

A Physician's Guide

to Canada Pension Plan Disability Benefits



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Appendix 1: Do You Qualify for Canada Pension Plan Disability Benefits?

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Purpose of this guide

As a physician, you may be asked to provide medical information for a patient who has applied for Canada Pension Plan (CPP) disability benefits. The information you provide will help Social Development Canada assess your patient's eligibility, or continued eligibility. For this, you will be paid a fee.

This publication will help you to provide the best possible service to your patients with disabilities. It provides an overview of the CPP Disability Program; it clarifies the role and responsibilities of the physician in helping a patient applying for or receiving CPP disability benefits; and it specifies what information you should provide to allow CPP staff to make the best possible decisions without delay. It also provides information on the CPP vocational rehabilitation program, which helps beneficiaries return to regular employment.

This booklet is intended to be used as a guide to applying for and maintaining disability benefits only.

Benefits available from the Canada Pension Plan

Disability benefits are but one type of benefit available under the Canada Pension Plan. People who have worked in Canada and who have made the required contributions to the CPP may at some point in their lives be eligible to receive a monthly benefit. These benefits cover almost everyone between the ages of 18 and 70 who has been either employed or self-employed in Canada.

These benefits take many forms:

- retirement pensions for older Canadians and their spouses or common-law partners
- benefits for the survivors of contributors who have died – spouses, common-law partners and children
- benefits for people who have disabilities that prevent them from working at any job – and their children

PLEASE NOTE: The term “common-law” refers to two persons, of the same or opposite sex, who have lived together in a conjugal relationship for a year or more.



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All workers in Canada who contribute to the CPP or its sister plan, the Quebec Pension Plan (QPP) are covered. The two plans are coordinated so that all contributors are insured, regardless of where they live. International agreements may also help your patients qualify for CPP benefits if they have worked or lived in another country.

Canada Pension Plan disability benefits

A CPP disability benefit provides a modest monthly payment to people who satisfy the contributory requirements and who are deemed to have a “severe and prolonged” disability according to CPP legislation.

A CPP disability benefit:

- is taxable;
- is based on contributions – no special payments for medical equipment, drugs or health-related services can be added;
- is an “all or nothing” benefit: a person either qualifies or not – no partial benefits are paid;
- stops when a person no longer qualifies;
- is unrelated to financial need; and
- is not intended for cases of short-term disability.

Eligibility for disability benefits

What are the eligibility criteria?

The CPP legislation has strict eligibility criteria for disability benefits. Your patient must apply in writing. He or she must:

- be under 65,
- have contributed to the CPP for a minimum number of years, and
- have a “severe and prolonged” disability that prevents him or her from working at any job on a regular basis.

(See [Appendix 1: “Do You Qualify for Canada Pension Plan Disability Benefits?”](#))

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While your patient is receiving a CPP disability benefit, his or her children under the age of 25 may also be eligible for a benefit. Children between the ages of 18 and 25 must be in school full time to be eligible. These benefits are not automatic – your patient or your patient's children must apply.

A CPP disability benefit is not based on a contributor's pre-disability earnings. Rather, it depends on the amount of CPP contributions paid while working and the length of time he or she contributed to the Plan.

How does CPP decide whether my patient is eligible?

Generally, your patient must have contributed to the CPP in four of the last six years. However there are other provisions in the legislation that may make your patient eligible.

If your patient has not worked recently because of a medical condition, the Late Applicant Provision can help. Contributors who meet all conditions of eligibility except that their contributions were made too long ago to meet the minimum qualifying period may still be eligible for benefits. Each case must meet the rules in effect at the time the applicant became disabled. Applicants must have been continuously unable to work in any job from that date to the present and into the foreseeable future.

The Incapacity Provision may also help patients who were unable to apply on their own because of their medical condition (patients with a loss of cognitive function due to a severe stroke, for example). Their representative can use this provision to apply for a CPP disability benefit on their behalf at a later date. As their physician, you will be asked to fill out a special form, the "Declaration of Incapacity – Physician's Report", as part of the application process.

