

## MEMO TO THE MEDICAL PRACTITIONER

The bearer of this letter is applying to the Ontario Disability Support Program (ODSP) for a provincial disability benefit. **Your patient has only 90 days, from the date of issue, to have them completed, copied and returned to the Disability Adjudication Unit.**

We are providing this memo to give you information that may be necessary for the Disability Adjudication Unit to make a determination of medical eligibility. It is hoped that the information in this letter will assist you in completing the necessary forms and underscore the importance of providing detailed attachments. This will help you to avoid spending time on further requests from the ODSP Disability Adjudication Unit (DAU) and relocating information necessary for appeals. Reports from the DAU indicate that the majority of applications denied upon submission were refused because the physicians did not attach the actual copies of tests and results. Thus, this letter may also assist the applicant by ensuring their application for a benefit is given a fully informed first review by the DAU.

According to the ODSP legislation, your patient is eligible if you verify that:

- the person has a substantial physical or mental impairment that is continuous or recurrent and is expected to last a year or more,

AND

- the direct and cumulative effect of the impairment on the person's ability to attend to his or her personal care, function in the community and function in a workplace, results in a substantial restriction in one or more of these activities of daily living.

The DAU is required to verify the applicant's impairment, the impairment's expected duration and how the impairment restricts the applicant's ability to carry out daily and work activities. The DAU does this without ever meeting the applicant and until recently the DAU did not have a physician on staff. The DAU makes its eligibility decision based only on the information provided in three forms and the supporting medical documentation.

There are three recommendations that will help ensure you don't have to follow up extensively on the initial application:

1. The DAU requires that you thoroughly complete the Health Status Report and Activities of Daily Living Forms. It is crucial that you provide a detailed description of your patient's medical situation.
2. Certain conditions have symptoms, which may not be accepted by the DAU unless **documented** by you and in detail. **Attach** sufficient objective medical evidence in the form of lab or specialist reports to back up the professional opinions you submit in the Forms.
3. If you are completing the extremely detailed Activities of Daily Living Form, it is suggested that you do this during an appointment with your patient. This will assist you in ensuring the Form is complete and includes relevant information. During this appointment, you could canvass some or all of the questions with your patient. You may also find it useful to view a copy of the applicant's Self-Report form to gain added insight into the applicant's experiences with their health issues.

The Ontario Disability Support Program application must be submitted with medical verification of the information completed in the following forms:

### **Health Status Report**

Health care providers who can fill out this form are registered Physicians, Psychologists and Optometrists. A registered nurse with an extended certificate of registration may also fill out this form. All tests, x-rays, reports, etc. that substantiate the conditions and the symptoms must be attached to the form or the patient is automatically denied and the application process has to start over.

### **Activities of Daily Life**

The same person who fills out your Health Status Report can complete this form. A registered Occupational Therapist, Physiotherapist, Chiropractor, Speech Pathologist or Audiologist can also fill it out.

### **Self-Assessment Report**

This form is optional and may be completed by the patient or their substitute decision maker where applicable.

The practitioner filling out the Health Status Form may also be asked to complete the “Activities of Daily Living Form” depending on the condition and circumstances of your patient. It is crucial that you provide a detailed description of your patient’s medical situation. Some conditions have potential debilitating symptoms, which should also be documented in detail with any available specialist verification or test results.

The practitioner completing the extremely detailed “Activities of Daily Living Form” should canvass some or all of the questions with the patient. As you are aware, certain conditions have little or no impact on some patient’s daily living activities, while for others it may be very significant, particularly if they were to attempt full-time employment with their current skills. It may be useful to request a copy of the patient’s completed Self-Report in order to gain added insight to his/her experience of health issues and the impacts on daily life.

The more detail you can provide with supporting documentation and verification in the form of lab reports or specialist reports, etc. the better it will be for your patient. All unsubstantiated prognoses or opinions of medical practitioners are rejected by the DAU leaving the patient in a lengthy and stressful appeal process or starting the process all over.

Should your patient be found eligible for the disability benefit and his/her medical condition is expected to show improvement over time there is a medical review date set for the purpose of determining ongoing eligibility. With ODSP support, those with disabilities are encouraged and offered the necessary supports to try and find work they are capable of doing without aggravating their conditions. If your patient attempts a job, their ODSP health benefits will now be extended to enable them to work without the income assistance. If they find they cannot continue for health reasons, they will be fast-tracked to again receive the income support portion of the benefits.

**Kindly complete the forms at your earliest convenience, as the patient has only 90 days to return the forms to the DAU.**



This resource was created and published by LIFE\*SPIN with support from the Law Foundation of Ontario. LIFE\*SPIN’s Office of the Community Advocate is located at 866A Dundas Street East in London. LIFE\*SPIN can be reached at (519) 438-8676 or at [www.lifespın.org](http://www.lifespın.org). To find, share and learn about community legal education in Ontario visit [www.cleonet.ca](http://www.cleonet.ca)