

■ **CPP-DISABILITY SELF-HELP GUIDES**

Application Guide

Prepared by

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CONTENTS

About CPP.....3

Payment Rates.....3

Qualifying for CPP-D.....4

 Contributions4

 The Minimum Qualifying Period (MQP).....4

 Special Provisions.....5

 Other Issues Related to Contributions.....5

Definition of CPP-D5

The Application6

 Step 1 | Obtain and Review Your Application6

 Step 2 | Filling Out the Application for CPP-D6

 Step 3 | Medical Report.....8

 Step 4 | Other Supporting Documentation9

 Step 5 | Putting Your Application Together9

 Step 6 | Submitting Your Application to ESDC.....9

Appendix A | Special Provisions (CPP Contributions) 11

Appendix B | CPP Legislation Definition of Disability 13

Appendix C | Sample Letter for Your Doctor..... 14

Appendix D | Contacts and Resources 15

Appendix E | Terminal Illness Application for Disability Benefits (TIAD)..... 16

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Information in this Guide is based on the legislation that was current at the time of writing. The legislation and policy may be subject to change. Please check the date on this Guide.



Disability Alliance BC (DABC) has prepared this guide to help you understand how to apply for the Canada Pension Plan disability benefit (CPP-D). The guide reviews the eligibility rules for CPP-D and provides a step-by-step explanation of how to complete the application form.

About CPP

The Canada Pension Plan (CPP) is administered by the federal government. The department responsible for CPP is Employment and Social Development Canada (ESDC).

The CPP operates in every province, except Quebec which has a similar program called the Quebec Pension Plan. The CPP legislation provides a number of different benefits including:

- disability benefits (CPP-D)
- benefits for children of people receiving CPP disability benefits
- retirement pensions
- death benefits
- survivor's benefits
- benefits for children of deceased contributors.

Payment Rates

Most people who work in Canada contribute to the CPP, so they are eligible for a CPP retirement pension. The amount of CPP retirement benefits a person receives is based on the contributions from annual earnings they make above a minimum amount.

The CPP-D amount a person receives is based on a portion of his or her estimated retirement benefit and a flat rate amount. In 2018, for example, the monthly flat rate amount was \$485.20. CPP-D is linked to inflation so the rates change slightly each year. In 2018, the maximum monthly benefit amount was \$1,335.83. The average monthly benefit in 2018 was \$958.83.

For people who are receiving CPP disability benefits, the plan also provides a benefit for each child under the age of 18. In 2018, the amount was \$244.64. This benefit is for the child and is paid to the custodial parent. When a child turns 19 and continues to attend school on a full-time basis, the benefit will then be paid directly to him/her until he/she reaches the age of 26.



If you find that your monthly CPP-D rate is less than the provincial disability assistance rate (for example, the maximum amount for a single person with the Persons with Disabilities designation is \$1,133 a month), you may be eligible for a top-up from the provincial government. Contact your local Ministry of Social Development and Poverty Reduction (MSDPR) office for more information about this.

Qualifying for CPP-D

To qualify for CPP-D, you must:

- be under 65 years of age
- have made the required amount of contributions
- have a “severe and prolonged” disability as defined in the CPP legislation.

Contributions

To qualify for CPP-D, you must have worked and contributed to CPP for a certain amount of time.

The Minimum Qualifying Period (MQP)

The MQP is the minimum period of time that you must have worked and contributed to CPP in the years immediately before you became disabled (as defined in the CPP legislation) in order to be eligible for CPP-D benefits.

The MQP is calculated by looking at the number of recent calendar years in which you have made contributions to CPP. In order to qualify for CPP-D, you must prove that you became disabled by the end of your MQP. The end of a person’s MQP is usually December 31st of his or her last qualifying year.

If you have worked only four years, then you must have made valid contributions to CPP in **each** of these four years in order to be eligible for CPP-D.

If you have worked more than four years, then in most cases it is necessary for you to have made valid contributions to CPP in at least **four out of the last six years** before you became disabled. This is known as the “four out of six year rule.” It applies to anyone who became disabled **on or after January 1st, 1998**.

