

# Health benefits when you go off ODSP



If you have been getting income support from the Ontario Disability Support Program (ODSP), but no longer qualify because your income from other sources is too high, you still might be able to get health benefits to help pay for drugs and other medical costs.

The Ontario Disability Support Program (ODSP) offers health benefits to people who qualify for monthly income support.

If you were getting income support but are going off it because you have other income, you still might qualify for one of these health benefits from ODSP:

- the Extended Health Benefit, or
- the Transitional Health Benefit.



## What is the Extended Health Benefit?

The Extended Health Benefit (EHB) pays for:

- most prescription drugs,
- dental care,
- vision care,
- hearing aids,
- diabetic and surgical supplies,
- transportation costs for travel to medical appointments if these costs are \$15 or more in a month, and

- the co-payment that you make if you get an assistive device under the Assistive Devices program of the Ministry of Health and Long-Term Care.

## **Who can get the Extended Health Benefit?**

If the only reason you do not qualify for income support is that you have “excess income”, you might be able to get the EHB from ODSP.

ODSP rules say you have excess income when the total amount of your income from other sources is more than your “entitlement”.

Your entitlement is the amount of income support you could get from ODSP for a month.

To figure out how much your excess income is, take your total income from other sources, and subtract your entitlement. If the answer is more than

zero, you may be eligible for the EHB even though you cannot get income support.

To figure out whether you are eligible for the EHB, you must:

- calculate your entitlement,
- calculate your excess income, and
- add up your eligible monthly costs, such as drugs, dental care, vision care, hearing aids, diabetic and surgical supplies, medical transportation costs if they are \$15 or more, and assistive devices.
- Compare these monthly costs to your excess income. If, in any month, the total of these monthly costs is more than your excess income, then you might be eligible for the EHB in that month.

For advice or help calculating if you are eligible for the EHB, you can contact a [community legal clinic](#) (see page 10).





## What if I do not qualify for the EHB?

You could be eligible for the Transitional Health Benefit (THB). It covers the costs of drugs, dental care, and vision care.

You can get the THB only if:

- you are going off ODSP because of a job or training allowance,
- you do not qualify for the EHB, **and**
- your job does not provide you with health benefits that are comparable to the THB.

If you get only some health benefits from your employer, you could still get the THB for other health-related expenses that your employer does not cover.

You can keep getting the THB until you have comparable health benefits from your employer, but you must apply for the THB once every year.



## How do I apply?

When you go off ODSP, your worker is supposed to decide if you are eligible for the EHB.

It is up to you to prove that you are eligible for the EHB. You will need proof of your drug costs and other medical expenses.

Ask your pharmacist for a print-out of your prescriptions for the last 6 months or 1 year. Figure out the average monthly cost of your medications. You can do the same for your costs for dental care, vision care, hearing aids, diabetic and surgical supplies, medical transportation, and assistive devices.

For an item that you pay for just once in the year, calculate the average monthly cost by dividing the amount that you paid by 12.

If you are not eligible for the EHB, your worker should figure out whether you qualify for the THB.



## What if I am refused or cut off the EHB?

Ask for the reasons in writing immediately.

You can appeal to the Social Benefits Tribunal (SBT). The SBT is independent from ODSP and has the power to make a different decision.

But first you must **write** to the ODSP office that made the decision and ask for an “**internal review**”. An internal review means that a different person reviews the original decision and decides whether or not to change it.

On the next few pages we give basic information about internal reviews, appeals, and the time limits that apply to them. For more details, see our pamphlet called “**Appeals and Internal Reviews**”. In it you will also find a **blank form letter** that you can use to request an internal review. Turn to the back cover to find out how to **order the pamphlet**. It is also available on our web site at <[www.cleo.on.ca](http://www.cleo.on.ca)>.

## Ask ODSP for an internal review

Your request must be made **in writing**. You must ask for an internal review within **10 days** from the date you receive the decision to refuse or cut off the EHB. If the decision is mailed to you, you may have less than 10 days.



### Note about mail

The rules assume that if a letter is mailed to you, you receive it **3 days** after it is mailed. So, if the decision letter that says you are refused or cut off the EHB is mailed to you, you have **13 days from the mailing date** (3 days plus 10 days) to request an internal review.

The mailing date should be stamped on the envelope by Canada Post. It might not be the same as the date on the letter, so keep both the letter and the envelope.

It is important to try to meet the time limit. But if you send in your request for

an internal review after the time limit, it may still be considered. Make sure you ask for an extension of time in your written request and explain why your request is late.

A decision on your internal review is supposed to be made within **10 days** from the date your request is received.

### **Appeal to the Social Benefits Tribunal**

If you get an internal review decision within the 10 days, and it says that you are still refused or cut off the EHB, you have **30 days** from the date of this decision to file an appeal with the SBT.

If you do not get an internal review decision within the 10 days, you can go ahead and appeal the original decision to the SBT. Your appeal must be filed within **40 days** of your request for an internal review.

If you miss the time limit for appealing, you can ask the SBT for more time. You will have to explain why you missed the time limit.

## **Apply to the SBT for an interim EHB**

When you appeal, you can ask the SBT to order the EHB as “interim” assistance, in other words, while you are waiting for your appeal to be decided. The Application for Interim Assistance is part of the SBT Appeal form. If the SBT orders it, the local ODSP office will have to give you the EHB until your appeal is decided.

### **If you are refused or cut off the Transitional Health Benefit**

You can ask the ODSP office for an internal review. But a decision about the THB cannot be appealed to the SBT.



## How do I get legal help?

For advice or help dealing with ODSP, contact a community legal clinic, your local Legal Aid office, or a lawyer.

You can usually find the community legal clinic nearest you by looking under “Legal Aid” or “Lawyers” in your phone book. You can also check Legal Aid Ontario’s web site at [www.legalaid.on.ca/en/locate](http://www.legalaid.on.ca/en/locate) or phone them:

Toll-free ..... **1-800-668-8258**

Toll-free TTY ..... **1-866-641-8867**

In Toronto ..... **416-979-1446**

TTY in Toronto..... **416-598-8867**

The law can change, and policies and practices can also change or vary. This pamphlet contains general information. It is not a substitute for getting legal advice about your particular situation.

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