How does CPP determine whether my patient is eligible on the basis of his or her medical condition?

To be eligible to receive disability benefits, the applicant must have a physical and/or mental impairment that is both severe and prolonged, as defined by CPP legislation.



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“**Severe**” means that a person is regularly incapable of pursuing any substantially gainful occupation. This means that a disability stops your patient from doing any type of full-time, part-time or seasonal work on a regular basis. This is different from some other long-term disability insurance systems in that they may base eligibility for benefits on incapacity to return to a former job. The CPP bases eligibility on the applicant's incapacity to do any type of paid work on a regular basis.

“**Prolonged**” means that the disability is of indefinite duration and will continue to prevent your patient from going back to work in the next 12 months, or is likely to result in death.

Other CPP definitions

Incapable:

Not able or fit to pursue any substantially gainful occupation as a result of a disability.

Regularly:

The capacity to work is sustainable.

Pursuing:

To actually engage in an occupation – not to be confused with looking for work.

Any:

Work that a person might reasonably be expected to do by virtue of:

- possessing the necessary skills, education or training;
- having the capacity to acquire those necessary skills, education or training in the short term; and
- having reasonable access to suitable employment, given the individual's limitations.

Substantially gainful occupation:

Work that is productive and profitable. This is measured in part by a dollar amount that is set annually and against which a person's earnings are compared. However, earnings alone do not determine whether the regular capacity to pursue work exists. CPP also assesses elements of performance and productivity.

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Making a decision on the application

The application is sent for medical adjudication only after all records have been reviewed to confirm that the applicant meets the contributory criteria. CPP looks at all information on the application form, the medical report and any other supporting documents.

Who makes the decision to grant or deny the application?

Adjudicators who are medical professionals and are extensively trained in CPP legislation decide whether a patient meets the “severe and prolonged” CPP disability criteria. For more complex cases, adjudicators may consult with CPP physicians.

Does CPP consider other factors besides medical information in making the decision?

While medical information is key, eligibility is based on an assessment of the whole person, not on a specific diagnosis only. CPP also considers factors such as age, education and work history. In addition to the detailed information provided by the applicant, CPP may consult with employers, schools and other third parties who may be able to provide additional information on the applicant’s functional capacity. CPP does not consider socio-economic factors, such as the unemployment rate in an area or the availability of work.

What other information does CPP need to make a decision?

The information you provide as the applicant’s treating physician is important to the adjudicators making the decision. If required, the adjudicators may also seek information from specialists or independent medical examiners. This ensures that CPP has enough information to be reasonably satisfied that your patient meets the eligibility requirements for benefits under CPP legislation.

Your patient will qualify if the “**severe**” and “**prolonged**” criteria are both met. However, CPP assesses the severity of the disability first. If your patient does not meet the “**severe**” criteria, CPP does not consider the question of whether the disability is prolonged.



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Can my patient appeal a decision?

Applicants can appeal if CPP denies their application for a benefit. They can also appeal the amount of a benefit, the date when a disability benefit begins or the cancellation of a benefit. If your patient decides to appeal a decision, CPP may ask you for additional information relevant to your patient's ability to work.

Before deciding to appeal, applicants might wish to talk to CPP about their case. They can call **1 800 277-9914** (English) or **1 800 277-9915** (French) or **1 800 255-4786** (TTY), free of charge.

Continuing eligibility

How long will the benefits be paid?

Recipients can continue to receive benefits as long as they are under 65 years of age and their condition continues to be severe and prolonged, as defined by CPP legislation. CPP periodically reviews eligibility to ensure that recipients continue to qualify for disability benefits. CPP disability benefits are automatically converted to a CPP retirement pension the month following the recipient's 65th birthday.

