

Questions & Answers Special Diet Allowance

For Use By Provincial Staff

General:

Q. What is the change?

- A. The social assistance rules relating to the Special Diet Allowance have been amended to require that:
- a. A recipient who has a medical condition set out in the new Special Diets Schedule be eligible for a Special Diet Allowance;
 - b. The medical condition be confirmed by an approved health professional on the Special Diet Allowance/Pregnancy Nutritional Allowance (Form 3059 - English; Form 3060 - French); and
 - c. Payment for a special diet be calculated according to the amounts specified in the Special Diets Schedule.

Q. Why is the Ministry making the change?

- A. The purpose of the regulation change is to clarify the policy intent with respect to special diets. Specifically, the Special Diet Allowance is intended for recipients who require a special diet as a result of a medical condition.

Q. When will this change be effective?

- A. The change is effective November 4, 2005.

Q. Who will the change effect?

- A. This change affects all applicants and recipients of social assistance who may require a special diet(s) as a result of a medical condition(s) as well as those currently in receipt of the Special Diet Allowance.

Q. Why are current cases receiving the special diet allowance being reviewed?

- A. The review is being undertaken to confirm that recipients have a medical condition for which a special diet is required. If the recipient has a medical condition indicated on the new Special Diets Schedule, the recipient will continue to receive a Special Diet Allowance based on the amounts in the revised schedule.

Q. Is an allowance for breast-feeding still available?

A. Yes. An allowance for breast-feeding is provided as part of the Pregnancy Nutritional Allowance. The Pregnancy Nutritional Allowance is available starting the month the pregnancy is confirmed and for an additional 12 months after the date of delivery.

Q. Who can confirm that a recipient has a medical condition that requires a special diet?

A. The following approved health professionals can/are authorized to confirm that the recipient has a medical condition that requires a special diet:

- Physicians;
- Registered Nurses in the Extended Class – RN(EC);
- Registered Dietitians;
- Registered Midwives; and
- Traditional Aboriginal Midwives recognized and accredited by her/his Aboriginal community.

Q. What medical conditions may be confirmed by a Registered Midwife/Traditional Aboriginal Midwife?

A. Midwives in both categories may confirm that a special diet is required for the following medical conditions only:

- Inadequate lactation to sustain breast-feeding; and
- Breast-feeding is contraindicated.

In addition, they can confirm the need for the Pregnancy Nutritional Allowance.

Q. How is the amount for a Special Diet Allowance calculated?

A. The amount payable for a Special Diet Allowance for a medical condition that is included in the Special Diets Schedule is based on the amount indicated in the Schedule. The total amount payable for the Special Diet Allowance cannot exceed \$250 per month for each member of the benefit unit.

Q. Must an original Application for Special Diet Allowance/Pregnancy Nutritional Allowance (Form 3059/3060) be completed to determine eligibility for the special diet allowance?

A. Yes. All recipients who require a special diet because of a medical condition must have an original, new Application for Special Diet Allowance/Pregnancy Nutritional Allowance (Form 3059/3060) completed

by an approved health professional to confirm that they have a medical condition that requires a special diet. Staff will complete the applicant/recipient information section and the date the form is issued prior to providing the form to the applicant/recipient.

Q. What is the effective date of eligibility for a special diet?

A. An amount for a Special Diet Allowance is to be paid commencing on the first day of the month that an approved health professional confirms that the recipient requires a special diet because of a medical condition and signs the Special Diet Application/Pregnancy Nutritional Allowance (Form 3059/3060).

Q. Will eligibility for a Special Diet Allowance be reviewed on an on-going basis?

A. Yes. Eligibility for income support is reviewed on a regular basis. This includes the Special Diet Allowance.

Q. How is eligibility for a special diet re-confirmed?

A. The Director will request that a member of the benefit unit who is receiving an amount for a special diet provide a new Application for a Special Diet Allowance completed by an approved health professional.

Q. Can the Director reduce the Special Diet Allowance pending the outcome of the review?

A. No. The recipient will continue to be eligible for the Special Diet Allowance until the Director makes a decision regarding on-going eligibility.

If the recipient fails to provide the required information to re-confirm eligibility for a special diet within the 90 day timeframe, the Director may reduce the budgetary requirements by the amount for the special diet.

Q. How will the Ministry ensure that the Special diets schedule is up-to-date?

A. The Ministry will review the Schedule six months after introduction and periodically after that to confirm that it reflects medical conditions that require a special diet. Based on the review, the Schedule will be revised as required.

