



# Appeal Guide: Part 1

## The Reconsideration Request

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If your application for Canada Pension Plan disability benefits (CPP-D) has been denied, you have the right to appeal. The BC Coalition of People with Disabilities (BCCPD) has prepared this self-help guide to help you with the first stage of the CPP-D appeal process: the reconsideration request. If you have had your reconsideration request denied, please see our CPP Disability Information and Assistance publication *Appeal Guide: Part Two–The Review Tribunal*.

## About CPP

The Canada Pension Plan (CPP) is administered by the federal government. The department responsible for CPP is Human Resources and Skills Development Canada (HRSDC).

The CPP operates in every province, except Quebec which has a similar program called the Quebec Pension Plan. The CPP legislation provides a number of different benefits including:

- disability benefits (CPP-D)
- benefits for children of people receiving CPP disability benefits
- retirement pensions
- death benefits
- survivor’s benefits
- benefits for children of deceased contributors

This guide deals with CPP-D benefits only.

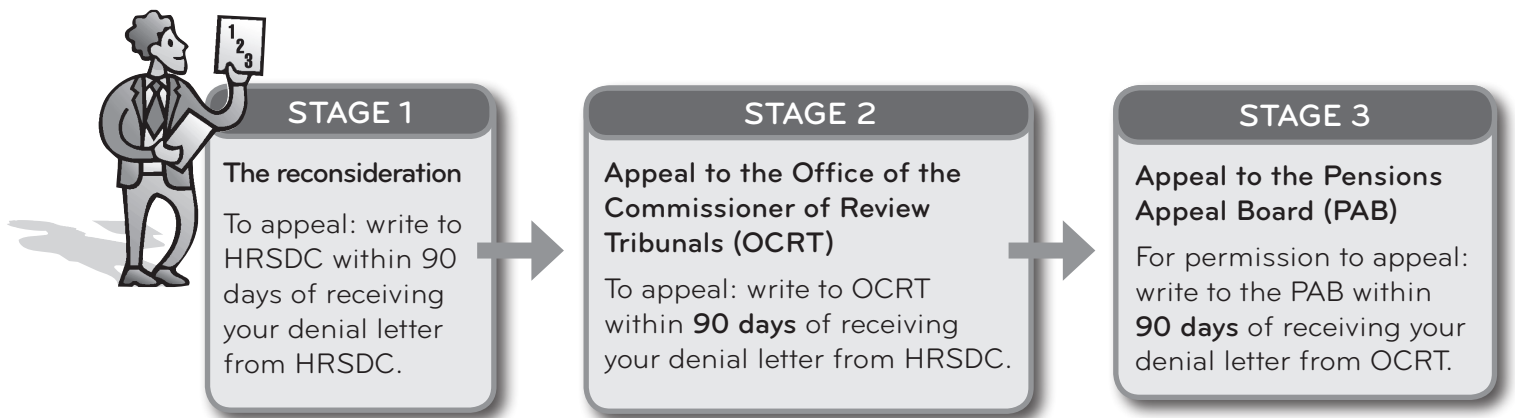
## Qualifying for CPP-D

To qualify for CPP-D, you need to meet three basic criteria. You must:

- be under 65 years of age
- have made the required amount of contributions to CPP in the years before you became disabled. For example, if HRSDC determines that you became disabled on or after January 1<sup>st</sup> 1998, then you must have worked and contributed to CPP in four of the six years before you became disabled (please see Appendix A on page 14 of this guide for more information on contributions)
- have a **“severe and prolonged”** disability as defined in the CPP legislation. The CPP legislation defines a “severe” disability as one that makes “a person incapable of regularly pursuing any substantially gainful occupation.” A “prolonged” disability is one that is “likely to be long continued and of indefinite duration or is likely to result in death...” (please see Appendix B of this guide for the exact wording of the CPP’s definition of disability)



## The CPP-D Appeal Process



### The Reconsideration Request: An Overview

As you can see from the diagram above, if HRSDC turns down your CPP-D application, you have 90 days to write to HRSDC to let them know you want them to reconsider their decision. The 90 days starts from the day you receive the letter telling you that your CPP-D application has been denied.

The person who reviews your case on reconsideration will not be the same person who turned down your application.