A person cannot receive a CPP disability benefit and a CPP retirement pension at the same time. However, applicants between 60 and 65 can apply for both benefits at the same time. A retirement pension will be paid while CPP is making a decision on the disability application.

When will the benefits stop?

It is the responsibility of beneficiaries, not their physician, to keep CPP informed of any changes in their medical condition. If their condition stabilizes or improves enough that they may be able to resume working, they may no longer qualify for CPP benefits. If CPP concludes after a thorough review of the case that they are capable of returning to work, their benefits will be stopped.

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What happens if my patient attempts to return to work?

The CPP offers a work trial period for disability recipients who are attempting to return to work on a regular basis. Your patient should notify CPP when he or she decides to return to work, so that CPP can support the attempt to reintegrate into working life or provide services such as vocational rehabilitation. If the return to work fails because of the original medical condition, benefits can be reinstated, provided certain conditions are met.

The application process

The medical information that you provide is critical to the adjudication decision. Please note, however, that CPP does not need your patient's entire medical file. CPP asks that you provide all the medical information requested, especially physical findings and functional limitations. Please include supporting documents such as consultants' reports, investigative reports and hospital notes. If your patient can still work on a regular basis at any job, he or she is unlikely to qualify for CPP disability benefits.

If your clinical notes address all questions in the medical report, you may send those notes instead of completing the entire medical report. However, you must still complete the prognosis section of the report and sign the form. Sending in your clinical notes is appropriate only for patients you are following closely and for whom you are keeping detailed clinical notes.

Please notify CPP if you are unable to provide the medical information requested. This will help prevent delays in determining eligibility for your patient. CPP may be able to get information from your patient or from other sources, or may decide to send your patient for an independent medical examination.

CPP may ask for information going back to a particular date. This is done because CPP needs to determine whether your patient was unable to work at that date and continuously to the present time.

Deciding whether a person is eligible for benefits is the responsibility of Social Development Canada.



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Determining whether your patient's benefits will continue

As the treating physician, you are important in helping determine whether your patient should continue to receive a disability benefit or might be eligible for a work-related retraining program. It is your patient's responsibility to keep CPP informed if the medical condition changes or he or she wants to return to work. However, CPP may periodically ask you for up-to-date medical information on your patient's condition. The information you provide about your patient's capacity to work is essential, not only at the initial eligibility determination, but also during appeals, follow-up and/or vocational rehabilitation.

What forms do I have to fill out and how much information do I have to provide?

If CPP reviews your patient's continuing eligibility, you will be asked to complete either a short medical report or an impairment evaluation form. It is essential that you answer all the questions on any forms you are asked to fill out. If the information required is not provided (or if you simply write "n/a"), a decision on your patient's application may be delayed while CPP tries to get the medical information needed to make a decision.

Working while receiving benefits

Many CPP disability beneficiaries want to be involved in work activity, but are concerned that this may lead to CPP stopping their benefits. Your patients can continue to receive benefits while they:

- do volunteer work,
- attend school,
- take part in a re-training program.

Beneficiaries can earn up to \$4,000 before taxes from employment (in 2004), without having to report the income to CPP and without losing their benefits. Please note that this amount may increase every year. Once this amount is earned, your patient should contact CPP to discuss his or her current work situation and future work goals. If your patient can work only once in a while, he or she may be allowed to earn more than \$4,000 while receiving CPP benefits. If your patient is able to work on a regular basis, CPP will explain the process for returning to work, including such supports as vocational rehabilitation.

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There is no fixed dollar amount at which benefits are automatically stopped. Because everyone's medical condition and capacity for work is unique, each case is considered individually. CPP looks at your patient's medical information, pattern of work, number of hours worked and earnings before reaching a decision on his or her benefits. If your patient's benefits have stopped and he or she is having difficulty staying at work because of the disability, CPP benefits can be quickly reinstated provided certain conditions are met.

Will CPP help my patients with vocational rehabilitation?

Yes. CPP Vocational Rehabilitation is a voluntary program designed to help people receiving CPP disability benefits return to work.

