

Reasons for Decision:

Order # AP2021-0117

On <date removed>, <name removed> filed an appeal of the Director's decision to deny them eligibility under Section 5(1)(a) of The Manitoba Assistance Act. The date of the decision was <date removed>.

The decision letter sent to <name removed> did not provide a reason for the denial.

<name removed> was accompanied at the hearing by their sibling <name removed>.

The Department told the Board that in <date removed> <name removed> was found eligible for general assistance. The appellant subsequently provided the Department with information related to their medical condition on three separate occasions, and the medical panel determined that the information did not provide sufficient detail as to how their condition limits their ability to work or how it impacts their daily life. As a result, <name removed> was found ineligible for disability assistance.

The Department indicated that <name removed> can provide additional objective medical information for re-assessment.

<name removed> indicated in <date removed> their doctor stated they had <health condition removed>, which prevented them from working full time. Their doctor recommended that they seek therapy for their condition. The appellant's <health condition removed> has been present throughout the entire time period they have been receiving assistance.

<name removed> stated when they were four years old, they were <text removed>. The appellant was hypnotized in order to forget the trauma they experienced. However, in <year removed> the memories returned and they relived the experience. Since then they have developed <health condition removed>.

Their therapists have told them that to over come their trauma it will be like climbing the tallest mountain in the world. The appellant is moving forward in their recovery, and asked that their disability be recognised. <name removed> indicated that all of the disability assessment reports they have provided to the Department over the years all say the same thing, and they all have the same opinion from their doctor, that being they cannot work.

<name removed>'s sibling described their being placed into foster care as youths, and the conditions of their placement. <name removed> currently does not have any resources available to them that can assist in their recovery.

In response to questions from the Board, <name removed> stated they are currently on their own and is treating their condition independently. The appellant has taken four or five different medications in the past for the condition, but all of the medications they have taken have given them severe side effects, so were discontinued.

<name removed> stated their sleep is erratic, and they often wake up part way through the night and will not be able to get back to sleep. The appellant will nap throughout the day. The appellant struggles with eating, and they described their meals as sporadic.

The appellant is currently seeing a therapist at Johnna Counseling, which has been beneficial. The appellant has not seen a medical doctor for their condition for approximately one year. The appellant did not continue to see a psychiatrist after their <health condition removed> was diagnosed as they were advised of the source of their <health condition removed>. The appellant is able to deal with the <health condition removed> as it manifests.

The Board asked <name removed> if the appellant was open to seeing a medical doctor in support of their application for disability eligibility. <name removed> responded, stating it has been proven multiple times in the past that they have <health condition removed>, and did not understand why they are being required to continue to prove this to the Department. <name removed> did not know why the information their doctors have already presented was not sufficient to grant them eligibility.

In response to a question from the Board, <name removed> indicated that it will take him a long time to recover.

In response to a question from the Board, the Department indicated it requires updated objective medical information that can speak to <name removed>'s conditions. <name removed> stated their doctor already provided the Department with this information, and they have personally provided additional information, but the Department is not recognising their disability. <name removed>'s sibling stated the Department did not follow up on the information that was already provided, and is making <name removed> start the process all over again.

While the Board acknowledges <name removed>'s condition, it notes there is no current medical information related to the impact their condition has on their abilities to work and function in daily life. The Board encourages <name removed> to provide the Department with current objective medical information that speaks to the impact, severity and frequency of their conditions, in order to have their eligibility reassessed.

Based on the verbal and written evidence presented to it, the Board determines that there is insufficient information to determine that <name removed> is unable to work in any capacity for more than 90 days. The Board confirms the Director's decision to deny <name removed> eligibility under Section 5(1)(a) of The Manitoba Assistance Act.

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