On reconsideration, you can provide new information that you think will help your case. This can include letters from your doctor and other health professionals that address the reasons why your application was turned down. You can also include letters from family or friends who are familiar with your medical condition, although these will not carry the same weight as those from medical professionals. HRSDC may also seek additional medical information or ask you to see another doctor. The review of the reconsideration can take several months.

HRSDC can take several months to make a decision on a reconsideration request.

If you are successful on reconsideration, and your denial is overturned, you should receive a lump-sum payment, as well as monthly CPP-D benefits.



## The Denial Letter: Reasons People are Denied CPP-D

Before preparing your request for reconsideration, it is very important that you have a clear understanding of why HRSDC has denied your application. Read HRSDC's denial letter carefully, as many times as you need to. And, if you think it will help you, make some notes on what the letter says.

As mentioned in previous sections, to qualify for CPP-D you must be under age 65, have made the required amount of contributions and have a disability that is severe and prolonged, as defined by CPP. The letter from HRSDC telling you that your application has been denied will tell you the specific reasons why the department has decided that you do not qualify.

The denial letter will usually refer to the medical reports, doctors' opinions and other documents that HRSDC has reviewed. In the letter, HRSDC will usually state what information it has used to arrive at its decision. Also included with your denial letter will be an information sheet entitled: *How to Ask Canada Pension Plan (CPP) Disability to Reconsider Its Decision*.

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### Disability is Not Severe and Prolonged

The most common reason people are denied CPP-D is that HRSDC does not accept that the applicant's disability is sufficiently severe and prolonged. The standard CPP-D denial letter telling an applicant this will say:

*You do not have a disability that is both **severe** and **prolonged** as defined under the CPP legislation.*

### Severe

In Appendix B of this guide, you will see that the CPP-D definition says a person's disability is severe when the person is "incapable regularly of pursuing any substantially gainful employment". In other words, you must show that your medical condition(s) is so severe that you cannot work at any job regularly enough to earn a living.

A denial letter telling someone that his or her disability is not sufficiently severe to stop them from working may say something like this:

*While you may not be able to do your job as a welder, we concluded that you should still be able to do some type of work. We understand that you have limitations. However, we concluded that the information does not show that your limitations prevent you from doing some type of work.*



This means that, after reviewing the evidence, HRSDC has decided that although the person cannot do his or her former job, they should still be able to do some type of work. In other words, their disability may be prolonged, but it is not sufficiently severe to qualify for CPP-D.

Keep in mind that HRSDC places a lot of importance on what your doctor(s) says about your medical conditions and limitations, and on any medical reports that are submitted. It is important that your doctors' reports explain your condition and why it prevents you from working. When there is little medical evidence that clearly shows your impairment, HRSDC may assume you can do some sort of work.

If, for example, your doctor says you are no longer able to perform physical activities such as bending and lifting, HRSDC may decide you can do office work. Or, if your doctor says you are responding well to treatment, HRSDC may assume your condition is not serious enough to stop you from working.

### **Prolonged**

Sometimes CPP-D applications are denied because HRSDC has decided that the applicant's medical condition is not prolonged. This can happen if, for example, someone applies for CPP-D, but is scheduled to have surgery for her condition. HRSDC will also likely decide that an applicant's condition is neither long term nor of unknown duration (prolonged) if there is medical evidence suggesting that a full recovery is expected by a certain date.

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### **Not Enough Contributions**

The Minimum Qualifying Period (MQP) is the minimum period of time that you must have worked and contributed to CPP in the years immediately before you became disabled (as defined in the CPP legislation) in order to be eligible for CPP-D benefits. See Appendix A of this guide for an explanation of MQP.

Occasionally, an application will be denied because HRSDC determines that the applicant has not contributed enough. If you believe a mistake has been made in calculating your contribution period, or you think a provision could be applied for that affects your contribution period and MQP date, you should contact HRSDC right away.

**NOTE | If you do not have sufficient contributions there is no basis for reconsideration. There are no provisions in the legislation that allow the Ministry to reconsider a decision on compassionate grounds.**



## Late Applicants

You may also be denied if you do not apply for CPP-D soon enough after you become disabled. For example, if you take too long to apply, you may not meet the four out of six year test. This is the rule that says you must have contributed to CPP for four out of the six years immediately before you apply for CPP-D.

In these situations, it is sometimes possible to use the Late Applicant Provision (for more on this Provision, see Appendix A). This allows an applicant to have an MQP closer to the onset of her or his disability. Late applicants have to prove that their health has stopped them from working ever since their MQP which, because they applied for CPP-D late, may be a considerable time in the past.

