

PART C – Decision under Appeal

The decision under appeal is the Ministry of Social Development and Social Innovation (the “ministry”) reconsideration decision of April 22nd, 2014 wherein the ministry denied the appellant’s request for a crisis supplement under section 57 Employment and Assistance for Persons with Disabilities Regulation (EAPWDR) for a Memory Foam Mattress because the appellant does not meet the criteria set out in section 57(1) EAPWDR; and section 57(3) EAPWDR states that a crisis supplement may not be provided for the purpose of obtaining any other health care goods or services.

Further, the ministry determined a Memory Foam Mattress cannot be provided as a health supplement under Schedule C, section 3(1) EAPWDR because a Memory Foam Mattress is not described as medical equipment and devices in sections 3.6 (hospital bed) or section 3.7 (pressure relief mattress) of Schedule C EAPWDR.

PART D – Relevant Legislation

EAPWDR sections 57 (crisis supplement), 62 (general health supplements) and Schedule C sections 3(2), 3.6 and 3.7

PART E – Summary of Facts

The evidence before the ministry at the time of reconsideration:

- Quote dated February 24th, 2014 for mattress and frame;
- Letter dated February 25th, 2014 from appellant's physician;
- Quote dated February 28th, 2014 for box spring and mattress;
- Request for Reconsideration dated April 4th, 2014

On January 7th, 2014 the appellant attended at the ministry office and inquired about obtaining a Memory Foam Mattress. The ministry (EAW) had requested the appellant, along with an occupational therapist (OT) or physical therapist (PT) complete a Medical Equipment and Justification (MEJ) form, HR2138. The OT refused to complete section 3 of the HR2138 form. On February 12th, 2014 the appellant had back surgery. On February 26th, 2014 the appellant submitted a quote from a furniture store for a Memory Foam Mattress. The EAW requested the appellant obtain a 2nd quote for a mattress as well as a letter from her physician explaining why the appellant needed a Memory Foam Mattress. On February 26th, 2014 the ministry also received a fax from the appellant's physician advising that "the appellant has multi-level disc disease with stenosis and spondylosis, has had fusion surgery and could benefit from a supportive mattress". On February 28, 2014 the appellant submitted a 2nd quote for a mattress but this was the same quote that was submitted on February 26th, 2014. The EAW requested the appellant obtain another separate quote and on March 3rd, 2014 the appellant submitted additional quotes for a mattress. On March 11th, 2014 the ministry determined the appellant's request did not fall within the list of approved items in Schedule C sections 3.1 to 3.8 EAPWDR; that a hospital bed and/or a pressure relief mattress (s. 3.6 and 3.7 respectively) did not apply to her request and that a crisis supplement could not be provided as a health supplement. The appellant requested that her request for a Memory Foam Mattress be considered under the crisis supplement legislation. The appellant was advised that additional information was required to assess how a new mattress fits within the crisis supplement criteria. The ministry advised no new information was provided. On March 28th, 2014 the ministry advised the appellant that her request did not meet the criteria under section 57 EAPWDR or Schedule C, section 3 – medical equipment EAPWDR legislation and her request for a supplement was denied.

In section 3 of the Request for Reconsideration the appellant stated that "Due to my severe back problem I need a supportive mattress in order to get proper sleep. I have provided a letter from my physician to document the urgent need. I have supplied the ministry with multiple estimates for a suitable mattress. I am currently sleeping on an air mattress which is very painful and uncomfortable. I do not need a hospital bed – just a mattress with good support. This is not a medical equipment request. A bed is a basic need and the medical report is supplied to show that my need is urgent as recovering from back surgery is a confirming factor of the urgency. I am happy to have the lowest bid."

In the Notice of Appeal the appellant states, "I don't have a bed and I have had back surgery. I need a mattress due to ongoing chronic pain and numbness that prevents me from getting adequate sleep".

At the hearing the appellant testified that:

- she has been in receipt of disability assistance since 2006;
- she and her spouse moved to this new community in December 2013 because it was a better place;
- when they moved they could only bring what they could carry and they carried as much as they could;
- they moved into a shelter and didn't need furniture;
- she was waiting for back surgery which was done at former community on February 12th, 2014;
- she is presently sleeping on an air mattress which is difficult to get up from;
- she is still suffering from back pain and numbness after the surgery;
- she needs a good mattress to support her back;
- she revisited the surgeon after the surgery and it is not known what is causing the back pain;
- she did not try local agencies to get a bed because she didn't know where to go.

