

Reasons for Decision:

Order #AP1718-0130

The appellant appealed that income assistance benefits were cancelled effective <text removed> due to sufficient income from <text removed> benefits.

The appellant applied for Employment and Income Assistance (EIA) on <date removed>. At the time of application, the appellant advised that the appellant had applied for pension benefits and was waiting for a decision. In early <text removed> the appellant called the worker and advised that the appellant had been accepted for pension benefits and would receive the first pay at the end of the month.

The appellant understood from the worker that the appellant would be eligible for one more monthly payment from Employment and Income Assistance before the appellant's case would be closed.

The appellant received a pension payment in the amount of <amount removed> at the end of <text removed>. The appellant's monthly EIA budget was <text removed>. As pension benefits are considered unearned income, without any exemption, it was determined that the appellant had sufficient income to support the appellant and was not eligible for <text removed> benefits.

At the hearing the appellant stated that when the appellant spoke to the worker the appellant asked if the appellant would receive a cheque for <text removed>, and the worker advised yes the appellant would. The appellant did receive benefits for <text removed>. The cheque the appellant would have received on <date removed>, 2017 would have been the appellant's cheque for <date removed>, and this appears to be where the misunderstanding took place. At the hearing the worker apologized for any misunderstanding, however the worker does not recall advising the appellant that the appellant would receive benefits for <date removed> 2017.

The appellant indicated at the hearing that the appellant was planning on using the last payment from EIA to cover his Pharmacare deductible as the appellant must pay a <amount removed> deductible in order to have the appellant's medications covered.

After carefully considering the written and verbal information the Board has determined that the appellant's eligibility for income assistance has been properly calculated in accordance with the Manitoba Assistance Regulations. Any income received in the preceding month affects the entitlement to benefits in the following month. The regulation does not allow for any discretion or consideration of Pharmacare Deductible payments when determining eligibility. Therefore the decision of the director has been confirmed.

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