APPEAL NUMBER

PART C – DECISION UNDER APPEAL

The decision under appeal is the Ministry of Social Development and Poverty Reduction (ministry) reconsideration decision dated July 26, 2019 in which the Ministry denied the appellant a prescription medication because the request did not meet any of the necessary criteria as specified under Section 62 (General health Supplements), Section 69 (Direct and Imminent Danger) and Schedule C, Section 2 (1) (a) and 3 of the Employment and Assistance for Persons with Disabilities Regulation (EAPWDR).

Specifically, the ministry determined that the prescription medication was not a health supplement listed under any of the following:

1. Medical supplies, as provided in Section 2(1)(a) of Schedule C of the EAPWDR;
2. Medical supplies, as provided in Section 2(1)(a.1) of Schedule C of the EAPWDR;

Medical equipment or devices, as provided in Sections 3 and 3.1 to 3.12 of Schedule C of the EAPWDR;
3. A therapy service as provided in Sections 2(1)(c), 2(2), and 2(2.1) of Schedule C of the EAPWDR;
4. Any health supplement under any remaining sections of Schedule C of the EAPWDR; or
5. A health supplement for a person facing a direct and imminent life-threatening need under Section 69 of the EAPWDR.

PART D – RELEVANT LEGISLATION

Employment and Assistance for Persons with Disabilities Regulation (EAPWDR):

Section 62
Schedule C Section 2 (1)
Schedule Section 3, 3.1 to 3.12
Section 69

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PART E – SUMMARY OF FACTS

Information before the ministry at reconsideration included the following:

- The appellant is a family unit under Section 62 of the Employment and Assistance Regulations for Persons with Disabilities (PWD) designation.
- May 2, 2019 – the Appellant provided the ministry with copies of prescriptions, an overdue statement from her pharmacy and a request to have the Ministry cover the costs of the Ketorolac Tromethamine under Heath Supplements.
- May 17, 2019 - the Ministry denied the request stating that the Appellant did not meet the eligibility criteria for this Health Supplement and that the "Health Assistance Branch does not have regulatory authority to provide prescription medication"
- July 17, 2019 – The Appellant submitted a request for reconsideration.

Notice of Appeal

In the Notice of Appeal, dated August 1, 2019, the appellant states: "I cannot afford my medication + disagree with your denial of assistance. I don't have an extra $100 per month for my required pain medication and if I don't get my pain relief, I will kill myself, so this is definitely a matter of life and death because I can't live with this much pain. Please I'm begging for your financial assistance."

A hand-written letter from the Appellant's mother dated June 25/19 stated that her daughter had been prescribed a large daily dose of morphine for pain. The Appellant made the choice to gradually reduce the dosage and switch to another pain reliver, Ketorolac.

The Appellant had tried other kinds of pain medication; however, this brand gave her some relief and a better quality of life.

Evidence Received after Reconsideration

- August 15, 2019 – the appellant provided the EAAT office with a three-page fax, containing a letter dated July 30, 2019 from Health Insurance BC. The letter addressed to the Appellant states that the Pharma Care program does not cover the prescription medication the Appellant is seeking financial relief to continue usage. A copy of a statement of account from the Appellant's pharmacy showing an outstanding balance on account was also included in this submission.

At the hearing

Appellant:

The Appellant feels that the Ministry decision is not fair, as the medication gives her a better quality of life, generic forms of the medication (that are covered by Pharma Care) do not provide this same level of relief. She also states that she is unable to afford the extra $ 100 per month the brand name medication costs her now.

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Ministry:

The Ministry relied on the reconsideration decision and confirmed its determination the prescription medication was not a health supplement as listed under any of the following:

1. Medical supplies, as provided in Section 2(1)(a) of Schedule C of the EAPWDR;
2. Medical supplies, as provided in Section 2(1)(a.1) of Schedule C of the EAPWDR;
3. Medical supplies, as provided in Sections 2(1)(a.2) of Schedule C of the EAPWDR;
4. Medical equipment or devices, as provided in Sections 3 and 3.1 to 3.12 of Schedule C of the EAPWDR;
5. Any health supplement under any remaining sections of Schedule C of the EAPWDR; or
6. A health supplement for a person facing a direct and imminent life-threatening need under Section 69 of the EAPWDR.

When asked by the Chair if the Appellant was able to provide the approved confirmation that they faced a direct and imminent life-threatening need, would the Ministry have come to a different conclusion and allowed the request.

The Ministry replied that the Health Assistance Branch does not have the regulatory authority to provide prescription medication regardless of Section 69 being met or not.

Admissibility of New Evidence

The Ministry did not object to the information in the Notice of Appeal or the Submission.

The panel did admit the appellant's evidence regarding the fax dated August 15, 2019 containing the denial of coverage from Pharma Care and a drug store statement of account under EAA Section 22 (4) as evidence in support of the information before the ministry at reconsideration.

APPEAL NUMBER

PART F – REASONS FOR PANEL DECISION

Issue on Appeal

The decision under appeal is the Ministry of Social Development and Poverty Reduction (ministry) reconsideration decision dated July 26, 2019 in which the Ministry denied the appellant a prescription medication because the request did not meet any of the necessary criteria as specified under Section 62 (General health Supplements), Section 69 (Direct and Imminent Danger) and Schedule C, Section 2 and 3 of the Employment and Assistance for Persons with Disabilities Regulation (EAPWDR).