## Getting Started on Your Request for Reconsideration

### Step 1: Writing to HRSDC

The first step in the reconsideration request process is to write to HRSDC within **90 days** of receiving your denial letter to say you want them to reconsider their decision. The 90 days start from the day you receive your letter.

In your letter, you only need to say that you are requesting a reconsideration of your denial. At this stage, it is not necessary to have your case ready. You can say in your letter that you will be sending additional information later. We have provided the contact information for HRSDC in Appendix C on page 17 of this guide.

### Step 2: Requesting Your File

Once you have informed HRSDC that you would like a reconsideration, you need to ask for your file. To do that, you need to send in an *Info Source: Personal Information Request* form. You can get this form by calling HRSDC toll free at 1-800-277-9914, or you can get it online at <http://www.tbs-sct.gc.ca/tbsf-fsct/350-57-eng.pdf>.

Fill out the *Info Source* form and mail it to HRSDC. They require an original signature and will not accept a fax or a photocopy. There are two ways that you can do this:

1. you can return it to your nearest Service Canada office or
2. you can send it to: Privacy Coordinator, Service Canada, PO Box 1177, Victoria, BC V8W 2V2.



The *Info Source* form allows you to get a copy of your complete file. It will take about 5-6 weeks to receive the file. When your file arrives, it will include:

- your application form
- your doctor's medical report
- the disability summary sheet which will tell you why HRSDC denied your claim
- other documentation sent to HRSDC that you may not have seen, such as letters from your doctor.

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### Step 3: Reviewing Your File

The disability summary sheet will tell you why your application was turned down. Read the section called "Rationale." This section contains the adjudicator's reasons for the denial of your claim.

The summary helps you to review your file. Ask yourself: have they overlooked anything important? Are there any errors or omissions in their information? This will give you an idea of the kind of material that would be important to include in your appeal. When you have finished reviewing the summary sheet, it is time to look at the rest of your file.

Review Questions 18 to 22 on the questionnaire you filled out. These questions look at your disability and your ability to work. Have you described in detail how your disability prevented you from performing the duties of your last job? Have you detailed all your limitations? This information can be used in your appeal.

Read the Medical Report that was completed by your doctor. Is it accurate? Does your doctor appear to be supportive? How has your disability been summarized? What has been said about your prognosis? Has anything been said about your ability to work? If you have more than one health condition, has your doctor included information about all of them?

Also, check to see if other medical information is included. Is there anything there that you were not aware of? Is the medical information consistent or contradictory? **Has any doctor said or implied that you are able to work or that your condition will improve?**

By answering these questions, you will focus on the most important issues. These notes will be useful as you work through the appeal process.



## Step 4: Putting Your Case Together

Having written to HRSDC within 90 days to tell them you are requesting a reconsideration (see Step 1 above), your reconsideration will be in process already, but you will need to do more to have the best chance of winning.

After reading your denial letter and reviewing your file, you should have a good idea why HRSDC turned down your CPP-D application. This section will help you to get a clear understanding of what information you can use to satisfy CPP-D that you are eligible.

Start by asking yourself these three questions:

1. Does your disability prevent you from working regularly?
2. Is your condition unlikely to significantly improve in the foreseeable future?
3. Does your doctor(s) acknowledge the limitations that your disability causes in your daily life and your ability to work?

The answer to all these questions needs to be “yes” for you to have a chance of success with your appeal. If the answer to #3 is “no”, you should speak to your doctor because, without supporting medical documentation, it will be extremely difficult to win your reconsideration request. Here are some things to consider:

- Does your doctor think you have a severe and prolonged disability? Is your doctor willing to write a letter of support and help you obtain additional information? If your doctor is willing to work with you, it will make your job a lot easier (medical letters will be covered in more detail in later sections of this guide).
- How well has your doctor described your disability? Are there existing medical reports or letters that were not submitted with your CPP-D application that can be submitted now? If you have more than one medical condition, information about how all these conditions impair your daily functioning is important. If you can help your doctor to understand in detail how your condition affects your ability to function, your doctor will be able to do a better job of supporting your case.
- Were medical reports submitted with your CPP-D application that are out-of-date, inaccurate or took an overly-optimistic view of your degree of restriction or prognosis? For example, sometimes a doctor will assume that a recommended treatment will be effective, but it was not. We suggest that you talk with your doctor about these kinds of issues because they will need to be addressed in your appeal.



