

Ontario Disability Support Program – Income Support Directives

6.5 Pregnancy/Breast Feeding Nutritional Allowance

Summary of Legislation

Where an applicant or member of the benefit unit is pregnant or breast-feeding, she is entitled to receive a Pregnancy/Breast-feeding Nutritional Allowance to cover the costs of the nutritional needs associated with pregnancy and breast-feeding.

In the month that an approved health professional confirms that a member of the benefit unit is pregnant, she is entitled to receive the Pregnancy/Breast-feeding Nutritional Allowance starting in the month the pregnancy was confirmed and up to and including the month the pregnancy ends.

Where the mother is breast-feeding an infant under the age of 12 months, she is entitled to receive the Pregnancy/Breast-feeding Nutritional Allowance up to and including the 12th month after the birth of the child.

Legislative Authority

[Sections 30\(1\)5 and 33\(1\)6 of the ODSP Regulation](#)

Summary of Directive

All pregnant and breast-feeding members of the benefit unit are entitled to the Pregnancy/Breast-feeding Nutritional Allowance.

The full amount (\$40.00 for a lactose tolerant diet or \$50.00 for a lactose intolerant diet) is paid in each month that the woman is eligible for the allowance (i.e., the amount is not pro-rated).

The Pregnancy/Breast-feeding Nutritional Allowance **is not a special diet** and is therefore not subject to the \$250 maximum for special diets. It should be provided in **addition** to any special diets for which the recipient is eligible.

Where breast-feeding is not possible (e.g. inadequate lactation or the infant is unable to tolerate breast milk or the mother's breast milk is contaminated due to medical treatment, etc.), the **infant** is eligible to receive a Special Diet Allowance until the month in which he or she turns 12 months of age. [Refer to ODSP Policy [Directive 6.4 Special Diet Allowance](#).]

If a Special Diet Allowance is provided to the infant because it is not possible for the mother to breast-feed, a Pregnancy/Breast-feeding Nutritional Allowance cannot be provided to the mother.

Intent of Policy

To provide funding to assist pregnant women and mothers who are breast-feeding to cover the costs of the nutritional needs associated with pregnancy and breast-feeding.

Application of Policy

All pregnant and breast-feeding members of the ODSP benefit unit are eligible to receive the Pregnancy/Breast-feeding Nutritional Allowance.

The Pregnancy/Breast-feeding Nutritional Allowance **is not a benefit** but rather is included in the calculation of the budgetary requirements.

The Application for Pregnancy/Breast-feeding Nutritional Allowance (form 3109) is used to confirm that the member of the benefit unit is pregnant or, if the mother is breast-feeding, to confirm the need for a lactose intolerant diet.

Women who are pregnant or who are breast-feeding receive \$40 per month for a lactose tolerant diet and \$50 per month for a lactose intolerant diet in addition to any Special Diet Allowance for which they are eligible.

If an approved health professional confirms that a special diet is required in addition to the Pregnancy/Breast-feeding Nutritional Allowance, the request for a Special Diet Allowance should be processed as per ODSP Policy [Directive 6.4 Special Diet Allowance](#).

Where breast-feeding is not possible the **infant** is eligible to receive a Special Diet Allowance until the month in which he or she turns 12 months of age. Note, in these cases, the infant is the recipient of the Special Diet Allowance.

Where a Special Diet Allowance is provided to the infant because it is not possible for the mother to breast-feed, a Pregnancy/Breast-feeding Nutritional Allowance cannot be provided to the infant's mother.

If a mother is receiving a Pregnancy/Breast-feeding Nutritional Allowance, but the infant requires a Special Diet Allowance because breast-feeding is not possible, the Pregnancy/Breast-feeding Nutritional Allowance ceases to be paid effective the month in which the Special Diet Allowance commences.

Some infant formulas are considered nutritional products and may be covered under the Ontario Drug Benefit in specific circumstances.