But if ESDC determines that you became disabled earlier, between January 1, 1987 and December 31, 1998, the rules are different. You must have worked and contributed to CPP in either:

- **two of the last three years** before you became disabled, or
- **five of the last ten years** before you became disabled.



Finally, if you are applying for CPP-D after February 29, 2008, and ESDC determines that you became disabled **on or after December 1, 2006**, and if you have made contributions to CPP for 25 years or more, then you do not need to have contributions in four out of the last six years. You can qualify if you worked and contributed to CPP in just **three of the last six years** before you became disabled.

Note | ESDC is currently limiting its application of this rule to people who became disabled on or after December 1, 2006, but there is a good argument the rule should apply to anyone who applies after February 29, 2008, regardless of when they became disabled.

Special Provisions

In some situations, or “special provisions,” you may be eligible for CPP-D even if your contributions do not meet the requirements outlined above. Please see **Appendix A** in this guide for details about these special provisions.

Other Issues Related to Contributions

- If you worked in Quebec, your Quebec Pension Plan contributions can be combined with your CPP contributions.
- If you have worked in another country that has a social security agreement with Canada, contributions to the social security program in that country may be used to help you meet the CPP contribution requirement.
- If you are separated or divorced (including a common-law relationship), you may claim part of your ex-partner’s CPP contributions, while you were living together. This is called “credit splitting” and these contributions or credits may help you qualify for CPP-D, even if you have not worked.

Definition of CPP-D

If you have made the required contributions, the next step is to show that you meet the definition of disability contained in the CPP legislation. To do this you must show that your disability is both **severe** and **prolonged**.

The CPP legislation defines “severe” as a condition that makes “a person incapable of regularly pursuing any substantially gainful occupation.” “Prolonged” is defined “as such severe disability is likely to be long continued and of indefinite duration or is likely to result in death...”

Please see **Appendix B** in this guide for the exact wording of the definition.



The Application

If you are applying for CPP-D because of a life threatening or terminal condition please see **Appendix F**.

Step 1 | Obtain and Review Your Application

You can get a CPP-D application form by contacting your local Service Canada office or by phoning the general information number: 1-800-277-9914.

Application forms can also be downloaded and printed from the Service Canada website at:

<https://catalogue.servicecanada.gc.ca/content/EFForms/en/Detail.html?Form=ISP1151>.

The application includes a General Information Guide to help you fill out the form. We recommend you read it before you begin. The Guide includes these sections:

- The **Application for CPP-D** asks for basic information about the applicant and any dependent children. It also asks for information about the applicant's medical and employment history.
- A **Medical Report** to be completed by the doctor who is most familiar with your disability.

Step 2 | Filling Out the Application for CPP-D

The following questions on the questionnaire need to be carefully and thoroughly answered.

The answer given here will often match with Question 5 which asks for your last day of work. If the two dates are different, it is important to explain why.

Question B1

If you indicate in this section that you are divorced or that you have been separated or were in a common law relationship that had ended, Service Canada will follow up by mailing you a credit split application.

Question B3

If you are unsure if the Child rearing provision applies in your case please see the guide located at Annex A in your CPP-D application form.



Section C – Information about your medical conditions

Some questions in the Application for CPP-D are particularly important and may influence the outcome of your application. Most of the questions we review in this section give you the opportunity to describe the nature and extent of your disability.

The more thorough the information you provide, the better. Service Canada will ask you to rank your ability level on most days. We recommend that, when you fill in the application, you also describe a day when the limitations associated with your disability are the most severe or mention the unpredictability of any of your symptoms or their severity. In this way, ESDC will have the best opportunity to see how your disability affects your day-to-day life and your ability to work.

Limited space is provided for your answers. Attachments are appropriate but remember to include your SIN on each attached page.

Question C1

The date you feel you could no longer work is entered here.