- she is not asking for health supplement; doesn't need a hospital bed, just a good mattress that doesn't have coil springs that will hurt her back.

In response to questions from the panel the appellant testified that:

- she had no explanation regarding why the mattress would be an unexpected expense as they were just trying to get ready for the anticipated back surgery and didn't have a mattress;
- she wanted a mattress that didn't have coil springs which she felt would bother her back;
- she didn't know any resource centers where she could get a mattress;
- the only income they have is disability assistance and the GST rebate which is not sufficient to buy a bed.

The appellant's oral testimony provided additional detail regarding information that was before the ministry at the time of reconsideration, and has been admitted by the panel as being oral testimony in support, in accordance with section 22(4) of the *Employment and Assistance Act (EAA)*.

At the hearing the appellant's witness (spouse) testified that:

- he and the appellant moved to this community in December 2013 because they had been verbally threatened and felt their lives were at risk;
- all their personal belongings except what they could carry were left at the former residence;
- when they moved they left many personal items because they didn't have a moving van;
- they didn't request assistance for the move from the ministry;
- when they arrived in their new community they lived in a shelter and didn't need many things;
- in January 2014 the appellant moved into rental accommodation; there was some furniture left behind by the former tenant, i.e. dresser, chair and table, but there was no bed and so an air mattress was purchased for them to sleep on;
- his spouse was waiting for back surgery and they needed a bed/mattress so he did some research and learned the best type of mattress when recovering from back surgery was Memory Foam;
- on January 7th, 2014 they went to the ministry to inquire about obtaining a Memory Foam Mattress as they had no bed and the appellant was on a waiting list for back surgery. The EAW gave the appellant's spouse a MEJ form and advised her to have the form completed and to get two estimates for the Memory Foam Mattress. The estimates had to be under a certain amount to be considered.
- they did not make any attempts to find a bed (mattress) upon arriving in the community;
- after the appellant had her back surgery he tried to see if the appellant could return to the shelter where she would have a bed but, due to liability issues, the shelter would not let her stay there;
- he was not aware of any alternatives regarding where to obtain a bed in the community so went to ministry.

In response to questions from the panel the witness testified that:

- he tried the local churches and the Thrift store several times without success.
- didn't want a used mattress as they are often worn out (sagging) and that would be detrimental to his spouse's health (recovery from back surgery);
 - the ministry added that many community agencies do not provide used mattresses because of the bed bug issue and the ministry usually doesn't recommend clients go to community agencies;
- the appellant needed a mattress that did not have coil springs;
- the OT (where the back surgery was done) advised she could not complete and sign the MEJ because she was not aware of the appellant's situation; that the form had to be signed by an OT where the appellant resided;
- it would take months to get to see an OT in their community;

The oral testimony of the witness provided additional detail regarding information that was before the ministry at the time of reconsideration, and, with the exception of the reason that the appellant's moved to this community, the witness' testimony has been admitted by the panel as being oral testimony in support of the information and record in accordance with section 22(4) of the *EAA*.

The panel considers the appellant's reason for moving to the community as new information that was not before the ministry at the time of reconsideration and therefore is not admissible as new evidence in accordance with section 22(4) of the *EAA*.

The appellant's advocate submitted a two-page document which substantially reiterated the above-noted oral evidence. The ministry provided no objection on the admissibility of this document. As the document provided additional detail and the appellant's position on the appeal, the panel accepts the document as being in support of the information and records that were before the ministry at the time of reconsideration and is admissible in accordance with section 22(4) of the *EAA*.

The ministry relied on its reconsideration decision. The ministry stated that until today the ministry was not aware that the appellant and her spouse felt their life was in danger and they had to move leaving many of their personal items behind at the former residence.

The panel makes the following finding of fact:

1. The appellant is a recipient of disability assistance;
2. The appellant is eligible for a crisis supplement;
3. The appellant is eligible for medical equipment or devices, as provided in section 3 of Schedule C;
4. The appellant moved to this community in December 2013 leaving personal belonging behind;
5. The appellant was on a waiting list for back surgery;
6. On January 7th, 2014 the appellant applied for a crisis supplement to obtain a Memory Foam Mattress;
7. On February 12th, 2014 the appellant underwent back surgery.