Pregnant Women requesting the Pregnancy/Breast-feeding Nutritional Allowance

An Application for Pregnancy/Breast-feeding Nutritional Allowance is to be provided to those who request the Allowance. The Application must be completed by an approved health professional confirming the following:

- that the member is pregnant, or is breast-feeding an infant 12 months of age or younger;
- the expected date of delivery or the infant's date of birth; and
- the type of diet required (lactose tolerant or lactose intolerant).

The following approved health professionals may confirm that a recipient requires a Pregnancy/Breast-feeding Nutritional Allowance:

- Physicians;
- Registered Nurses in the Extended Class [RNEC];
- Registered Dietitians;
- Registered Midwives; and
- Traditional Aboriginal Midwives recognized and accredited by her or his Aboriginal community.

The Allowance is payable commencing the month in which an approved health professional completes, signs and dates the Application confirming that the member is pregnant or breast feeding an infant 12 months of age or younger. The effective date is not the month the member was informed by her physician of the pregnancy, unless the Application is completed in the same calendar month.

If the pregnancy terminates without the live birth of an infant, the Pregnancy/Breast-feeding Nutritional Allowance ends effective the last day of the month the pregnancy terminates. An overpayment should be created if the Pregnancy/Breast-feeding Nutritional Allowance is paid in any month after the pregnancy terminates without the live birth of an infant.

Following the birth of a child, if the mother **verbally** confirms that she is breast-feeding, the Pregnancy/Breast-feeding Nutritional Allowance is payable up to and including the month in which the child turns 12 months of age. If the member was receiving a Pregnancy/Breast-feeding Nutritional Allowance of \$50 per month for a lactose intolerant diet while pregnant, then she will continue to receive the \$50 allowance while breast-feeding. No further verification is required.

New Mothers requesting the Pregnancy/Breast-feeding Nutritional Allowance

New mothers who are breast-feeding infants who are 12 months of age or younger are eligible for the Pregnancy/Breast-feeding Nutritional Allowance, even if they did not receive the Allowance while pregnant.

New mothers who are breast-feeding and who require a lactose tolerant diet can receive an Allowance of \$40 per month, and are not required to submit a completed Application for Pregnancy/Breast-feeding Nutritional Allowance. Verbal confirmation from the mother that she is breast-feeding is the only verification required in these cases.

New mothers who are breast-feeding and who require a lactose intolerant diet are required to submit an Application that has been completed by an approved health professional confirming the need for a lactose intolerant diet. The Allowance payable is \$50 per month.

If the infant ceases to be a member of the benefit unit, the Pregnancy/Breast-feeding Nutritional Allowance ceases to be paid the month following the month in which the infant ceased to be a member of the benefit unit.

Example 1:

On August 16, 2010, an approved health professional confirms the pregnancy of a member of the benefit unit by completing the Application for Pregnancy/Nutritional Breast-feeding Allowance, and indicates an expected delivery date of February 4, 2011 and that a lactose tolerant diet is required. In addition, the pregnant member of the benefit unit is already receiving \$225.00 for a Special Diet Allowance. The child is born January 28, 2011 and the mother is breast-feeding.

In this case, the member of the benefit unit is paid a monthly amount of \$40.00 beginning in August 2010, which is the month the Application was completed and dated by the approved health professional. The Allowance is paid for 18 months (i.e. until the 12th month after the birth of the child). The monthly amount of \$225.00 for the Special Diet Allowance continues to be provided in addition to the \$40.00 for the Pregnancy/Breast-feeding Nutritional Allowance.

Example 2:

On April 26, 2010, an approved health professional confirms the pregnancy of a member of the benefit unit indicating an expected delivery date of October 15, 2010 and that the member requires a lactose tolerant diet. In addition, the pregnant member of the benefit unit is receiving \$240.00 for a Special Diet Allowance. Upon the birth of the child on October 3, 2010, breast-feeding is contra-indicated due to the health of the mother.

In this case, the member of the benefit unit is paid the Pregnancy/Breast-feeding Nutritional Allowance in the amount of \$40.00 beginning in April 2010 and continuing

until the birth of the child in October 2010, in addition to the Special Diet Allowance of \$240 per month.

