

LTD and grave illness in the family

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by ALISON HIETANEN



My child has received a life threatening diagnosis and I really feel the need to be at home caring for her. I dont have enough hours in my sick bank to get through the five-month waiting period should I apply for long term disability. On top of all that, I cant concentrate on my job; I feel stressed and overwhelmed with my workload at my place of employment. Some of my co-workers have suggested I should apply for long term disability. Would I qualify for LTD benefits?



It is a very difficult situation when your child or partner has been diagnosed with a serious illness which may go on for many months or even years. You feel a strong responsibility to provide them with the care and nurturing they require. However, you cannot afford to be without the income from your employment. It is not unusual, therefore, for members to look to the long term disability plan as a possible solution to this dilemma.

However, it is important to understand the purpose of long term disability insurance. LTD is not designed as a form of employment insurance for the purpose of replacing income for individuals who choose not to be at work, no matter how altruistic their reasons. LTD is intended to provide an income source to individuals who, as a result of a serious medical disability, are unable to perform the full scope of the duties and responsibilities of their own occupation for the first 29 months of disability, and any gainful occupation thereafter.

You must see your treating physicians regularly ... throughout the qualification period and the term of your LTD claim ... and undertake appropriate treatment.

An LTD claim is about how you are disabled, not how your child or partner is disabled. Therefore, if you find yourself in a situation such as that set out above, and are contemplating submitting an application for LTD benefits, in order to ensure the greatest likelihood of success you must provide supporting documentation which clearly sets out a diagnosis of a disabling medical condition which prevents you from undertaking the duties and responsibilities of your job. Furthermore, you must clearly set out specifically how the symptoms and effects of your disability negatively impact your ability to perform the core tasks of your occupation. For instance, if your short-term memory and ability to concentrate are impaired, in what way does this affect your capacity to chart appropriately or develop patient treatment plans?

Be aware that simply stating that you are "stressed" is unlikely to result in an approved claim. Stress in and of itself is insufficient to prove disability for the purposes of long term disability. Similarly, workload concerns or workplace friction with co-workers or supervisors are issues which are properly dealt with through the grievance process under the collective agreement, and are not generally appropriate for LTD claims.

Before you can begin receiving long term disability benefits, you must provide the insurer ... Great-West Life ... with proof that you have submitted an application for Canada Pension Plan disability benefits. This proof can consist of providing a copy of the statement you will receive from Canada Pension Plan acknowledging receipt of your application. Information about the CPP disability benefit, and the application forms, can be downloaded from the internet at < www.sdc.gc.ca > or obtained from your local government office.

In the event that you decide to pursue an LTD claim, but are concerned that you do not have enough banked sick and vacation time to carry you through the entire qualification period, you may be eligible for Employment Insurance medical leave benefits. Inquire with your local federal government office to see if you qualify, and to obtain the appropriate paperwork to initiate the process.

Finally, if you file an LTD claim on the basis of your own disability and your claim is denied despite providing supportive medical documentation from your physicians, immediately contact the HSA office for assistance in filing an appeal. 

Alison Hietanen is HSAs member benefits specialist. Contact her through the HSA office, or email alison@hsabc.org.

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180 East Columbia
New Westminster, BC V3L 0G7

Website
www.hsabc.org

Telephone 604-517-0994
1-800-663-2017