PART F – Reasons for Panel Decision

The issue under appeal is the reasonableness of the ministry's reconsideration decision of April 22nd, 2014 wherein the ministry denied the appellant's request for a crisis supplement under section 57 EAPWDR for a Memory Foam Mattress because the appellant does not meet the criteria set out in section 57(1) EAPWDR; and section 57(3) EAPWDR states that a crisis supplement may not be provided for the purpose of obtaining any other health care goods or services.

Further, the ministry determined a Memory Foam Mattress cannot be provided as a health supplement under Schedule C, section 3(1) EAPWDR because a Memory Foam Mattress is not described as medical equipment and devices in section 3.6 (hospital bed) or section 3.7 (pressure relief mattresses) of Schedule C EAPWDR.

The legislation considered: EAPWDR

Crisis supplement

Section 57

- (1) The minister may provide a crisis supplement to or for a family unit that is eligible for disability assistance or hardship assistance if
- (a) the family unit or a person in the family unit requires the supplement to meet an unexpected expense or obtain an item unexpectedly needed and is unable to meet the expense or obtain the item because there are no resources available to the family unit, and
 - (b) the minister considers that failure to meet the expense or obtain the item will result in
 - (i) imminent danger to the physical health of any person in the family unit, or
 - (ii) removal of a child under the *Child, Family and Community Service Act*.
- (2) A crisis supplement may be provided only for the calendar month in which the application or request for the supplement is made.
- (3) A crisis supplement may not be provided for the purpose of obtaining
- (a) a supplement described in Schedule C, or
 - (b) any other health care goods or services.

General health supplements

Section 62

- (1) Subject to subsections (1.1) and (1.2), the minister may provide any health supplement set out in section 2 [*general health supplements*] or 3 [*medical equipment and devices*] of Schedule C to or for a family unit if the health supplement is provided to or for a person in the family unit who is
- (a) a recipient of disability assistance,

Schedule C – Health Supplements

Medical equipment and devices

- 3** (1) Subject to subsections (2) to (5) of this section, the medical equipment and devices described in sections 3.1 to 3.12 of this Schedule are the health supplements that may be provided by the minister if (B.C. Reg. 197/2012)
- (a) the supplements are provided to a family unit that is eligible under section 62 [*general health supplements*] of this regulation, and
 - (b) all of the following requirements are met:
 - (i) the family unit has received the pre-authorization of the minister for the medical equipment or device requested;
 - (ii) there are no resources available to the family unit to pay the cost of or obtain the medical equipment or device;
 - (iii) the medical equipment or device is the least expensive appropriate medical equipment or device.
- (2) For medical equipment or devices referred to in sections 3.1 to 3.8 or section 3.12, in addition to the

requirements in those sections and subsection (1) of this section, the family unit must provide to the minister one or both of the following, as requested by the minister:

(B.C. Reg. 197/2012)

- (a) a prescription of a medical practitioner or nurse practitioner for the medical equipment or device;
- (b) an assessment by an occupational therapist or physical therapist confirming the medical need for the medical equipment or device.

(2.1) For medical equipment or devices referred to in section 3.9 (1) (b) to (g), in addition to the requirements in that section and subsection (1) of this section, the family unit must provide to the minister one or both of the following, as requested by the minister:

- (a) a prescription of a medical practitioner or nurse practitioner for the medical equipment or device;
- (b) an assessment by a respiratory therapist, occupational therapist or physical therapist confirming the medical need for the medical equipment or device.

(B.C. Reg. 197/2012)

(3) Subject to subsection (6), the minister may provide as a health supplement a replacement of medical equipment or medical device, previously provided by the minister under this section, that is damaged, worn out or not functioning if

- (a) it is more economical to replace than to repair the medical equipment or device previously provided by the minister, and
- (b) the period of time, if any, set out in sections 3.1 to 3.12 of this Schedule, as applicable, for the purposes of this paragraph, has passed. (B.C. Reg. 197/2012)

(4) Subject to subsection (6), the minister may provide as a health supplement repairs of medical equipment or a medical device that was previously provided by the minister if it is more economical to repair the medical equipment or device than to replace it.

(5) Subject to subsection (6), the minister may provide as a health supplement repairs of medical equipment or a medical device that was not previously provided by the minister if

- (a) at the time of the repairs the requirements in this section and sections 3.1 to 3.12 of this Schedule, as applicable, are met in respect of the medical equipment or device being repaired, and (B.C. Reg. 197/2012)
- (b) it is more economical to repair the medical equipment or device than to replace it.