- What new medical information can be obtained? This point is particularly important if your condition is getting worse over time. It may be a good idea for your doctor to refer you to specialists or other health professionals to get new assessments. However, find out how long it will take to receive this new information. If it is going to take a long time, we suggest you contact HRSDC and speak to them about any deadline concerns you may have.
- Cultural, educational and social barriers to employment may be considered as factors that affect your ability to work. How realistic is it for you to be re-trained for other kinds of occupations? For example, if you have limited language skills and did not complete grade 7, it may be unrealistic to expect you to work in a job that requires strong language skills.
- What has happened since you left your last job? If you have tried lighter work-related activities or a retraining program and failed, it is important to point this out. Even if you have skills, your disability may prevent you from keeping a job. Third parties, such as instructors or employers that can confirm your health-related job restrictions, can be asked for a letter of support.
- People who have medical conditions with an unclear prognosis may run into difficulty. The term “long continued” implies that a condition must be more than temporary. To qualify for CPP-D, your medical prognosis should, at the very least, establish that you are unable to return to the workforce within a foreseeable and reasonable period of time.
- Have you qualified for any other disability benefits programs since you left work? Although qualifying for one disability program does not mean you will automatically qualify for another, sometimes the medical reports associated with the other programs can be of use.
- Disabilities tend to affect people in different ways, even when diagnoses are similar. It is important to detail the particular facts of your case. For example, submitting articles about your disability from medical journals rarely makes a difference. It is much more helpful to provide a medical letter talking about the specific things you cannot do because of your disability.

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### **Step 5: Getting Medical Letters**

We have stressed in this guide the importance of obtaining good medical evidence to support your reconsideration request. We are also aware that doctors do not have a lot of time to write letters, and will often charge a fee to do so. HRSDC will only pay for medical letters that they request, and not for letters you request.



Therefore, if your doctor agrees to provide a letter, it is extremely important that the letter contain the right kind of information. Specifically, **it is crucial that your doctor address the deficiencies in your application, as identified in HRSDC's denial letter.**

You should talk with, or write to, your doctor clearly explaining that you need him or her to write a letter addressing the specific points on which HRSDC based its denial. If possible, you should show your doctor the denial letter.

Please see Appendix D on page 19 of this guide for a sample request letter that you can use if you want to write to your doctor.

### **Which doctor(s) should you ask for a support letter?**

#### The General Practitioner or Family Doctor (GP)

The advantage of information from your family doctor is that he/she probably knows you better than a specialist. Also, if you have more than one condition, your GP may have the best understanding of how your combination of disabilities affects your daily life and your ability to work. The disadvantage is that HRSDC will sometimes reject the opinion of a GP if there has been a different opinion expressed by a specialist.

#### The Specialist

It is important to have up-to-date information from a specialist (e.g., neurologist, psychiatrist, rheumatologist) who is involved in your case. The opinion of a specialist is often given greater weight than your family doctor's opinion because they are considered to have more in-depth knowledge. The problem is that a specialist may not know you very well if you have only had a couple of visits. The specialist may also only be able to comment on one of many conditions. For example, a psychiatrist is unlikely to have information regarding a physical condition.

One option is to request support letters from all your doctors. Another option is to ask your GP to write a letter explaining how your multiple conditions combine to prevent you from pursuing gainful employment on a regular basis. If you ask your GP for a letter, it is helpful if the GP can review any reports from your specialists, and mention in the letter that he or she has done so.

We recommend that you talk to your doctor(s) before they write a letter. Find out whether they can provide the information outlined above and whether they support your application for CPP-D. Find out how much it will cost and how long it will take them to write a letter for you.



If none of your doctors are supportive, there is no point asking for a medical letter and you may wish to seek the advice of an advocate.

**NOTE | CPP will only pay for letters that they request. Ask your doctor about any costs involved before requesting support letters. You can ask CPP to contact a doctor, if you believe there is new information that he or she can provide.**

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### Step 6: Other Supporting Documentation and Your Own Letter

In addition to letters from your doctors, you may also provide HRSDC with letters from other health professionals who have been involved in your treatment and care. For example, you can request letters from physiotherapists, mental health workers, nurses, podiatrists and psychologists, to name a few. Many of these people can provide relevant information that could help your appeal.