In addition, where new medical conditions are identified between the scheduled reviews, an ad hoc review will be undertaken and the Schedule revised as needed.

Q. Is there a separate Special Diets Schedule for recipients in Northern communities?

A. No. Budgetary requirements for Northern residents include the Northern Allowance which is intended to recognize the additional costs associated with living in Northern communities.

Q. How are FBA grand-parented Special Diet Allowance cases to be treated?

A. Members whose Special Diet Allowance maximums were grand-parented from Family Benefits Allowance (FBA) to ODSP and who are currently receiving Special Diet Allowances in excess of \$250 per month are subject to the transitional review. Direction on the timing of the review of grand-parented FBA Special Diet Allowance cases will be provided in the future.

If the member's dietary needs change, a new Application for a Special Diet Allowance (Form 3059/3060) is to be completed to determine ongoing eligibility for a Special Diet Allowance according to the revised Special Diets Schedule. If, according to the new Schedule, the member's special dietary requirements fall to \$250 or less per month, he/she loses their grand-parented status and thereafter is subject to the \$250 Special Diet Allowance maximum.

Reviewing Eligibility

Q. Who will be impacted by the review?

A. All cases in receipt of a special diet allowance before November 4, 2005 will be reviewed. Current recipients will be required to provide the necessary information to confirm that they have a medical condition that requires a special diet. The ministry will be taking a phased approach to this review activity.

Q. What is intended outcome of review?

A. Only recipients who have a medical condition set out in the new Special Diets Schedule will receive a Special Diet Allowance.

Q. How will the review be implemented?

A. In order to review eligibility for the Special Diet Allowance, staff must request that a member of the benefit unit who is receiving an amount for a special diet provide confirmation from an approved health professional (i.e., the Application for Special Diet Allowance/Pregnancy Nutritional Allowance

– Form 3059/3060) of the need for the special diet as a result of a medical condition.

Q. Is there an established timeframe for receipt of information when re-confirming a Special Diet Allowance that was in effect before November 4, 2005?

A. This information should be provided to the Director within 90 calendar days of the request being made by the Director. There is to be no change in the amount of the Special Diet Allowance during the 90 calendar day period.

Q. Can the timeframe be extended by the Director?

A. Yes. If there are exceptional circumstances that prevent the recipient from providing the information, the Director may extend the 90 calendar day timeframe to a time period established at the Director's discretion based on the relevant circumstances.

Q. What will the review of Special Diet Allowances granted prior to November 4, 2005 entail?

A. The review will determine whether a recipient has a medical condition for which a special diet is required in accordance with the Special Diets Schedule. If the recipient has a medical condition that is listed on the Special Diets Schedule as requiring a special diet, then the recipient will continue to receive a Special Diet Allowance in accordance with the amounts on the Special Diets Schedule.

Q. If the recipient does not provide the requested information can the Director reduce the assistance?

A. Yes. If the recipient fails to provide the information, the Director will reduce the budgetary requirements of the benefit unit by the amount of the special diet.

Q. Upon review of a case, if it is determined that the recipient is not eligible for the Special Diet Allowance or the amount for the special diet has been reduced, can the Director establish an overpayment for the amount issued to date?

A. No. No overpayment is to be created where a recipient no longer meets eligibility criteria for a Special Diet Allowance or where the amount has been reduced.

Special Diets Schedule

Q. What is included in the Special Diets Schedule?

A. The Special Diets Schedule sets out the medical conditions requiring a special diet and the amounts to be paid.

Application for Special Diet Allowance/Pregnancy Nutritional Allowance

Q. Can the Director accept versions of the form other than the ministry approved form?

A. No. Only original versions of the ministry approved form must be used. Altered versions of the ministry approved form must not be used. Faxed versions or versions containing white-out must not be accepted or issued.

Q. How do we obtain copies of the new Application for Special Diet Allowance/ Pregnancy Nutritional Allowance (Form 3059/3060)?

A. Consistent with regular business, contact the Forms Distribution Centre to obtain copies.

Q. Can an application form that has been back-dated by an approved health professional be accepted?

A. No. The date of the approved health professional's signature cannot be a date earlier than the date the application form was issued to the recipient. If an application form has been back-dated, staff should use the date the form was issued to determine the month in which the Special Diet Allowance is effective.

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