

## **PPMB Adjudication – Procedural Guidelines**

In 2004, the ministry made changes to policy and procedures for the Persons with Persistent Multiple Barriers (PPMB) category to support evidence based decision-making and consistency in adjudication decisions. As part of these changes, the ministry centralized the adjudication of all PPMB applications and reviews regionally with Regional Reconsideration Adjudicators (RRAs).

Since that time, the ministry has reviewed policy, procedures and practices of this adjudication model to determine its effectiveness. As a result of this review, it was determined that some guidelines would be beneficial to assist adjudication. SPRB worked with regional staff to identify the potential issues and solutions that are the subject of these guidelines.

While individual regions may already have adopted some of these approaches, these guidelines will provide additional clarity and consistency throughout the province. Some of the procedural guidelines address procedures for Employment and Assistance Workers (EAW), while others are provided for RRAs. Finally, some consist of separate guidelines for both EAWs and RRAs.

**Issue: Inconsistent Information** – Inconsistent information about a client’s medical condition(s) on the Medical Report - Persons With Persistent Multiple Barriers (HR2892), the Client Employability Profile (HR2865) and the Persons Who Have Persistent Multiple Barriers to Employment Checklist (HR2892A).

**Procedural Guidelines – For Employment and Assistance Worker (EAW):**

- Although Section C (Medical Assessment) of the PPMB Medical Report instructs the doctor to indicate a primary and secondary medical condition only, the EAW should emphasize the importance of the medical practitioner detailing **all** relevant medical conditions when providing instructions to the client about the completion of the form.
- The EAW should further stress that only those medical conditions confirmed by a medical practitioner can be considered when adjudicating for PPMB.
- If referencing medical conditions on the Client Employability Profile and PPMB Checklist that are identified by the client, the EAW should indicate that the client reports these conditions. If they are not confirmed by the PPMB Medical Report, a comment should be included to indicate that the medical practitioner did not confirm the medical condition.

**Procedural Guidelines – For Regional Reconsideration Adjudicator (RRA):**

- If there is a discrepancy between a client’s self-reported medical conditions and the medical conditions confirmed by the medical practitioner on the PPMB Medical Report that might affect a client’s eligibility for PPMB, and the client has completed Section B (Authority to Release Information) of the form, the RRA should contact the medical practitioner to clarify this discrepancy, if possible.

**Issue: Insufficient Information** – Insufficient or missing information on the Medical Report - Persons with Persistent Multiple Barriers (HR2892)

**Procedural Guidelines – For Employment and Assistance Worker (EAW):**

- If a PPMB Medical Report is missing information that is crucial for determination of eligibility (e.g., date of onset or expected duration of medical condition) or has an entire section left blank (e.g., nothing written in the Restrictions section), the EAW should point out the missing information to the client and inform the client that they may return the form to the medical practitioner to provide the additional information. A comment should be entered on the file history to indicate that this discussion has occurred.
- If the client chooses not to return the form to the medical practitioner, a comment should be entered on the file history to indicate this and the PPMB package should be forwarded to the RRA for adjudication.

**Procedural Guidelines – For Regional Reconsideration Adjudicator (RRA):**

- If a PPMB Medical Report is missing information that is crucial for determination (e.g., date of onset or expected duration of medical condition) or has an entire section left blank (e.g., nothing written in the Restrictions section), and the client has completed Section B (Authority to Release Information) of the form, the RRA should contact the medical practitioner to obtain the missing information.
- While the onus is on the client to provide the information to support a claim for PPMB, denial of PPMB where there is insufficient information should only occur when reasonable efforts have been made to obtain the missing information.
- If a client cannot be approved for PPMB due to insufficient or missing information on the Medical Report, the decision letter must indicate what regulatory criterion has not been met. It should also clearly explain what specific information was not included on the Medical Report. This allows the client an opportunity to provide the missing information, if available, should they wish to request a reconsideration.

**Issue: Insufficient Information** – Supporting documentation that would inform the adjudication process is not submitted with the Medical Report - Persons With Persistent Multiple Barriers (HR2892).

**Procedural Guidelines – For Employment and Assistance Worker (EAW):**

- When discussing the PPMB application or review process with the client, the EAW should emphasize the importance of submitting supporting documentation with the PPMB Medical Report.
  - For example, for mental health diagnoses where severity can vary greatly (e.g., depression, anxiety and post-traumatic stress syndrome), psychiatrist's reports, counselor's reports, mental health assessments and mental health worker notes are helpful for determining the severity of the condition.
  - Hepatitis C is another diagnosis where symptoms can range dramatically. Lab reports, including liver function tests, are helpful for adjudication.

**Procedural Guidelines – For Regional Reconsideration Adjudicator (RRA):**

- The purpose of supporting documentation is to provide additional information that is relevant and not otherwise contained in the PPMB Medical Report. Supporting documentation is not always essential and clients should not be denied PPMB for a lack of supporting documentation if the information provided on the PPMB Medical Report clearly establishes they meet the PPMB eligibility criteria.
- However, if supporting documentation with additional information about a client's medical condition could affect their eligibility for PPMB, and the client has completed Section B (Authority to Release Information) of the Medical Report, the RRA should contact the medical practitioner to ask if any additional supporting documentation is available.
- If a client cannot be approved for PPMB due to a lack of supporting documentation, the denial reason contained in the decision letter must indicate what regulatory criterion has not been met. The letter should also outline the specific type of clinical evidence that would more clearly support the nature and severity of a particular medical condition. This allows the client an opportunity to provide this information, if available, should they wish to request a reconsideration.