Question C2

Asks you to state your main and any additional medical conditions that prevent you from working. We recommend that you also describe some of the symptoms that stop you from being able to work. Please remember to focus on the symptoms that stop you from being able to work at any job.

Question C5

Asks for you to list any medications you currently take noting the dosage or how often. Make note and give a description of any medications that cause side effects that impact your ability to work.

Question C6

Asks you to list past current and future treatments for your medical condition(s). Make notes of any treatments that were not effective or that were discontinued.

Question C8

Asks you to assess your own functional abilities. You will be asked to measure your ability level on most days.



Step 3 | Medical Report

As far as ESDC is concerned, the Medical Report is the most important part of the application. Your doctor must provide details about your medical condition(s), history, prognosis and treatment.

You should ask the doctor who knows the most about your disability to complete the Medical Report. We recommend that you speak to this doctor, before giving them the forms, to see if they support your application. It is a good idea to tell the doctor how your condition affects your daily life.

Remember, if you have a new doctor who does not know you very well, they may not be able to provide enough detail to ESDC. It may be a good idea to schedule a couple of visits before you ask the doctor to complete the Medical Report.

ESDC suggests that your doctor submit any reports from specialists you have seen. Speak to your doctor about letters and reports in your file.

Some Tips for Talking With Your Doctor

- Make an appointment to talk about your CPP-D application. When you visit your doctor, it's a good idea to show your doctor the sample letter provided in **Appendix D** in this guide or use the letter as a model for writing your own.
- Ask your doctor whether or not they feel that your disability creates a severe barrier to employment, not only now, but in the future.
- Ask your doctor how long your disability is going to last. Your doctor does not have to indicate that you will be disabled for the rest of your life but he/she should indicate that your disability will not improve for the foreseeable future.

If your doctor is not supportive, consult an advocate.

Who Should Fill Out the Medical Report?

The General Practitioner (GP)

The advantage of using information from a GP is that they are probably the doctor who knows you the best. Also, if you have more than one disabling condition, the GP may have the best understanding of how all your disabilities affect you and your ability to work.

The Specialist

The advantage of getting information from a specialist (e.g. psychiatrist, neurologist or surgeon) is that they usually have more in-depth knowledge of a specific condition.



Also, the opinion of a specialist may be given more weight by ESDC than the opinion of a GP.

On the other hand, specialists will usually only provide information on the condition that they are treating and may not know how all your disabilities interact and impact your life. Also, because they may only have seen you once or twice, the specialist might not know you as well as your GP.

Your medical practitioners have the choice of returning the completed Medical Report to you or submitting it directly to ESDC. We suggest that you ask your doctor to return the Medical Report to you so that you can send it to ESDC with your application. This will help avoid confusion and possible delays in processing your application.

Step 4 | Other Supporting Documentation

You can include additional documentation with your application.

However, review this documentation carefully. It will not help your application if the medical reports are out of date or if a doctor indicates that you should be able to return to work in the near future.

Other health professionals can be asked to provide support letters (e.g. a chiropractor, physiotherapist or psychologist). Information that describes how your disability affects your daily life and your ability to work can be very useful.

Family and friends can also be asked to provide letters, although this kind of information is often considered of secondary importance by ESDC.

Step 5 | Putting Your Application Together

A complete application will include:

- The Application for Disability Benefits
- The Questionnaire for Disability Benefits
- The Authorization to Disclose Information/Consent for Medical Evaluation
- The Medical Report
- The Child-rearing Dropout Provision form (if relevant)
- Any other supporting documentation you have obtained.

Step 6 | Submitting Your Application to ESDC



The General Information Guide included with your application outlines the steps you need to take to ensure that ESDC receives all the necessary information.

A Brief Overview

If you are mailing your application:

- Indicate your Social Insurance Number on all the pages
- Sign and date all forms
- Enclose the Medical Report from your physician. If your children do not have a Social Insurance Number, enclose proof of birth (certified copies are acceptable).

TIP | If you are mailing your application, be sure to keep a photocopy for your records.