You may also provide HRSDC with letters from past employers and vocational rehabilitation personnel, who may be in a position to comment on how your disability affects your ability to pursue and maintain employment.

It may also be helpful to submit documentation related to any other disability benefits programs you have applied for. Be sure to review it for relevance or for any information that could be used to discredit your appeal. Do not use documentation that contains unhelpful or confusing information.

Finally, you can also ask family and friends to provide letters, if they are in a position to comment specifically on how your disability affects your ability to pursue and maintain gainful employment.

Once you have gathered letters from your doctor and other support people, it is a good idea to write your own covering letter too. In your letter you can give:

- your personal experience of your disability, including your symptoms and the treatments you have tried;
- a profile of a typical day and examples of the limitations you live with; and
- examples of how your disability has affected your ability to perform work-related activities.



## **Step 7: Compiling Your Information for Reconsideration**

The information you send in to support your reconsideration request should focus on the facts of your disability, and should show that you fulfill the criteria of disability, as defined by the Canada Pension Plan.

As described above, you may want to send in any or all of the following:

- a covering letter from you;
- letters from doctors;
- letters from other health professionals;
- letters from past employers, or vocational rehabilitation personnel;
- documentation about other disability benefits you may be receiving; and
- letters from friends and family.

### **For the best chance of success, you should have:**

- sent a letter to HRSDC within 90 days of the denial letter saying that you wish to appeal the decision.
- requested and reviewed your CPP-D file.
- obtained doctors' letters that provide the medical reasons your disability is severe and prolonged.
- included other support letters, where possible, that help describe the full extent of your disability.
- written a letter that explains, in your own words, how your condition affects you on a daily basis and limits your ability to work.

Before the package is sent in, make a copy of all the documentation for your records. It is also a good idea to send the documentation via registered mail. Make a note of when you mail the package, and send it to:

CPP Applications and Appeals Division  
Service Canada  
BC & Yukon Region  
PO Box 1177  
Victoria, BC  
V8W 2V2



## Conclusion

Once the reconsideration request is sent in, you will have to wait a few months for a decision. You can send in additional information during that time, especially if there is any change in your condition.

HRSDC may also ask you to see a doctor of their choosing or may ask for updates.

**It is important to comply with these requests; if you ignore them, you will put your appeal at risk.**

HRSDC will send you a letter that tells you whether your appeal has been accepted or denied.

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### If Your Reconsideration Request is Successful

Congratulations! You can expect to receive a retroactive payment that is back-dated to the time that your disability was recognized by CPP. Usually, this is a cheque for a few thousand dollars. You are also entitled to receive a monthly CPP-D cheque. This amount will depend on the contributions you have made to the Plan. Remember, CPP benefits are taxable. You may want to ask HRSDC to withhold a certain amount for your taxes.

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### If Your Reconsideration Request is Not Successful

There may be a number of reasons why your appeal was not successful at the reconsideration stage. Because this guide only focuses on the reconsideration, we recommend that you seek the advice of an advocate or lawyer to find the best way to proceed. Please refer to our Tribunal Guide for information on how to proceed to the next level of appeal.

Remember, you have the right to request a Review Tribunal. This request must be submitted within 90 days of receiving the results of the reconsideration.



## Appendix A | Contributions Required to Qualify for CPP-D

To qualify for CPP-D, you must have worked and contributed or paid into CPP for a certain amount of time.

### **The Minimum Qualifying Period (MQP)**

The MQP is the minimum period of time that you must have worked and contributed to CPP in the years immediately before you became disabled (as defined in the CPP legislation) in order to be eligible for CPP-D benefits.

The MQP is calculated by looking at the number of recent calendar years in which you have made contributions to CPP. In order to qualify for CPP-D, you must prove that you became disabled by the end of your MQP. The end of a person's MQP is usually December 31 of his or her last qualifying year.

If you have worked only four years, then you must have made valid contributions to CPP in **each** of these four years in order to be eligible for CPP-D.

If you have worked more than four years, then in most cases it is necessary for you to have made valid contributions to CPP in at least **four out of the last six years** before you became disabled. This is known as the “four out of six year rule.” It applies to anyone who became disabled **on or after January 1st, 1998**.

But if HRSDC determines that you became disabled earlier, **between January 1, 1987 and December 31, 1998**, the rules are different. You must have worked and contributed to CPP in either:

- **two of the last three years** before you became disabled, or
- **five of the last ten years** before you became disabled.