**Issue: Interventions Not Explored** – All interventions identified on the Persons Who Have Persistent Multiple Barriers to Employment Checklist (HR2892A) have **not** been explored.

**Procedural Guidelines – For Employment and Assistance Worker (EAW):**

- If a client was not successful in an intervention, the EAW should record the reason for the lack of success when completing the PPMB Checklist.
  - If it was not appropriate for the client for reasons that are not self-evident the EAW indicates the specific reason why it was not appropriate (e.g., “agency will not accept individuals with criminal convictions”). If the reason is self-evident, it need not be recorded (i.e., an EAW need not indicate why a women’s employment program was not appropriate for a man or why a mental health program was not appropriate for a client who does not have a mental health condition).
  - If it was appropriate and was attempted without success, the EAW indicates why the client was not successful. If it was appropriate but has not been attempted, the EAW indicates why it has not been attempted.
  - If no original referral was made, the EAW refers the client to the intervention, records the referral date and follows up on the referral as soon as possible.
- Clients who are being reviewed for PPMB have previously been determined to have exhausted all available interventions when they initially met the eligibility criteria for PPMB.
- If an intervention on the PPMB Checklist subsequently becomes available or is identified as appropriate for a client, the client must be informed of this intervention well before a review date and provided reasonable time to attempt the intervention. The EAW must record the referral on the electronic file and any progress should be recorded.
- In the rare event that a client has not been informed with sufficient time to attempt an intervention, the EAW should recommend an extension to the review date to allow time for the client to attempt the intervention.

**Procedural Guidelines – For Regional Reconsideration Adjudicator (RRA):**

- In the rare event that a client is not informed of an available intervention with sufficient time to attempt it before their PPMB review date, the RRA may extend the review date for a maximum of six months to allow time for the client to attempt the intervention.
- Clients previously approved for PPMB should not be denied at review for failing to exhaust all interventions without clear evidence that:
  - the client was informed of the intervention;
  - the client was provided sufficient time to follow through with the intervention;
  - and
- the client failed to follow through with the intervention or refused to attempt the intervention without any mitigating circumstances.

**Issue: Decision Letters** - Decision letters must provide full reasons as to the criteria that have not been met and the evidence relied on to reach that conclusion.

**Procedural Guidelines – For Regional Reconsideration Adjudicator (RRA):**

- When completing a decision letter, the RRA must use clear and simple language to communicate the ministry's decision.
- Every denial letter must indicate all regulatory criteria not met:
  - (a) Lack of supporting documentation, including clinical evidence –
    - The decision letter must indicate the specific regulatory criterion that has not been met. The letter can also indicate that, should the client wish to have the decision reconsidered, additional supporting documentation (e.g., a liver function test) would be helpful to indicate the severity of the medical condition and the resulting restrictions.
  - (b) All interventions have not been attempted –
    - The decision letter must indicate the regulatory criterion that has not been met. The letter should also specify the particular intervention that has not been attempted and direct the client to speak with an EAW for additional information about this intervention.

**Issue: Mental Health Conditions** – Mental health conditions reflected in comments on file history or on an old Medical Report - Persons With Persistent Multiple Barriers (HR2892).

**Procedural Guidelines – For Employment and Assistance Worker (EAW):**

- The EAW should only record relevant objective and/or observable information on the Client Employability Profile (HR2865). Additional information can also be included from the file history and physical file. The Profile should not be used to make a recommendation for PPMB or to include information that is subjective or judgmental.
- Examples of observations that are appropriate to include on the Profile:
  - “Client attended interview with mental health worker.”
  - “Client reports having mental health worker for the past 4 years. Reports the following activities done in conjunction with MH worker: found accommodation and accessed mental health counselling.”
  - “File history indicates 4 hospitalizations for suicide attempts in past 18 months.”
  - “Contracted Service Provider reports client could not comprehend simple instructions and tasks.”
- Where a client claims to have a mental health condition, the EAW should indicate that the client reports this condition. If it is not confirmed by the PPMB Medical Report, a comment should be included to indicate that the medical practitioner did not confirm the mental health condition.

**Procedural Guidelines – For Regional Reconsideration Adjudicator (RRA):**

- It is only those medical conditions confirmed by a medical practitioner on the PPMB Medical Report that an RRA considers when adjudicating a new PPMB application. If a medical practitioner has not confirmed a medical condition it cannot be considered during adjudication.
- If a client reports a mental health condition that is not confirmed on the PPMB Medical Report and they have completed Section B (Authority to Release Information) of the form, the RRA should contact the client’s medical practitioner to discuss all medical information critical to PPMB adjudication.
- If, at review, a previous PPMB Medical Report indicates a mental health condition is ongoing and/or lifelong with resulting restrictions that would be unlikely to change and this condition is not indicated on the new Medical Report, the RRA may consider an extension of PPMB. Observations from the EAW can be used to support this consideration.

**Issue: Mental Health Conditions** - The severity of the restrictions of a mental health condition can vary greatly from person to person.

**Procedural Guidelines – For Regional Reconsideration Adjudicator (RRA):**

- If a PPMB Medical Report confirms a mental health condition but does not provide sufficient information relating to the severity of restrictions, and the client has completed Section B (Authority to Release Information) of the form, the RRA should contact the medical practitioner to discuss the severity of the condition and related restrictions.