(6) The minister may not provide a replacement of medical equipment or a medical device under subsection (3) or repairs of medical equipment or a medical device under subsection (4) or (5) if the minister considers that the medical equipment or device was damaged through misuse.

Medical equipment and devices – hospital bed

Section 3.6

(1) Subject to subsection (3) of this section, the following items are health supplements for the purposes of section 3 of this Schedule if the minister is satisfied that the item is medically essential to facilitate transfers of a person to and from bed or to adjust or maintain a person's positioning in bed:

- (a) a hospital bed;
- (b) an upgraded component of a hospital bed;
- (c) an accessory attached to a hospital bed;
- (d) a positioning item on a hospital bed. (B.C. Reg. 197/2012)

(2) The period of time referred to in section 3 (3) (b) of this Schedule with respect to replacement of an item described in subsection (1) of this section is 5 years from the date on which the minister provided the item being replaced.

(3) The following items are not health supplements for the purposes of section 3 of this Schedule:

- (a) an automatic turning bed;
- (b) a containment type bed.

Medical equipment and devices – pressure relief mattresses

Section 3.7

(1) A pressure relief mattress is a health supplement for the purposes of section 3 of this Schedule if the minister is satisfied that the pressure relief mattress is medically essential to prevent skin breakdown and maintain skin integrity.

(2) The period of time referred to in section 3 (3) (b) of this Schedule with respect to replacement of an item described in subsection (1) of this section is 5 years from the date on which the minister provided the item being replaced.

The issue at appeal is that the ministry initially considered the appellant's request for a Memory Foam Mattress as health goods under Schedule C, section 3 and the appellant's position is the Memory Foam Mattress is not a health supplement and the request should only be considered for a crisis supplement.

1. Crisis Supplement

The ministry's position is that the appellant does not meet the legislated requirements stated in section 57(1) EAPWDR to be eligible for a crisis supplement; that on January 7th, 2014 the appellant attended the ministry office and inquired about obtaining a Memory Foam Mattress because she was awaiting back surgery and the mattress would be needed to assist her with her recovery. The EAW requested the appellant obtain estimates on the cost of a Memory Foam Mattress, complete the MEJ form and return these documents to the ministry. The ministry argued that the OT refused to complete one section of the MEJ form which is required by EAPWDR legislation when considering a health supplement. The ministry argued that although the appellant was advised further information was required to enable the ministry to assess how a new mattress fits within the legislated criteria for a crisis supplement, no additional information was provided by the appellant.

The ministry argued it was not previously informed that the appellant (and her spouse) had left their former community because they had been threatened and that, as a result, had to leave many of their personal possessions behind. The ministry argued that the Memory Foam Mattress was needed to assist with the appellant's recovery from back surgery, and that the ministry considered the request as a health supplement. The ministry stated that had the EAW been fully informed of the appellant's reasons and circumstances for leaving their former community, the request may have been considered differently.

The ministry also argued the appellant receives monthly income of support and shelter allowance and a GST rebate to assist with their needs.

The appellant's position is that she did not have a bed or mattress but would need one that did not have coil springs but would provide good back support, to assist her in her recovery after the back surgery. The appellant argued the air mattress that they were sleeping on was not providing proper back support; that she was not sleeping properly; and, that she found it very difficult to get up after she had been lying down. The appellant argued neither she nor her spouse were aware of any local agencies where they could get a mattress that would meet their needs. The appellant argued that her spouse does not work and they do not have the financial resources to purchase the mattress. The appellant argued (at the hearing) they only wanted a mattress that it didn't have to be a Memory Foam Mattress but the mattress couldn't have coil springs as the coil springs would bother her back.

In reference to section 57(1)(a) EAPWDR -

The evidence is that the appellant was going on a waiting list to have back surgery and the appellant would need a supportive mattress. The appellant's spouse testified that from his research he found that a Memory Foam Mattress would provide the best back support and assist in the appellant recovery from surgery.

The panel finds that the appellant's request for a mattress (memory foam) was specific in nature; that the mattress was needed to assist her in her recovery from back surgery which supports the ministry's position that the expense would not be unexpected or that the item was unexpectedly needed as the appellant knew

she would be having back surgery.

The panel finds that the appellant receives monthly disability assistance and GST rebate and therefore the ministry reasonably determined the appellant does have resources available to obtain various items that they may need.

Panel Decision

The panel finds that, based on the information at reconsideration, that the ministry reasonably determined that appellant's request for a crisis supplement to obtain a Memory Foam Mattress did not meet the criteria set out in section 57(1)(a) EAPWDR.

