

GENERAL INFORMATION ON ODSP

Prepared by the Community Advocacy & Legal Centre

Under ODSP, you have essentially the same obligations as you had under Ontario Works (to report any income, changes in your circumstances, such as boarders, co-residents, change of address, children's attendance at school, changes in rent, etc.). You can expect to have a financial review on a yearly basis, at which time you will be asked to show bank records, hydro bills etc. You will be sent a letter setting up an appointment and providing a list of papers to take with you. If you think there could be a problem at the interview, please call the Community Legal Clinic for advice before the interview.

There are some particular rules for ODSP recipients we would like to point out:

RESIDENCY

- If you are **out of Ontario** for more than **30 days**, you lose eligibility unless you have received approval in advance for necessary absence.
- You are eligible for benefits when you reside in Ontario. Benefits are not paid if you move out of Ontario.

ASSET LIMIT

- If you are a single person you are permitted to have up to \$5,000.00 in **savings or other assets**. If you have dependants this amount is higher. If you own and live in your home, or have one car, these are not counted as assets.

YOUR SPOUSE OR COMMON LAW PARTNER

- If your spouse or common law partner is not disabled he or she will have to meet Ontario Works (OW) employment requirements. This means that he or she will be referred to OW and may have to go to school, or do volunteer work (workfare) or look for a job and/or participate in a job placement program.

There are some exceptions. Spouses or common law partners will not have to participate in the OW employment assistance program if:

- he/she is a caregiver for a young child or a family member who needs assistance because of a disability, or
- is looking for work or working already, or
- is over 65, or
- there are exceptional circumstances, such as depression, anxiety or other illness

INCOME

- You are also permitted to receive up to \$6,000.00 in "**gifts or other voluntary payments**" in a twelve-month period without any effect on ODSP income or eligibility. You still need to declare this money on your monthly reporting form.

WORKING

- You can work (part time, full time, seasonal, permanent or casual) and still receive ODSP. How much of your employment income will be deducted from your ODSP cheque will depend on how many deductions you have. Once these deductions are made, half of what is left over will be deducted from your ODSP cheque, and you will keep the other half.
- You will be able to deduct the following amounts from your gross earnings each month:
 - Mandatory deductions (Income tax, CPP, EI and union dues)
 - \$100, plus
 - Up to \$600 in "informal child care costs" (i.e. Costs that are paid for babysitting or daycare for which there are no official receipts). Formal child care costs (costs that are documented by a receipt) are fully deductible; plus
 - Up to \$300 per month to cover disability related items at work, such as special technology or equipment.

Let's say you have gross employment income of \$1000, and your mandatory deductions are \$120, and you pay \$400 to your neighbour for child care while you are at work. How much you will keep is as follows:

Step 1: Figure out gross income: \$1000.

Step 2: Subtract deductions: $\$1000 - \$120 - \$100 - \$400 = \$380$

Step 3: You will keep half of that (\$190) and the other half (\$190) will be included as income that comes off your ODSP cheque.

This formula applies for each person in the benefit unit who works. Each will be able to deduct \$100 from their income. Half of their income will come off their cheque and they will keep the other half. (Employment income earned by children does not have to be reported.)

- If you earn too much employment income to continue receiving ODSP benefits, then the following will be available to you:
 - You will receive a benefit of \$500;
 - If the job doesn't work out, you will be eligible for "rapid reinstatement" to ODSP. You won't have to medically prove that you qualify, as long as your ODSP review date has not passed.
 - You will continue to receive your drug card and your ODSP health benefits until you are covered by your employer. If your employer doesn't provide coverage, you can continue to receive your ODSP drug card and health benefits.
- You can get up to \$500 in any 12 month period to help pay for such things as work uniforms, equipment and professional fees.
- **If you are self-employed, these rules may not apply.** Contact the Legal Centre for more information.

BENEFITS AVAILABLE TO PEOPLE RECEIVING INCOME SUPPORT FROM THE ONTARIO DISABILITY SUPPORT PROGRAM

COMMUNITY START UP AND MAINTENANCE BENEFIT

- ◆ You are eligible for up to a maximum of **\$799.00 for a single person** and **\$1,500.00 per family** every 24 months. This allowance is provided to people who have to move because their living arrangement is harmful to them or where the rent is too high, or to prevent an eviction or the disconnection of utilities. You need to apply for the Community Start Up and Maintenance Benefit in writing.

ASSISTIVE DEVICES

- ◆ You and your dependants are eligible for **Assistive Devices**, such as: mobility and visual/hearing aids, prosthetics and medical supplies.

DRUG COSTS & DENTAL/VISION BENEFITS

- ◆ If you are not on Ontario Works when you start to get ODSP benefits, you can ask that you be reimbursed for your **drug costs**. You can ask that drug costs be paid during the period that you waited for your benefits (the time that you are paid retroactive benefits for). You should ask your drug store to give you a list of the drugs you got during this period of time and their cost. Give this to ODSP and ask them to reimburse you.
- ◆ You and your dependants are eligible for **basic dental care** from a dentist, with an ODSP dental card.
- ◆ You and your dependants are eligible for part of the cost of **prescription glasses**. You may be eligible for part of the cost of contact lenses when medically necessary.

MANDATORY SPECIAL NECESSITIES

- ◆ You and your dependants are eligible for **Mandatory Special Necessities** such as medication, hearing aids, orthopaedic supplies, diabetic supplies, wheelchair batteries and repairs, surgical supplies and dressings. If you are deaf or hearing impaired you can be reimbursed for an "alerting system" in your home.

TRANSPORTATION COSTS

- ◆ You are eligible for the cost of **medical transportation** to meet with your doctor. You are eligible to be reimbursed for the actual cost of the transportation i.e. - bus ticket, taxi - if no public transportation is available. You are paid 18¢ a kilometer for mileage. You are also eligible to be reimbursed if you had to buy a meal i.e. if you had an appointment in Kingston and were gone for the day. You need to keep all of the receipts for the expenses associated with medical transportation and submit them to the ODSP office.
- ◆ Transportation costs to attend mental health counselling is covered if the treatment is prescribed by a doctor, psychiatrist or psychologist.
- ◆ If ODSP refuses to pay medical transportation costs for any counselling, the Legal Clinic for help.

SPECIAL DIET NEEDS

- ◆ If you have a medical condition requiring a **special diet** you may be entitled to extra money from ODSP. A form must be completed by a doctor, nurse, registered dietician or registered midwife (if you are pregnant). You will be required to file a new form from time to time to continue to be eligible for this extra money. You may apply for this benefit for any person in your family with special dietary needs. The most you can get is **\$250.00** per month. Examples of medical conditions are diabetes, cystic fibrosis and cardiovascular disease.

***If you are denied** any of the above benefits you should contact the Ministry and ask for a written letter telling you why your benefits were denied, and contact the Community Advocacy & Legal Centre for more information about how to appeal. If you want to appeal the denial of benefits you must do so within 30 days from the day you received notice that your benefits were being reduced, therefore it is very important that you contact our office immediately.

For more information, visit the Community Advocacy & Legal Centre website at <http://www.communitylegalcentre.ca/>.

To read the Ministry of Community and Social Services policies on the issues outlined in this tip sheet, visit their website at <http://www.mcscs.gov.on.ca/en/mcscs/programs/social/odsp/index.aspx>.

The Community Advocacy & Legal Centre has many legal pamphlets available in its waiting room to provide you with **more information** on ODSP, produced by Community Legal Education Ontario (CLEO). To order free publications visit their web site at www.cleo.on.ca.

This information is not meant to be legal advice. If you have a legal problem you should contact the legal clinic.