In November 2010 (i.e. the month after the child is born), the **member** is eligible for the Special Diet Allowance amount for the pre-existing medical condition and the **infant** is eligible for the Special Diet Allowance amount required because breast-feeding is contra-indicated.

In November 2011 (i.e. after 12 months), the Special Diet Allowance the infant is receiving, because breast-feeding is contra-indicated, ceases.

Example 3:

An applicant is granted effective April 2010. The benefit unit includes the disabled recipient, his spouse, and a 3 month old infant.

The spouse is breast-feeding and requests a Pregnancy/Breast-feeding Nutritional Allowance of \$40 in May 2010. The spouse verbally confirms that she is breast-feeding the 3 month old infant. As the spouse does not require a lactose intolerant diet, a completed Application for Pregnancy Nutritional Allowance is **not** required.

The Pregnancy/Breast-feeding Nutritional Allowance of \$40 is paid beginning May 2010, and for each month up to and including the month in which the child is 12 months old.

Example 4

An applicant is granted ODSP income support effective December 2010. The benefit unit includes the recipient, her spouse and a 5 month old infant.

The recipient, who is lactose-intolerant, advises that she is breast-feeding and requests a Pregnancy/Breast-feeding Nutritional Allowance of \$50. As the recipient requires a lactose-intolerant diet, she must have an approved health professional complete an Application for Pregnancy/Breast-feeding Nutritional Allowance confirming that she requires a lactose intolerant diet. The recipient submits a completed Application signed and dated by an approved health professional on January 14, 2011.

The Pregnancy/Breast-feeding Nutritional Allowance of \$50 is paid beginning January 2011, and for each month up to and including the month in which the child is 12 months old.

Example 5

A recipient was informed by her physician that she was pregnant on August 15, 2010. The Application for Pregnancy/Breast-feeding Nutritional Allowance was completed, signed and dated by an approved health professional on December 16, 2010. The recipient submitted the Application to the local ODSP office on January 5, 2011.

In this case, the Pregnancy/Breast-feeding Nutritional Allowance would be paid beginning in December 2010 up to and including the month in which the child is born. Upon the birth of the infant, the recipient should be contacted to determine if she is breast-feeding.

Recipients Transferring from Ontario Works

Some Ontario Works participants will be granted ODSP while receiving the Pregnancy/Breast-feeding Nutritional Allowance under Ontario Works. The Allowance should continue to be paid without interruption.

Appropriate documentation should be on file confirming the need for the Pregnancy/Breast-feeding Nutritional Allowance. If the documentation is not on file, the Allowance should continue to be paid and the member should be requested to provide a completed Application for Pregnancy/Breast-feeding Nutritional Allowance within 90 days.

Payments for the Completion of the Application for a Special Diet Allowance- Pregnancy/Breast-feeding Nutritional Allowance

Approved health professionals are to be paid \$20.00 for completing the Application for Pregnancy/Breast-feeding Nutritional Allowance.

Payments to physicians are processed through OHIP. The assigned OHIP billing code for the Application is KO56, and is located on the top of the application form.

Registered Nurses in the Extended Class, Registered Dietitians and Midwives are also entitled to receive a \$20.00 payment for completing the Application. These approved health professionals are required to submit an invoice to the local office from which the Application originated. The invoice should have the health professional's name, address, telephone number, college registration number, and the name and member ID of the person for whom the Application was completed. Please note, college registration numbers are private and confidential and, accordingly, care must be taken to protect this information. The local office is responsible for processing the invoice.

Appeals

Decisions related to the Pregnancy/Breast-feeding Nutritional Allowance may be appealed. As in all cases, an internal review must be requested prior to an appeal to the Social Benefits Tribunal.

Hyperlinks associated with this Policy Directive

Related Directives:

[6.1 Basic Needs Calculation](#)

[6.4 Special Diet Allowance](#)