

Reasons for Decision:

Order # AP1920-0689

On <date removed>, <name removed> filed an appeal of the decision of the Director, Downtown/Point Douglas 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> stated disability eligibility had been denied because the medical review panel determined their condition did not preclude all employment.

<name removed> told the Board they did not know why their disability eligibility was not renewed, as their health had not changed. The appellant asserted that they have had difficulty finding a job because of their health.

At the hearing, the Department relied extensively on the report submitted as evidence.

The Department referenced the Disability Assessment Report (DAR) submitted by <name removed>'s doctor. The Department stated the doctor identified education as the primary barrier to employment. The medical review panel denied eligibility based on that assessment.

The Department noted <name removed> was registered for an education course in <month removed>. <name removed> told the Board that they were not attending school, but was upgrading their high school education online. The appellant stated they have prior work experience in office administration and reception.

In response to a question from the Board, <name removed> confirmed that they attended Opportunities for Employment (OFE). The Department told the Board that <name removed> did not find employment after six months at OFE. The Department usually refers people in their circumstance to other programs after six months, but those referrals are on hold pending the outcome of this appeal.

The Department acknowledged that <name removed> had been granted two years of disability eligibility in <year removed>, based on a comprehensive assessment of functioning submitted with their application. <name removed>'s doctor did not provide updated medical information in their <year removed> DAR.

The Board asked the Department if its denial was based primarily on insufficient medical information, or on the doctor's identification of education as the primary barrier. The Department stated it relied on the doctor's assertion that the primary barrier to employment was <name removed>'s education.

The Board acknowledges the physical challenges presented by <name removed>'s health issues. However, the Board notes that <name removed>'s issues date from childhood, and that they have worked in the past. There was insufficient evidence presented to demonstrate that their health issues had deteriorated so that they could no longer work.

Based on the verbal and written evidence presented to it, the Board determines that there is insufficient information to determine that <name removed> was 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

These are electronic copies of the Reasons for Decision issued by the Social Services Appeal Board. These written reasons have been edited to protect the personal information of individuals by removing personal identifiers.