In reference to section 57(1)(b) EAPWDR which requires that the minister considers that failure to meet the expense or obtain the item will result in imminent danger to the physical health of any person in the family unit, or removal of a child under the *Child, Family and Community Service Act*.

The ministry's position is that the appellant's request for a Memory Foam Mattress is a health supplement and that the appellant did not provide any further information to assist the ministry in assessing the appellant's request to consider obtaining the mattress as a crisis supplement.

The appellant's position is that the surgeon, who performed the back surgery, provided a letter stating that "she may benefit from a supportive mattress". The appellant states that this satisfies the legislation and supports her position that failure by the ministry to meet the expense in providing the mattress will result in imminent danger to her physical health.

Panel Decision

Although the surgeon's letter states "the appellant may benefit from a supportive mattress" the panel finds this is not sufficient to establish that if the ministry did not provide a supportive mattress (Memory Foam Mattress) that this would result in imminent danger to her physical health.

The panel also finds the appellant does not have children living in the home and therefore the legislation regarding the removal of children does not apply.

Panel Decision

The panel finds that the ministry's decision to determine that failure to meet the expense or obtain the item unexpectedly needed would not result in the imminent danger to the physical health of any person in the family unit or the removal of a child under *Child, Family and Community Service Act* as stated in section 57(1)(b) EAPWDR was reasonable.

Conclusion:

Section 57(1) EAPWDR states that for the ministry to provide a crisis supplement to or for a family unit that the family unit must meet all criteria set out in the legislation.

The panel finds that the ministry reasonably determined the appellant was not eligible to receive a crisis supplement for a Memory Foam Mattress because she did not all meet the criteria set out in section 57(1) EAPWDR and therefore, the ministry's decision to deny the appellant's application for a crisis supplement on January 7th, 2014 was reasonable.

In reference to section 57(3) EAPWDR - a crisis supplement may not be provided for the purpose of obtaining a supplement described in Schedule C, or any other health care goods or services.

The ministry position's is that the appellant's request was for a Memory Foam Mattress to assist with her recovery from back surgery and provided a letter from her doctor stating that she would benefit from a

supportive mattress . The ministry deemed the appellant's request for a Memory Foam Mattress to be health care goods, a health supplement, and denied the appellant's request for a crisis supplement in accordance with section 57(3) EAPWDR. The ministry then applied the legislation in Schedule C, section 3 to her request.

The appellant argued that a mattress is not health care goods but is a basic need and because the appellant was going to undergo back surgery she needed a mattress that provided proper support and it was the ministry's responsibility to provide this basic need.

Panel Decision

The panel finds that the appellant's request for a mattress was a specific request for a specific type of mattress, Memory Foam Mattress; and, that the appellant's request for a crisis supplement was not for an ordinary type of mattress but for one that, didn't have coil springs and would provide proper support to assist her in her recovery from back surgery.

The panel finds that the ministry reasonably determined that the appellant's request for a Memory Foam Mattress was for health care goods and the ministry's decision to apply the provisions of section 57(3) EAPWDR was reasonable.

2. In reference to providing health care goods or services – General health supplements

At appeal, the appellant stated emphatically that her request for reconsideration was for the panel to only consider her request for reconsideration as a crisis supplement and not a health care goods supplement.

In the reconsideration, the ministry made a determination on the appellant's request as a health care supplement under Schedule C, section 3 EAPWDR and the panel is bound to make a finding on the reasonableness of ministry's decision.

Section 62 states that subject to subsections (1.1) and (1.2), the minister may provide any health supplement set out in section 2 [*general health supplements*] or 3 [*medical equipment and devices*] of Schedule C to or for a family unit if the health supplement is provided to or for a person in the family unit who is a recipient of disability assistance.

Schedule C – Health Supplements

Medical equipment and devices

Section 3(1) subject to subsections (2) to (5) of this section, the medical equipment and devices described in sections 3.1 to 3.12 of this Schedule are the health supplements that may be provided by the minister if:

- (a) the supplements are provided to a family unit that is eligible under section 62 [*general health supplements*] of this regulation, and
- (b) all of the following requirements are met:
 - (i) the family unit has received the pre-authorization of the minister for the medical equipment or device requested;
 - (ii) there are no resources available to the family unit to pay the cost of or obtain the medical equipment or device;
 - (iii) the medical equipment or device is the least expensive appropriate medical equipment or device.

