



INCOME SECURITY ADVOCACY CENTRE
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BY EMAIL

December 20, 2016

The Hon. Minister Helena Jaczek
Minister of Community and Social Services
Hepburn Block 6th Floor
80 Grosvenor Street
Toronto, Ontario M7A 1E9

Dear Minister Jaczek,

I am writing on behalf of a number of concerned organizations about the very low mileage rate currently being offered through the Ontario Disability Support Program (ODSP) to people travelling to medical appointments.

The Income Security Advocacy Centre is signing this letter on behalf of Aboriginal Legal Services, the Canadian Mental Health Association – Ontario, the Centre for Addiction and Mental Health, the ODSP Action Coalition, the Renfrew County Legal Clinic, the Schizophrenia Society of Ontario, and the legal clinic system's Steering Committee on Social Assistance. Our organizations represent legal advocates, patient groups, and recipients of ODSP benefits.

As you know, ODSP is a vital program that provides income and other supports to a population that is more likely to have high levels of health-related needs. We are concerned that the low medical travel mileage rate is undermining access to medical treatment. We are also concerned that the current rate does not comply with a recent Divisional Court decision.

The ODSP Medical Travel Benefit

In recognition of the higher costs of living faced by persons with disabilities, ODSP provides a number of allowances and benefits. One of these is the medical travel benefit, which improves access to medical treatment by paying the actual costs of travel. This benefit plays a key role in fostering the health and wellness of ODSP recipients. For those who can travel by public transit, taxi or agency driver, the program covers the full cost of travel. However, the mileage rate for those who drive their own vehicles is only 18 cents per kilometre, a rate that was set in 2000 and does not come close to meeting the actual costs of driving.

Whether because of where they live or the nature of their disabilities, many recipients have no other option but to use their personal cars to attend medical treatment. Because of the low mileage rate, however, persons with disabilities in these situations are forced to use money intended for food and shelter in order to pay for travel, or forego medical treatment altogether.

W.C. v. ODSP

In October 2016, the Divisional Court granted the appeal of an ODSP recipient who was in just such a situation. Mr. C. challenged the mileage rate and argued that the rate should take into consideration both the operating costs (gas, maintenance, tires) and ownership costs (insurance, depreciation, registration fees) of driving. The Court agreed and concluded that the 18 cents mileage rate is unreasonable. That decision is available here:

<http://www.canlii.org/en/on/onscdc/doc/2016/2016onsc6212/2016onsc6212.pdf>

Improving Access to Medical Treatment for ODSP Recipients

We understand that you are actively considering this issue and will be moving to increase the medical travel mileage rate in the near future. We urge you to ensure that the new rate reflects the actual costs of owning and operating a vehicle, as per the Divisional Court decision, and offer the following information in that regard.

The Workplace Safety and Insurance Board currently pays 40 cents per kilometre for medical travel. Ontario's Northern Health Travel Grant pays 41 cents per kilometre. The Canadian Automobile Association, a trusted source of information about driving costs, pegs the cost of owning and operating a car in Ontario at between 44 and 61 cents per kilometre, depending on the size of the car.

We also urge you to change some of the other features about the ODSP medical travel policy, which we understand is currently being reviewed. Some aspects of that policy create barriers to accessing mental health treatment. For example, the policy currently only approves mental health treatments that are prescribed and supervised by a psychiatrist, other physician or psychologist. This runs counter to Ontario's Comprehensive Mental Health and Addictions Strategy, which outlines the province's commitment to a range of community-based mental health services. ODSP's policy is particularly out of step at a time when access to specialists is limited. As we know you will agree, ODSP should support recipients where they are at in their treatment journey, including access to culturally appropriate treatments. And as you also know, today's mental health and addictions services strive to be community-based and accessible, and are provided effectively by a range of health care providers, social workers and peer support workers.

These barriers, including the mileage rate, have a particularly significant impact on ODSP recipients in rural Ontario where there is often no public transportation option and where primary health care is sometimes provided by a Registered Nurse Practitioner, rather than a physician.

We therefore recommend that:

1. The current ODSP medical transportation mileage rate should be increased to a level that is within the range of 40-44 cents per kilometre. Anything less will continue to undermine access to medical treatment and endanger the health of ODSP recipients.

2. The review of the ODSP medical travel policy should make the removal of existing barriers to accessing mental health treatment a primary consideration.

We would be happy to meet with you to discuss these issues in greater depth if required. Thank you for your consideration of our concerns. Given that a more adequate medical travel mileage rate will have budgetary implications, we are copying the Minister of Finance to indicate our support for this investment. We look forward to seeing a positive change in the ODSP medical travel policy that will support the health and wellness of ODSP recipients.

Sincerely,



Mary E. Marrone
Director of Advocacy & Legal Services
Income Security Advocacy Centre

Cc: Emily Hill, Staff Lawyer, Aboriginal Legal Services
Uppala Chandrasekera, Director, Public Policy, Canadian Mental Health Association,
Ontario
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Richard Owen, Executive Director, Renfrew County Legal Clinic
Antonella Scali, Policy Analyst, Schizophrenia Society of Ontario
Melodie Mayson and Laura Hunter, Co-Chair, Steering Committee on Social Assistance

Julia Drydyk, Senior Policy Advisor
The Honourable Charles Sousa, Minister of Finance