If you are submitting your application in person:

- Go to your local Service Canada office
- If you have children and they do not have a Social Insurance Number, bring proof of their birth to the appointment with you
- Ask the staff person how long it will take to receive a response.

Review page 4 of the General Information Guide to ensure that you have the right documents.

An adjudicator will usually phone you to confirm that your application has been received and to answer any questions you may have. Your adjudicator may also phone you if they need more information.

If your application is approved

Congratulations! You will receive your first payment about 4 to 6 weeks after your application is approved. Your first payment will consist of a retroactive lump sum and a monthly benefit payment cheque. Your lump-sum amount starts accumulating four months after ESDC has determined you were disabled under the CPP rules. Remember CPP is taxable income. Phone 1-800-277-9914 for more information.

If your application is not approved

If your application is denied, you can appeal the decision within 90 days. Please see our CPP-D publication, *Appeal Guide: Part One–The Reconsideration Request*.



Appendix A | Special Provisions (CPP Contributions)

If your contributions into CPP do not meet the requirements outlined in the “Qualifying for CPP-D” section of this guide, you may still be eligible if one of the special provisions below describes your situation.

Late Applicant Provision

This may be used by people who did not apply for CPP-D as soon as they became disabled. When people wait too long to apply, the contribution rules may mean they are ineligible for benefits.

When someone applying for CPP-D has not paid enough into CPP under the current contribution requirements, ESDC automatically looks at his or her contributions to see when they last paid enough into CPP to qualify for benefits. For example, if someone has enough contributions between 1987 and 1997 (but not after that date) the rules that would apply to them would be the ones that were in place between 1987 and 1997.

Under the Late Applicant Provision, an applicant must prove they were disabled by the MQP date and prove that the disability has been continuous from that date until the present.

Child Rearing Drop-Out Provision

Parents, who have taken time out of work to raise children under the age of seven and were in receipt of the family allowance or child tax credit, may apply for this provision. If the parent had little or no earnings during these years, they can be excluded from the rule that is used to calculate their contributions. Although the parent would still need valid contributions, this provision could extend his or her MQP.

Incapacity Provision

When a person is unable to apply for CPP-D benefits because of the severity of their physical or mental condition, this provision enables them to apply at a later date. You still need to meet the MQP requirements, but this provision could help you to receive more retroactive benefits.

Automatic Reinstatement Provision

When someone who was receiving CPP-D has returned to work and then finds that he or she cannot continue because of the same or related disability, he or she can apply to have their CPP-D restarted. This is only possible if you stop working within two years of when you came off CPP-D. You must tell ESDC within one year from the date you stopped working that you need to have your benefits reinstated.



Automatic Reinstatement means you do not have to go through the same process that you did when you first applied for CPP-D. However, you have to fill out an application for reinstatement and you need a letter from your doctor saying that the same condition prevents you from working. Once ESDC accepts an application for reinstatement, CPP-D benefits begin the month after the person is unable to work. This rule is for people who were on CPP-D, returned to work and then stopped receiving benefits as of January 31st, 2005 or later.

Fast-track Reapplication Provision

This provision is only available for people who return to work after receiving CPP-D, but stop again within five years because of the same or related disability. In this case, you must have made valid contributions in each year since you started working. After five years, the standard application process and four out of six year rule apply.

Other Issues Related to Contributions

- If you worked in Quebec, your Quebec Pension Plan contributions can be combined with your CPP contributions.
- If you have worked in another country that has a social security agreement with Canada, contributions to the social security program in that country may be used to help you meet the CPP contribution requirement.
- If you are separated or divorced (including a common law relationship), you may claim part of your ex-partner's CPP contributions during the time that you were living together. This is called "credit splitting" and these contributions or credits may help you qualify for CPP-D, even if you have not worked.



