a lawyer.

Past decisions made by the SST may have a bearing on the decision that will be made in your case if the cases are similar. Discuss with your advocate whether there may be past decisions that could impact your case, whether you should seek this information, and ask them how to include it in your submission.

You may obtain reports of past decisions in Canadian Employment Benefits and Pension Guide Reports. These can be found on www.Canada.ca or by calling Service Canada for more information. You can also visit your nearest law library or consult www.povnet.org which allows access to, and discussion of, pertinent court decisions.

If you can find a similar case from the past with the outcome you are hoping for, this may be helpful to you.

Decision

If you have been successful at this stage, it is possible that the ESDC may appeal that decision. They have 90 days from the receipt of decision to initiate an appeal to the next stage. If you are unsuccessful you may choose to move to the next stage of appeal, Social Security Tribunal - Appeal Division.

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STAGE 3: SOCIAL SECURITY TRIBUNAL – APPEAL DIVISION

The Social Security Tribunal, as of 2013, is responsible for appeals under the Canadian Pension Plan. An appeal to the Social Security Tribunal Appeal Division is the only part of the appeal process that requires approval to proceed. It is important to realize that you are responsible for providing ALL the information to support your appeal, including all the information you previously submitted at earlier stages of appeal.

IMPORTANT TIME LIMIT: You must send a request of Leave to Appeal (permission to appeal) in writing to SST Appeal Division within 90 days of receiving the SST General Division's decision. If you do not, you may lose your right to appeal. **Once again, you will need the assistance of either an advocate or a lawyer for this level of appeal.**

At this level of appeal, ESDC will have its own lawyer. You should too. Contact the MS Society of Canada to find help with legal support referrals. If you are unable to find a lawyer to help you, try to find an advocate as it is a very complex legal process.

Decision

The decision regarding your case will be sent to you in 6-12 months from the date of the hearing. Decisions made by the SST Appeal Division are final unless you proceed with a judicial review. For more information about judicial reviews, you will need to speak with a lawyer or advocacy expert.

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APPENDIX B: Sample letter to your doctor requesting new information to support your appeal

Re: **[Your Name]**
[Your Social Insurance Number]
Canada Pension Plan-Disability Benefits

Dear Dr. _____,

My application for disability benefits from Canada Pension Plan was recently denied by Employment and Social Development Canada. I am appealing this decision and require further information from you. It is my hope that you will be able to provide a letter that includes objective medical evidence to substantiate the severe and prolonged nature of my disability that prevents me from working.

In order to be determined eligible for the CPP-D, I must establish that my disability is severe and prolonged. Severe means that a person is incapable of pursuing any substantially gainful occupation on a regular basis. Prolonged means that the disability will last for a long and indefinite period of time.

It has to be confirmed that I had a severe and prolonged disability that prevented me from working on or prior to **[Insert date]**, **[Insert year]**.

I would be most grateful if you could include the following information in your letter:

- 1 **Describe my medical condition(s).** List all diagnoses and outline the history, symptoms, physical findings, and test results (x-rays, lab reports) that support your diagnoses.
- 2 **Describe the prognosis.**
- 3 **Describe if the condition will worsen or improve and if I will be able to return to work.**
- 4 **Describe the types of treatment that have been tried.** Has there been any significant improvement with treatment? Are there any further treatment options available?
- 5 **Describe referrals that have been made to specialists and other health professionals.** Are there any reports that have not yet been made available?
- 6 **Provide your medical opinion on my ability to perform any substantially gainful occupation on a regular basis by or since [Insert date].** Please explain your answer in detail, providing as much medical support for your conclusions as possible.
- 7 **Provide me with copies of any other reports which you believe may support my application for disability benefits from Canada Pension Plan.**

If you agree to write this letter in support of my disability benefits application I will need to know in advance what fee, if any, will be charged as I have limited resources.

I am available to answer any questions you may have regarding this request. I will need this letter in the very near future as I must submit all new documentation at the earliest opportunity. Thank you for your assistance with this matter.

Sincerely,

[Your Signature]

5 | Outcome of Application

APPENDIX C: Sample letter: submission for reconsideration

Dear Sir or Madam:

Please be advised that I wish to request a reconsideration of my CPP-D application. The information I am sending you is additional to the preliminary letter of appeal I sent to you on **[insert date]**. I received your letter of denial on **[insert date]**.

I am appealing based on the fact that I have a severe and prolonged disability and I am not able to pursue regular, gainful employment.

I have submitted the following documents for your consideration.

[List documents, including new medical documents and dated letters from doctors and witnesses.]

[Using the reasons you were denied benefits provided in the Disability Summary Sheet, explain how the documents listed support your case. For example,] I was denied because it was stated in the letter of the denial that although I was not able to do my own occupation, I should be able to do another job. However, in the doctor's note dated **[insert date]**, **Doctor X** said "Due to symptoms of MS, **Ms. Y** is not able to do any type of work."

This letter was completed with the assistance of **[insert name of person and their relationship to you]**.

Sincerely,

[Your Signature]

cc to the representative (friend, advocate) named above



Connect with a Multiple Sclerosis Society of Canada navigator:

Toll-free: 1.844.859.6789

Email: msnavigators@mssociety.ca

Website: www.mssociety.ca

Our Mission

To be a leader in finding a cure for multiple sclerosis and enabling people affected by MS to enhance their quality of life.