

There are two main income support programs for people with disabilities living in Ontario. Each program requires you to prove different things relating to your disability and financial eligibility.

What is a Disability?

“Disability” does not mean the same thing for the purposes of qualifying for Ontario Disability Support Program and Canada Pension Plan Disability.

For ODSP, you are a person with a disability if:

- You have substantial mental and/or physical impairments (symptoms);
- Your impairments are expected to last one year or more; and
- Your impairments substantially restrict your ability to work, or care for yourself, or participate in the community.

For ODSP, “substantial” means significant, but not severe. For example, someone who has back pain may show that it is hard for them to walk long distances, but they don’t have to be completely unable to walk to show they are a person with a disability.

To qualify for CPPD, you must show that your mental and/or physical disability is:

- Severe (i.e. you can’t do any type of regular work);
- Prolonged (i.e. long-term, indefinite duration, or likely to result in death); and
- Prevents you from being able to regularly work at any job.

What are the Financial Eligibility Rules?

To be eligible for ODSP, you have to prove that you have financial need (i.e. that you are on a low income). You have to show that the costs of your household’s basic needs are higher than your household’s income and assets. If you are granted ODSP benefits, you have to continue to show that you are in financial need in order to keep receiving your benefits. This means that you have to report to your ODSP caseworker if you start getting income (i.e. you start working part-time), or if you receive any assets (i.e. you inherit a house).

The financial eligibility rules are much different for CPPD and are not based on financial need. To qualify for CPPD, you must have worked and contributed to the CPP for either four of the last six years, or three of the last six years if you have contributed for at least 25 years. This means that instead of showing your income or assets, like ODSP requires, you have to show that you worked enough to qualify for CPPD.

If your financial situation changes (i.e. you have an increase in income or assets), or if you move in with a spouse, you will still get CPPD as long as you still have a disability. CPPD is not income tested. You do not need to show financial need to get CPPD. But if you get CPPD and start working, finish school, or earn a certain amount of money, CPPD may look at whether you still meet their definition of disability

Why apply to both ODSP and CPPD?

If you qualify for CPPD, you automatically medically qualify for ODSP. However, if you qualify for ODSP you don't automatically qualify for CPPD and would have to apply for those benefits. If you are already on ODSP, you have an obligation to try and get income from other sources, so you should apply for CPPD if you think you might qualify.

If you are already on CPPD, you may want to apply for ODSP. If you get less money on CPPD than what you would on ODSP, you will get a "top up" of benefits from ODSP, and more money each month, and prescription drug coverage.

Other Differences between ODSP and CPPD

- CPPD is taxable; ODSP is not.
- You can get CPPD living anywhere in the world; you can get cut off ODSP if you are outside Ontario for more than 30 days.
- You don't get healthcare benefits on CPPD; you get drug, dental, vision, and hearing benefits. So even if you qualify for CPPD, you may want to apply to ODSP to take advantage of the extra healthcare benefits.

If you have questions about CPPD or ODSP, please call the Community Advocacy & Legal Centre.

Article adapted from CLEO, "On the Radar: Income support options for people with disabilities", <http://us4.campaign-archive1.com/?u=acaece29df8d07c95ef84a763&id=b681c3d056>

This column, written by staff or volunteer lawyers with the Community Advocacy & Legal Centre (CALC), provides general legal information only about current laws. If you need legal advice you should contact a lawyer. If you are living on a low income you may be eligible for free legal help. Contact your local community legal clinic if you need help with income programs, workers' or tenants' rights, consumer problems, or human rights. Call CALC at 1-877-966-8686 or visit www.communitylegalcentre.ca. If you have a criminal, family or immigration law problem, contact Legal Aid Ontario at 1-800-668-8258 or visit www.legalaid.on.ca.