Finally, if you are applying for CPP-D after February 29, 2008, and if you have made contributions to CPP for **25 years or more**, then you do not need to have contributions in four out of the last six years. You can qualify if you worked and contributed to CPP in just **three of the last six years** before you became disabled. (**Note:** HRSDC is currently limiting its application of this rule to people who became disabled on or after December 1, 2006, but there is a good argument the rule should apply to anyone who applies after February 29, 2008, regardless of when they became disabled.)



## **Special Provisions**

In some situations, or special provisions, you may be eligible for CPP-D, even if your contributions do not meet the standard requirements. If you do not have the required contributions, you should consider the following provisions as you prepare your reconsideration request.

### **Late Applicant Provision**

This may be used by people who did not apply for CPP-D as soon as they became disabled. When people wait too long to apply, the four out of six year rule may mean they are ineligible for benefits.

When someone applying for CPP-D has not paid enough into CPP under the current contribution requirements, HRSDC automatically looks at her or his contributions to see when they last paid enough into CPP to qualify for benefits. For example, if someone has enough contributions between 1987 and 1997 (but not after that date) the rules that would apply to them would be the ones that were in place between 1987 and 1997.

Under the Late Applicant Provision, an applicant must prove they were disabled by the MQP date and prove that the disability has been continuous from that date until the present day.

### **Child Rearing Drop-Out Provision**

Parents/Guardians who have taken time out of work to raise children under the age of seven and have received the Family Allowance or Child Tax Credit can apply for this provision. The years that the parent had little or no earnings can be excluded from the four out of six year rule calculation. Although you would still need four years of valid contributions, this provision extends the time during which they can be made.

### **Incapacity Provision**

When you are unable to apply for CPP-D benefits because of the severity of your physical or mental condition, this provision allows you to apply at a later date. You still need to meet the MQP requirements, but you may receive more retroactive benefits.



### Other Issues Related to Contributions

- If you worked in Quebec, your Quebec Pension Plan contributions can be combined with your CPP contributions.
- If you have worked in another country that has a social security agreement with Canada, contributions to the social security program in that country may be used to help you meet the CPP contribution requirement.
- If you are separated or divorced (including a common law relationship), you may claim part of your ex-partner's CPP contributions during the time that you were living together. This is called "credit splitting" and these contributions or credits may help you qualify for CPP-D even if you have not worked.



## Appendix B | CPP Legislation Definition of Disability

Section 42(2) of the Canada Pension Plan defines disability. It says that:

- (a) a person shall be considered to be disabled only if he is determined in prescribed manner to have a severe and prolonged mental or physical disability, and for the purposes of this paragraph,
  - i) a disability is severe only if by reason thereof the person in respect of whom the determination is made is incapable regularly of pursuing any substantially gainful occupation, and
  - ii) a disability is prolonged only if it is determined in prescribed manner that the disability is likely to be long continued and of indefinite duration or is likely to result in death; and
- (b) a person shall be deemed to have become or to have ceased to be disabled at such time as is determined in prescribed manner to be the time when he became or ceased to be, as the case may be, disabled, but in no case shall a person be deemed to have become disabled earlier than fifteen months before the time of making any application in respect of which the determination is made.

(R.S.C. 1985, c.30 (2<sup>nd</sup> Supp.), s. 2(2))



## Appendix C | Contacts and Resources

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### Human Resources and Skills Development Canada (HRSDC) - Service Canada

> For applications and Reconsideration Requests

The mailing address for Service Canada depends on which province or territory you live. Contact Service Canada by phone to find out which mailing address you should use. For BC residents, the contact information is:

PO Box 1177 Victoria, BC V8W 2V2  
Ph: 1-800-277-9914 (English)  
Ph: 1-800-277-9915 (French)  
TTY: 1-800-255-4786  
Website: <http://www.servicecanada.gc.ca/>

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### Office of the Commissioner of Review Tribunals (OCRT)

> For Review Tribunal requests

When you mail the OCRT about your file, remember to include your Social Insurance Number (SIN) or Appeal Number.