To qualify for CPP vocational rehabilitation, a candidate must be:

- medically stable;
- considered by a physician to be a suitable participant for a work-related rehabilitation program;
- motivated and willing to participate;
- living in Canada; and
- selected by the CPP Disability Vocational Rehabilitation Program.

When a person receiving CPP disability benefits applies to be considered for vocational rehabilitation, a case manager completes an initial case assessment. He or she will inform you of your patient's interest in and potential readiness to consider vocational rehabilitation. As the treating physician, you will be asked for your assessment of your patient's readiness to participate in work activities.

Your patient will continue to receive CPP disability benefits during the rehabilitation period. CPP may also help pay for skills assessments, counseling, guidance, transportation, training, and other vocational rehabilitation expenses, such as tuition and books.

Once the rehabilitation program is complete, participants have a three-month job-search period. This can be extended up to one year in exceptional circumstances. CPP also allows a work trial period while participants get established in a job. If the work experience is successful, the participant continues to work and disability benefits are stopped.



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CPP works cooperatively with the medical community. If you have a patient receiving CPP disability benefits who might benefit from or be interested in this program, please call **1 800 461-3422**.

Billing for medical reports

You must send an original invoice to CPP for your services. Faxed and photocopied invoices are not acceptable.

When the total payment for your services in a calendar year exceeds \$500, the *Income Tax Act* requires the Department to complete a "Government Service Contract Payments" form (T1204) for the Canada Revenue Agency.

Depending on your practice/business, the invoice must include one of the following:

Individual or unincorporated practice/business

- the physician's social insurance number (SIN),
- the business (BN), or
- the goods and services tax (GST)/harmonized sales tax (HST) number.

Partnership

- the practice/business number,
- the GST/HST number,
- the partnership filer identification number; or
- the individual partners' social insurance numbers.

Corporation

- the practice/business number from the Canada Revenue Agency (CRA).

Upon receipt of a completed report and original invoice, CPP will reimburse you:

- up to \$65 for the initial "Medical Report" or the "Declaration of Incapacity – Physician's Report";
- up to \$25 for the "Reassessment Medical Report" or the "Medical Report – Recurrence of the Same Medical Problem"; and
- up to \$50 for the "Impairment Evaluation Form".

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CPP may ask you to provide other information in the form of a narrative report, and will pay up to \$150 for it, based on its complexity and the time required to complete it.

Your patient is responsible for covering any extra costs. If your fees are higher than these amounts, please bill your patients directly.

Fees mentioned in this section are set in consultation with the Canadian Medical Association and are subject to change.

Occasionally, CPP may ask your patient to attend an independent medical examination or functional capacity evaluation during the application process or when determining continuing eligibility. CPP pays the specialist physician or facility directly for these examinations.

Release of information under the Canada Pension Plan legislation

Your patient has the right to see and to receive a copy of all the information on his or her CPP file, including the medical report that you fill out and any supporting documents you include. Please indicate in your report if you feel it would be detrimental to your patient to be given particular information about his or her medical condition. CPP will contact you directly to determine whether the patient's condition has changed and whether this information can be withheld under section 25 of the *Privacy Act*, which states that "personal information can be withheld if the disclosure of information may threaten the safety of an individual."



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How to contact CPP

Physicians and patients can contact CPP directly by calling:

1 800 277-9914 (English)

1 800 277-9915 (French)

1 800 255-4786 (TTY)

Information about Canada Pension Plan disability benefits is available at:

www.hrdc-drhc.gc.ca/isp/cpp/disabi_e.shtml

Links to the following publications and many others are available at the website indicated above as well as at Human Resource Centres of Canada.

Canada Pension Plan Disability Benefits

Children's Benefits for Students Age 18-25

Canada Pension Plan Survivor Benefits

Canada Pension Plan Retirement Pension

General Information about the Canada Pension Plan Appeals Process



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