



What do I do if my request for a Special Diet is denied?

If your worker denies your request for a Special Diet Allowance, or does not give you enough money to buy what you require for your diet, you can appeal.

Always get the denial decision in writing, otherwise you cannot appeal it!

First, you must request an Internal Review in writing within **30** days of the denial letter.



If your Internal Review is also denied, you can appeal this decision, by filing a Notice of Appeal with the SBT within **30** days.

NOTE: There is a **30 day time limit** for filing an Internal Review or an Appeal to the Social Benefits Tribunal (SBT). If you **miss** this deadline, you **may lose your right to appeal**. Contact your community legal clinic for assistance with appeals.

For Special Diet Allowance – see:

<http://www.mcass.gov.on.ca/en/mcass/programs/social/directives>

OW Policy Directive - 6.6

ODSP - Income Support Directive - 6.6:

Special Diet Allowance

OW/ODSP: About Special Diet

Other Pamphlets: *Appeals and Internal Reviews* and other pamphlets about social assistance, published by CLEO, are available at www.cleo.on.ca. For legal information in Ontario, visit www.yourlegalrights.on.ca.

The information in this pamphlet is current to November 2011 and will not reflect changes to the rules or regulations.

For more information on the Special Diet Allowance, your rights or questions about OW/ODSP benefits, please contact your caseworker at your local OW/ODSP Office or your local Community Legal Clinic.

To search for your local clinic by your postal code, go to:
<http://www.legalaid.on.ca/en/contact/contact.asp?type=cl>

To view the CLEO publication “Getting Legal Help” for a list of legal clinics, go to:
<http://www.cleo.on.ca/english/projects/HTML/legalhelp.html>.

Or you can call Legal Aid Ontario for contact information at 1-800-668-8258.

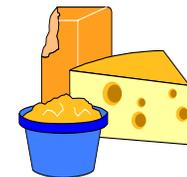


What is a



Special Diet Allowance?

For People on
OW or ODSP Benefits



Produced by
Northwest Community
Legal Clinic
Adopted by
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Legal Clinic
(November 2011)



Special Diet Allowance

– What is it?

A Special Diet Allowance is for people on OW or ODSP benefits, who, for health reasons, need to purchase special foods or vitamins, or avoid certain foods.



If you are eligible for a Special Diet, you will receive extra money above the basic needs allowance to help with the cost.

Special Diet Allowance

A Special Diet Allowance is issued to a person who requires any of the various special diets listed in the **Special Diets Schedule**. To apply, you must complete an application form, signed by both you and your health professional.

Do you Qualify?

If you are diabetic, have food allergies or food restrictions, or other medical conditions, you may qualify for a Special Diet Allowance.

If you are pregnant or nursing, you *may* Qualify for the Pregnancy/Breast-Feeding Nutritional Allowance. Discuss this benefit with your OW or ODSP worker.

A Special Diet Allowance for inadequate lactation or breast-feeding contraindication will not be paid together with a Pregnancy/Breast-Feeding Nutritional Allowance.

Note: OW/ODSP recipients residing in institutions are not eligible for a special diet allowance as their needs are met by the institution.

How do you get a Special Diet Allowance?

Pick up an application form from your local OW or ODSP office. You must complete Section 1 and sign Section IV. Then, have your doctor, nurse practitioner, or registered dietician complete and sign their sections of the form.

For medical conditions related only to difficulties with breast-feeding, a registered midwife or traditional Aboriginal midwife can also complete the application form.

Return your completed form to your local OW or ODSP office. A decision letter will be sent to you.

Review Dates

All special diet allowances are subject to review. The timing of the review is based on the length of time chosen by your health professional: **6 months, 12 months** or indefinite. Even when the time chosen is “indefinite,” you can be asked to have your application reviewed at any time.

Sometimes people receiving Ontario Works will be granted ODSP while receiving a Special Diet Allowance. This should continue to be paid until the review date.

How much can you receive?

Each member of your benefit unit who requires a special diet (which includes a Nutritional Allowance) can receive up to a maximum of \$250 per month.

Grand-Parented from Family Benefits

If you received a special diet when you were receiving Family Benefits, and, if the amount you received was more than the \$250/month maximum, you can be grand-parented, that is, you can continue to receive what you were receiving, even if it is more than the allowable maximum amount of \$250/month.

BUT, you still have to file an Application for Special Diet Allowance and qualify – you must have one or more of the eligible medical conditions allowed under the **Special Diets Schedule** in order to receive a Special Diet Allowance.

In other words, you must meet the same eligibility requirements as all other recipients. If you do, the maximum allowance you receive may be more than \$250. This can be reduced if your special dietary needs change.



The Special Diet Allowance does not cover products covered by the *Ontario Drug Benefit (ODB) plan* or *Health and Welfare Canada*.