

**Reasons for Decision:**

**Order # AP1920-0501**

On <date removed>, <name removed> filed an appeal of the Director's decision to deny their eligibility under Section 5(1)(a) of *The Manitoba Assistance Act*. The date of the decision was <date removed>.

The decision letter sent to <name removed> did not provide a reason for the denial.

<name removed> presented documentation which their indicated contained new information from their psychologist to be entered as evidence. The Department objected as this was new information about a <health condition removed>, which was not a medical condition referenced in the previous package from <name removed>'s doctor. The Board determined this information was for a separate condition, which was not part of the issue under appeal. The Board determined the information would not be entered as evidence.

The Department told the Board that <name removed> previously received assistance as a person with a disability as a result of <conditions removed>. In the medical information provided with their most recent application for disability, <name removed>'s doctor noted that their <condition removed> was stable. The information provided to the Department also indicated that <name removed> did not attend programming or counseling for their mental health conditions.

<name removed> is currently employed as a <position removed>.

On <date removed>, the Department received information from <name removed>'s family doctor which stated they need to be off work for six to eight weeks due to a <health condition removed>. Their work expectations have been waived for this time period.

At the hearing, <name removed> told the Board that the medical information from their psychiatrist only included details from a single appointment. The appellant has since seen their psychiatrist and has been diagnosed with <health condition removed>. The appellant has been placed off work for two months in order to stabilize <text removed>. The Department does not have the information from their psychologist with respect to their <health condition removed>. Rather the only information came from their family doctor.

<name removed> described how their <health condition removed> makes it hard to work due to the pain. The appellant indicated they are unable to take <text removed> medications for the condition, but rather has to use creams. <name removed> stated the is able to take more frequent breaks while working.

In response to a question from the Board, <name removed> indicated they did not attend programming for their mental health as they did not receive any appointments.

The Board notes that <name removed> is continuing to work with their psychologist and family doctor and is currently employed. The Board encourages them to follow through with the programming they have been referred to in order to assist in their recovery.

Based on the verbal and written evidence presented to it, the Board determines that there is insufficient information to determine that <name removed> is unable to work in any capacity for more than 90 days. The Board confirms the Director's decision to deny <name removed> eligibility under Section 5(1)(a) of *The Manitoba Assistance Act*.

## **DISCLAIMER**

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