

**Reasons for Decision:**

**Order # AP1617-0011**

The appellant appealed that the appellant's income assistance was cancelled. In particular, the loss of the appellant's health benefits.

The appellant is in receipt of <text removed> benefits. These benefits have not been enough to support the appellant, so the appellant has received a small amount of Employment and Income Assistance benefits. Any person in receipt of income assistance benefits is also eligible for provincial health benefits including prescription coverage, optical and dental coverage.

The appellant's income assistance budget was <amount removed>. The appellant's <income source removed> benefits increased on <date removed> to <amount removed> so the appellant was no longer eligible for any Employment and Income Assistance benefits as the amount of the appellant's <income source> was higher than the EIA budget.

The appellant lives in a subsidized rental unit where rent can be adjusted in accordance with a person's income. The Department contacted the housing worker to determine what the appellant's rent would be once the appellant's income assistance file was closed. The Department reported that they were advised that the appellant's rent would be reduced to <amount removed> effective <date removed>, making the appellant ineligible for further benefits. The appellant was advised to apply for Pharmacare benefits and the appellant's file was kept open for the month of <text removed> so that the appellant received prescriptions.

The appellant stated that the appellant really needs the health benefits. The appellant has high ongoing prescription costs and the day after the appellant's income assistance was cancelled, the appellant broke a tooth and still requires dental attention for this matter. The appellant disputes the information provided by the program regarding how much the appellant's rent is. The appellant stated that the appellant's rent is automatically withdrawn from the appellant's bank account and for the months of <text removed> the appellant paid <amount removed>. The appellant also provided the Board with a letter dated <date removed> from the housing worker which stated that the current monthly rental charge is <amount removed> and effective <date removed> will be reduced to <amount removed> for rent plus <amount removed> for services for a total of <amount removed> per month. The appellant did also mention that the appellant received a cheque from Manitoba Housing for <amount removed> and wasn't really sure what it was for. The appellant also advised the Board that because the appellant must have medication, the appellant was able to scrape and borrow the money to pay <amount removed> towards the Pharmacare deductible.

Persons who are no longer eligible for income assistance may still qualify to have health services only under Section 22. 1.6 which states:

Where the applicant's resources are sufficient to meet all basic living costs, other than health care, eligibility for Health Services only may be considered. If the applicant's actual health care costs, or an allowance for health expenses of \$10.00 per adult, per month, exceeds the household's available resources, enrolment for Health Services may be granted. The \$10.00 allowance used in the Health Services test of eligibility is never to be included in calculating of cash grants. Applicants must not be enrolled for a Health Services card unless they are eligible on a long-term basis. However, regular re- assessments of health card eligibility must be conducted. Health costs must be verified and averaged to reflect the ongoing need, and must be recorded on file as confirmation of eligibility.

After carefully considering the written and verbal information the Board has determined that there is enough doubt in the calculation regarding the appellant's actual rental charge, that the appellant should have the appellant's income assistance file re-opened so that the appellant can receive health benefits. The Board must put more weight on the written documentation provided by the appellant than on the verbal information provided by the program. Therefore the Board orders that the appellant's eligibility for income assistance benefits be re-instated effective <date removed>. Any funds the appellant has expended on items which would have been covered by the program had the appellant's file not been closed, should be reimbursed to the appellant.

## **DISCLAIMER**

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