Section 3(2) states that if for medical equipment or devices referred to in sections 3.1 to 3.8 or section 3.12, in addition to the requirements in those sections and subsection (1) of section 3, the family unit must provide to the minister one or both of the following, as requested by the minister:

- (a) a prescription of a medical practitioner or nurse practitioner for the medical equipment or device;
- (b) an assessment by an occupational therapist or physical therapist confirming the medical need for the medical equipment or device.

The ministry's position is that the EAW provided the appellant with a MEJ form to be completed by an OT, however the OT refused to complete the form and the form was not returned to EAW. The ministry did receive a letter from the appellant's surgeon which stated that "she has had fusion surgery and may benefit from a supportive mattress".

The appellant's position is that the request for a mattress is not for health care goods and this legislation does not apply to their request.

Panel decision

The evidence indicates that the ministry determined that the appellant's request for a memory foam mattress was for health care goods and that the appellant did not include an assessment from an OT or a PT confirming the medical need for a Memory Foam Mattress.

The panel finds that the ministry's decision that the appellant did not comply with the legislative requirements for an OT or PT assessment in Schedule C section 3(2) EAPWDR was reasonable.

In reference to Section 3.6 – Medical equipment and devices - Hospital Bed

Section 3.6 states subject to subsection (3) of this section, the following items are health supplements for the purposes of section 3 of this Schedule if the minister is satisfied that the item is medically essential to facilitate transfers of a person to and from bed or to adjust or maintain a person's positioning in bed:

- (a) a hospital bed;
- (b) an upgraded component of a hospital bed;
- (c) an accessory attached to a hospital bed;
- (d) a positioning item on a hospital bed.

The ministry's position is that there is no information included in the appellant's Request for Reconsideration to confirm that her requirement for a Memory Foam Mattress is medically essential to facilitate her transferring to and from bed or to adjust or maintain her positioning in bed.

The appellant advanced no argument regarding this provision stating she did not need a hospital bed and that her request was not for a hospital bed.

Panel decision

The evidence before the panel indicates that the appellant's request was for a Memory Foam Mattress and not a hospital bed. The appellant acknowledged that she did not need a hospital bed.

The panel finds the appellant's request for a Memory Foam Mattress does not address the legislative requirement respecting transferring or positioning needs set out for a hospital bed and therefore the ministry's decision to deny the appellant's request for a supplement was reasonable.

In reference to Section 3.7 – Medical equipment and devices - Pressure Relief Mattresses

Section 3.7

(1) A pressure relief mattress is a health supplement for the purposes of section 3 of this Schedule if the minister is satisfied that the pressure relief mattress is medically essential to prevent skin breakdown and maintain skin integrity.

(2) The period of time referred to in section 3 (3) (b) of this Schedule with respect to replacement of an item described in subsection (1) of this section is 5 years from the date on which the minister provided the item

being replaced.

The ministry's position is that there is no information included in the appellant's Request for Reconsideration to confirm that her requirement for a Memory Foam Mattress is medically essential to prevent skin breakdown and maintain skin integrity.

The appellant advanced no argument regarding this provision of the legislation. The appellant testified does not have any problems or concerns with her skin. The appellant told the panel she did not need a pressure relief mattress and that her request for assistance was not for a pressure relief mattress.

Panel decision

The evidence before the panel indicates that the appellant's request was for a Memory Foam Mattress and not a pressure relief mattress. The appellant acknowledged that she does not have problems with her skin breaking down or with maintaining her skin's integrity, that she does not need a pressure relief mattress.

The panel finds the ministry's conclusion that the appellant's request for a Memory Foam Mattress does not meet the legislative requirements set out for a pressure relief mattress and therefore the ministry's decision to deny the appellant's request for a supplement to obtain a Memory Foam Mattress was reasonable.

CONCLUSION

The panel finds that the ministry's decision to deny the appellant's request for a crisis supplement to obtain a Memory Foam Mattress because she did not meet all the legislated criteria set out in section 57(1) EAPWDR; or the criteria set out in sections 3(2), 3.6 and 3.7 of Schedule C EAPWDR is reasonably supported by the evidence.

Therefore, the panel finds the ministry's decision to deny the appellant's application of January 7th, 2014 for a Memory Foam Mattress was reasonable and confirms the decision pursuant to section 24(1)(a) and section 24(2)(a) of the EAA.