Appendix B | CPP Legislation Definition of Disability

Section 42(2) of the Canada Pension Plan defines disability. It says that:

- (a) a person shall be considered to be disabled only if he is determined in prescribed manner to have a **severe** and **prolonged** mental or physical disability, and for the purposes of this paragraph,
- i) a disability is **severe** only if by reason thereof the person in respect of whom the determination is made is **incapable regularly of pursuing any substantially gainful occupation**, and
 - ii) a disability is **prolonged** only if it is determined in prescribed manner that the disability is likely to be **long continued** and of **indefinite duration** or is likely to result in death; and
- (b) a person shall be deemed to have become or to have ceased to be disabled at such time as is determined in prescribed manner to be the time when he became or ceased to be, as the case may be, disabled, but in no case shall a person be deemed to have become disabled earlier than fifteen months before the time of making any application in respect of which the determination is made.

(R.S.C. 1985, c.30 (2nd Supp.), s. 2(2))



Appendix C | Sample Letter for Your Doctor

Date
Name
Return address

Dear Doctor _____

I am writing to ask you to complete a Medical Report for my application for Canada Pension Plan disability benefits. I am enclosing the Medical Report form.

In order to qualify for CPP disability benefits, I must provide medical evidence to show that:

- Ever since I last worked (date _____), my disabilities have prevented me from regularly maintaining “substantially gainful” employment in any job (not just my previous job); and that
- My condition is not likely to improve for the foreseeable future.

If you are able to complete the Medical Report for me, please include:

- A list of all my medical conditions and symptoms (Questions 3-4).
- All relevant medical reports, letters and test results (Question 6A).
- A description of all the functional limitations arising from my impairment (Question 6B).
- A list of all the medications and treatments I have tried, and an indication of whether they have helped or not (Questions 8-9).
- A realistic (rather than an optimistic) prognosis (Question 10).
- Comments on how my impairment regularly prevents me from pursuing and maintaining gainful employment (Question 11).
- Comments on whether I could realistically be retrained for other types of work (Question 11).

I would be happy to discuss my application with you. If possible, please show me the form when you have completed it, so that we can go over it together before it is submitted. Thank you for your help with my application.

Sincerely,

[Name & Signature]



Appendix D | Contacts and Resources

Employment and Social Development Canada (ESDC) - Service Canada

For applications and Reconsideration Requests

The mailing address for Service Canada depends on which province or territory you live. Contact Service Canada by phone to find out which mailing address you should use. For BC residents, the contact information is:

PO Box 1177 Victoria,

BC V8W 2V2

Phone: 1-800-277-9914 (English)

Phone: 1-800-277-9915 (French)

TTY: 1-800-255-4786

Website:

<https://www.canada.ca/en/employment-social-development/corporate/portfolio/service-canada.html>

Social Security Tribunal

PO Box 9812

Station T CSC

Ottawa, ON

K1G 6S3

Toll-free in Canada and the US: 1-877-227-8577

From outside Canada and the US, call collect: 1-613-437-1640

TTY: 1-866-873-8381

Fax: 1-855-814-4117 (toll-free in Canada)

Email: info.sst-tss@canada.gc.ca

Website: <http://www1.canada.ca/en/sst/>



Appendix E | Terminal Illness Application for Disability Benefits (TIAD)

If your doctor has told you that you have a terminal illness you can apply for CPP Disability benefits using this more condensed single form. The application is 11 pages and covers five areas.

Section A – Applicant Information

This covers the CPP-D application, CPP-D questionnaire, and Child Rearing Dropout Provision in six pages.

Section B – Consent to Communicate information

This would allow Service Canada to communicate with another person about your case. Make sure you get the authorized person's signature as well. This person will be able to give and receive information on your CPP-D application.

Section C – Declaration and Signature

You want to make sure that you (or your legal representative) sign in this section. Leaving this section blank can cause delays in processing your application. You only need a witnesses signature if you are signing the application with a "x."

Section D – Consent for Service Canada to obtain personal information.

This allows ESDC to obtain medical, employment and educational information about you.

Section E – Medical Portion

This section needs to be completed by a doctor or nurse practitioner. They give one page of instructions and one page for information. Service Canada will want to see documentation in support of your diagnosis and prognosis of your condition.

In addition to shorter application forms, Service Canada does try and prioritize these applications.