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# Appealing Denial of the Persons with Persistent Multiple Barriers (PPMB) Benefit: The Request for Reconsideration

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If you have applied for the Persons with Persistent Multiple Barriers (PPMB) benefit and have received a letter from the Ministry of Social Development and Poverty Reduction (MSDPR) denying your application, you have the right to appeal the Ministry's decision. You can file a Request for Reconsideration.

This Help Sheet is designed to help you understand the appeal process and how to make your Request for Reconsideration.

Please note that, although this Help Sheet provides an overview of the appeal process and gives suggestions on how you may increase your chance of success, it does not take the place of an advocate's assistance. To speak to an advocate, contact the Advocacy Access program (604-872-1278 or toll-free 1-800-663-1278) or go to the PovNet website ([www.povnet.org](http://www.povnet.org)) and click on "Find an Advocate" to see if there is an advocate in your area.

**If you are looking for assistance to apply for PPMB, please see Help Sheet 6: The Persons with Persistent Multiple Barriers (PPMB) Benefit.**



## How to appeal the denial of your PPMB benefit

There are two levels in the appeal process:

### Level 1: The Request for Reconsideration

If your Request for Reconsideration is successful, MSDPR will give you the PPMB benefit.

### Level 2: The Appeal Tribunal

If MSDPR turns down your Request for Reconsideration, you can go to the next level of the appeal process and ask for an Appeal Tribunal. Please see **Help Sheet 11B: Appealing Denial of the Persons with Persistent Multiple Barriers (PPMB) Benefit: The Appeal Tribunal**.

## How to apply for a Request for Reconsideration

When you receive a letter from MSDPR saying that your application for the PPMB benefit has been denied, you should take the following steps:

### 1. Act immediately

It is very important to start work on your Request for Reconsideration right away because **you have only 20 business days to get your completed request to your local MSDPR office**. Day 1 is the day after you receive the denial letter from MSDPR. From that day, you count weekdays, but not weekends or holidays.

While it is better to do your Request within the 20 business days, the Ministry will allow an extension if you need additional time to obtain and submit supporting documentation, but you must notify the Ministry **before** the end of your 20-business-day deadline. If you are given an extension, the Reconsideration decision will be made 20 business days from the day your extension is granted. Please note that, even if you have an extension, you must submit your supporting documentation **before** the extension deadline.

In special situations, MSDPR may permit you an extension if you miss your original 20-business-day deadline; for example, if you are too sick to inform the Ministry that you want to ask for a Reconsideration or that you need an extension. You should contact the Ministry as soon as you can and explain why you have missed the deadline.

**TIP: Write the date on the top of the denial letter from MSDPR as soon as you get it, so you can always figure out how many days you have before the deadline.**



## 2. Get a Request for Reconsideration form

You get the Request for Reconsideration form from the Ministry. Advocates do not have copies of these forms.

**TIP: Call 1-866-866-0800 before you go to your MSDPR office to pick up the Request for Reconsideration form. That way, the Ministry will be able to fill out their sections of the form before you pick it up.**

When you leave your MSDPR office you should have the following:

- a) The Request for Reconsideration form.
- b) A copy of the PPMB application form filled out by you and your medical professional.
- c) A copy of any documentation your medical professional or you attached to the form as part of the application.
- d) The denial letter from MSDPR that says the Ministry has turned down your application for PPMB. You should already have a copy of this letter.

## 3. Complete the Request for Reconsideration form

**Section One:** This should have been completed by the Ministry worker. It includes your name and current address. Make sure this information is correct.

**Section Two:** This is completed by the Ministry worker. Check to make sure all the following information is there:

- a) What MSDPR's decision is. Usually, the Ministry will have written what your PPMB denial letter says.
- b) If you are already receiving PPMB, check the month the decision is effective. The MSDPR allows a three-month transition period before your benefits are reduced.
- c) The date you received the denial letter from MSDPR. Check to make sure the date is correct, as this affects how long you have left out of the 20 business days to submit your Request for Reconsideration. We recommend that you write down the date your Request for Reconsideration is due.
- d) The law MSDPR used to make its decision. The Regulation dealing with PPMB says that in order to qualify for the benefit:
  - Your health professional must say that you have a medical condition (can include an addiction) that has lasted for one year and is likely to continue for at least 2 years or more, or that you have a health condition that has occurred frequently in the past year and is likely to continue for at least 2 more years.
  - Your health professional must explain how your medical condition stops you from looking for, accepting, or continuing employment.



- You must say that you have at least one severe barrier to employment in addition to your medical condition.

**Section Three:** This section is completed by you.

- a) The MSDPR denial letter gives the reasons why the Ministry turned down your application for PPMB. Read the reasons very carefully and compare them to what your health professional put on your Health Assessment and what you identified as your Barriers to Employment. The MSDPR might have turned you down because of the information your health professional put in your Health Assessment, or it might be because of some information that your health professional left out. Look at what your health professional said about your medical condition(s) and how it affects your ability to work. Or MSDPR might have turned you down because you did not tick off at least one of the restrictions or identify another severe barrier to employment and support it with some documentation.
- b) Is there something in the Health Assessment (or left out of it) that hurt your application for PPMB? For example, has your health professional said anything about you being able to do light work? Has your health professional failed to provide details about how your medical condition(s) prevent you from working? Have you failed to identify a barrier to employment or maybe to provide documentation to support it? MSDPR can use these as reasons to deny your application.
- c) Fill in Section Three of the form by explaining the barriers you face in finding or keeping a job. Give actual examples of any problems you have had. If someone has said that you could be retrained, explain why this would be difficult for you. Or, if you have tried retraining, explain why you have been unable to complete it or why it did not lead to employment.

**Section Four:** This section is to be completed by you. You must sign the form, date it, and include your phone number if you have one.

#### **4. Additional supporting information**

Additional information — about your health condition and other barriers to employment — is very important for the best chance of success with your PPMB Request for Reconsideration. Here are some ideas that might help:

- a) Talk to your doctor about the information they provided in the PPMB Health Assessment, and explain how it might hurt your application. Discuss with your health professional how important the PPMB benefit is for you and your health. Ask your health professional for a letter that explains why your condition stops you from looking for, accepting, or continuing in employment. Remember, MSDPR wants details about how your medical



condition(s) prevent you from working or being retrained. It is important that your health professional writes this letter quickly because of the deadline for getting your Request for Reconsideration into the MSDPR office. Unfortunately, MSDPR will not pay for medical letters for a Request for Reconsideration.

- b) If the MSDPR says they denied you because you did not prove you had a barrier to employment, go over the list again on page 5 of the application form. If you think you have another severe barrier to employment not mentioned in the list, identify it. If you have identified a barrier and the MSDPR is asking for proof, try and obtain it and include it in your submission. You might ask other professionals or support people who know your work limitations to write a letter. Remember, MSDPR will put more value on a letter from a health professional or other expert than one from a friend.

### **5. Submit your Request for Reconsideration**

As soon as you have completed your Request for Reconsideration take it to your local MSDPR office. Check the deadline. Do not wait until the last minute. Make sure you get a copy.

In normal circumstances, the Ministry will take up to 10 business days to make a Reconsideration Decision, after the Request for Reconsideration has been received. The Reconsideration Decision will be mailed to you.

Remember, if MSDPR turns down your Request for Reconsideration, you can request an Appeal Tribunal. See **Help Sheet 5B: Appealing Denial of the Persons with Disabilities (PWD) Benefit: The Appeal Tribunal** for information on this.

**If the Ministry takes longer than the regulations allow to make a Reconsideration Decision, then you will not lose money as a result of the delay.**



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