P.O. Box 8250, Station "T"  
Ottawa, Ontario  
K1G 5S5  
Ph: 1-800-363-0076 (Toll free)  
Ph: 1-613-946-0320 (from outside Canada)  
Fax: 1-866-263-7918 (Toll free)  
Email: [info@ocrt-bctr.gc.ca](mailto:info@ocrt-bctr.gc.ca). For security reasons, do not include your Social Insurance Number (SIN) in any electronic correspondence.  
Website: [http://www.ocrt-bctr.gc.ca/index\\_e.html](http://www.ocrt-bctr.gc.ca/index_e.html)

**Notice of Appeal Form:** [http://www.ocrt-bctr.gc.ca/forms/notapp\\_e.html](http://www.ocrt-bctr.gc.ca/forms/notapp_e.html).

The OCRT has produced an excellent video called "Your Best Shot". It is about appealing to a Review Tribunal. The Catalogue Number is HP24-5/2003-V. To have this video mailed to you, phone the OCRT at the number above.

The OCRT also has a "Book of Authorities" on its website. This resource has a detailed index of decisions by the Courts and Pension Appeals Board that might help your appeal. Just click "Decisions" on the left side of their home page.



### **Pension Appeals Board (PAB)**

If you lose at the Review Tribunal, you may want to appeal to the PAB. The PAB posts a link to all of its decisions on its web site. Unfortunately, the decisions are not indexed. You might want to read a few decisions to get an idea about how appeals are decided and what decision makers look for.

P.O. Box 8567

Station "T"

Ottawa, Ontario

K1G 3H9

Ph: 1-888-640-8001

Fax: (613) 995-6834

Email: [info@pab-cap.gc.ca](mailto:info@pab-cap.gc.ca)

Website: <http://www.pab-cap.gc.ca>



## Appendix D | Letter to Your Doctor(s)

Date  
Name  
Return address

Dear Doctor \_\_\_\_\_:

My application for Canada Pension Plan Disability benefits was recently denied, and I am writing to ask you to write a letter to support my request for reconsideration.

In order to qualify for CPP disability benefits, I must provide medical evidence to show that:

- ever since my MQP date (\_\_\_\_\_\*), my disabilities have prevented me from maintaining “substantially gainful” employment in any job (not just my previous job); and that
- my condition is not likely to improve for the foreseeable future.

HRSDC denied my application for benefits on the basis of (\_\_\_\_\_\*\*). This is the main point I need to address in my reconsideration.

If you are willing to provide a letter, could you please address this point, and also state:

- How long I have been your patient;
- A list of all my medical conditions and symptoms;
- A description of all the functional limitations arising from my impairment;
- A list of all the medications and treatments I have tried, and an indication of whether they have helped or not;
- A realistic (rather than an optimistic) prognosis;
- Comments on how my impairment regularly prevents me from pursuing and maintaining gainful employment; and
- Comments on whether I could realistically be retrained for other types of work.

Please also provide any reports in my file that you think might support my application for CPP-D.



Please let me know in advance whether you will charge a fee and, if so, how much it will be. I have limited resources and would appreciate it if you could provide the letter at a reduced rate.

Thank you in advance for your help.

Sincerely,  
[Name & Signature]

\*The date of the Minimum Qualifying Period is usually given in the denial letter to your application.

\*Insert the reason(s) why the HRSDC denied your application, as set out in the denial letter.



## Appendix E | Advocacy Resources

### **BC Coalition of People with Disabilities**

Advocacy Access Program  
For CPP-D advocacy and information.  
#204 – 456 West Broadway  
Vancouver, BC V5Y 1R3  
Phone: 604-872-1278  
Toll-free: 1-800-663-1278  
Website: [www.bccpd.bc.ca](http://www.bccpd.bc.ca)

### **The Legal Services Society of BC**

For the Electronic Law Library.  
Website: [www.bcpl.gov.bc.ca/ell/](http://www.bcpl.gov.bc.ca/ell/)

The Society also operates the LawLine.  
Phone: 604-408-2172  
Toll-free: 1-866-577-2525

### **PovNet**

Website of advocacy information and updates on various community issues.  
Website: [www.povnet.org](http://www.povnet.org)

The CPP Series is available at: [www.bccpd.bc.ca/money.htm](http://www.bccpd.bc.ca/money.htm).

Prepared by BC Coalition of People with Disabilities' CPP Disability Benefits Advocacy Program

204-456 W. Broadway, Vancouver, BC V5Y 1R3 | tel 604.872.1278  
fax 604.875.9227 | Toll Free 1.800.663.1278

Information in this guide is based on the legislation that was current at the time of writing.  
Legislation and policy may be subject to change. Please check the date on this guide.



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