

**Reasons for Decision:**

**Order #AP2021-0190**

On <date removed>, <name removed> filed an appeal of the decision of the Director, Downtown Point Douglas to deny them eligibility under Section 5(1)(a) of *The Manitoba Assistance Act*. The decision letter was dated <date removed>.

The decision letter sent to <name removed><name removed> stated the medical review panel required updated medical information.

The Department told the Board that <name removed> was enrolled as a General Assistance participant in <date removed>. The appellant first applied for disability eligibility in <date removed> and was denied. The appellant submitted additional information in <date removed>, and was granted six months of eligibility to allow for stabilization and treatment of their condition.

Over the next five years, <name removed> applied a number of times for extension of their disability eligibility. On several occasions the medical review panel denied their application due to insufficient information. The appellant was granted a number of short-term extensions when they provided additional information. The appellant was granted one short-term extension by the Board in <year removed>.

In <date removed>, <name removed>'s doctor provided a Disability Assessment Report (DAR) and a report from the Pain Management Centre. Based on this information, the medical review panel granted two years of disability eligibility, to allow for continued treatment and new strategies.

Because of the current public health emergency, <name removed>'s eligibility was extended from May 31, 2020 to August 31, 2020.

The medical review panel considered their eligibility in <date removed>, and declined to extend it past August 31 because there was no updated information on record concerning <name removed>'s functionality.

<name removed> told the Board that they requested updated information from their doctor. The appellant's doctor declined to provide additional information. In the doctor's opinion, <name removed>'s condition had not changed, and the information on the record was still valid.

The Board noted that the March 2020 DAR submitted by <Doctor's name removed> did not contain any information beyond a listing of the diagnoses and a statement that <name removed> could not work for 19 to 24 months. The Board questioned why <Doctor's name removed> would not complete all sections of the form, even if the

information was the same as in previous applications. <name removed> responded that the DAR should contain a list of the three medications they had been prescribed.

<name removed> told the Board that <Doctor's name removed> has moved out of the province.

In response to a question from the Board, <name removed> reiterated that their medical condition has not changed since their disability eligibility was last approved.

The Board drew <name removed>'s attention to page A4 of the hearing package, which contained part of a medical form submitted by <name removed> as part of their appeal. <name removed> denied ever seeing a psychiatrist, psychologist or social worker. The appellant denied having addictions or receiving addictions treatments. The appellant had no recollection of being prescribed anti-depressants. The appellant did not know who completed the medical form, or why it was contained with the information they submitted.

<name removed> stated they had an appointment with a psychologist scheduled for the day after the hearing. The appellant did not know why their doctor referred them to a psychologist.

While the Board acknowledges <name removed>'s medical issues, it notes there is no evidence of the impact those issues have on their ability to work in any type of employment. If <name removed> receives a diagnosis for a mental health issue following their psychologist appointment, they can submit that to the Department for reconsideration.

Based on the verbal and written evidence presented to the Board, 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**

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.