Relevant legislation:

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General health supplements

62 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) a family unit in receipt of disability assistance,
(b) a family unit in receipt of hardship assistance, if the health supplement is provided to or for a person in the family unit who is a dependent child, or
(c) a family unit, if the health supplement is provided to or for a person in the family unit who is a continued person.

Health supplement for persons facing direct and imminent life-threatening health need

69 The minister may provide to a family unit any health supplement set out in sections 2 (1) (a) and (f) [general health supplements] and 3 [medical equipment and devices] of Schedule C, if the health supplement is provided to or for a person in the family unit who is otherwise not eligible for the health supplement under this regulation, and if the minister is satisfied that
(a) the person faces a direct and imminent life-threatening need and there are no resources available to the person's family unit with which to meet that need,
(b) the health supplement is necessary to meet that need,
(c) a person in the family unit is eligible to receive premium assistance under the Medicare Protection Act, and (d) the requirements specified in the following provisions of Schedule C, as

applicable, are met: (i) paragraph (a) or (f) of section (2) (1); (ii) sections 3 to 3.12, other than paragraph (a) of section 3 (1).

S**chedule C General health supplements**

2 (1) The following are the health supplements that may be paid for by the minister if provided to a family unit that is eligible under section 62 [general health supplements] of this regulation:
(a) medical or surgical supplies that are, at the minister's discretion, either disposable or reusable, if the minister is satisfied that all of the following requirements are met:

(i) the supplies are required for one of the following purposes: (A) wound care; (B) ongoing bowel care required due to loss of muscle function; (C) catheterization; (D) incontinence; (E) skin parasite care; (F) limb circulation care;

(ii) the supplies are (A) prescribed by a medical practitioner or nurse practitioner,
(B) the least expensive supplies appropriate for the purpose, and
(C) necessary to avoid an imminent and substantial danger to health;

(iii) there are no resources available to the family unit to pay the cost of or obtain the supplies;
(a.1) the following medical or surgical supplies that are, at the minister's discretion, either disposable or reusable, if the minister is satisfied that all the requirements described in paragraph (a) (ii) and (iii) are met in relation to the supplies:

(i) lancets; (ii) needles and syringes; (iii) ventilator supplies required for the essential operation or sterilization of a ventilator; (iv) tracheostomy supplies;

(a.2) consumable medical supplies, if the minister is satisfied that all of the following requirements are met: (i) the supplies are required to thicken food; (ii) all the requirements described in paragraph (a) (ii) and (iii) are met in relation to the supplies;

Medical equipment and devices — canes, crutches and walkers

3.1 (1)Subject to subsection (2) 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 achieve or maintain basic mobility:

(a)a cane;

(b)a crutch;

(c)a walker;

(d)an accessory to a cane, a crutch or a walker.

(2)A walking pole is not a health supplement for the purposes of section 3 of this Schedule.

Medical equipment and devices — wheelchairs

3.2 (1)In this section, **"wheelchair"** does not include a stroller.

(2)Subject to subsection (4) 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 achieve or maintain basic mobility:

(a)a wheelchair;

(b)an upgraded component of a wheelchair;

(c)an accessory attached to a wheelchair.

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

(4)A high-performance wheelchair for recreational or sports use is not a health supplement for the purposes of section 3 of this Schedule.

Medical equipment and devices — wheelchair seating systems

3.3 (1)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 achieve or maintain a person's positioning in a wheelchair:

(a)a wheelchair seating system;

(b)an accessory to a wheelchair seating system.

(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 2 years from the date on which the minister provided the item being replaced.

Medical equipment and devices — scooters

3.4 (1)In this section, **"scooter"** does not include a scooter with 2 wheels.

(2)Subject to subsection (5) of this section, the following items are health supplements for the purposes of section 3 of this Schedule if all of the requirements set out in subsection (3) of this section are met:

(a)a scooter;

(b)an upgraded component of a scooter;

(c)an accessory attached to a scooter.

(3)The following are the requirements in relation to an item referred to in subsection (2) of this section:

(a)an assessment by an occupational therapist or a physical therapist has confirmed that it is unlikely that the person for whom the scooter has been prescribed will have a medical need for a wheelchair during the 5 years following the assessment;

(b)the total cost of the scooter and any accessories attached to the scooter does not exceed $3 500 or, if subsection (3.1) applies, $4 500;

(c)the minister is satisfied that the item is medically essential to achieve or maintain basic mobility.

(3.1)The maximum amount of $4 500 under subsection (3) (b) applies if an assessment by an occupational therapist or a physical therapist has confirmed that the person for whom the scooter has been prescribed has a body weight that exceeds the weight capacity of a conventional scooter but can be accommodated by a bariatric scooter.

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

(5)A scooter intended primarily for recreational or sports use is not a health supplement for the purposes of section 3 of this Schedule.

Medical equipment and devices — toileting, transfers and positioning aids

3.5 (0.1)In this section:

"positioning chair" does not include a lift chair;

"transfer aid" means a transfer board, transfer belt or slider sheet.

(1)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 toileting or transfers of a person or to achieve or maintain a person's positioning:

(a)a grab bar in a bathroom;

(b)a bath or shower seat;

(c)a bath transfer bench with hand held shower;

(d)a tub slide;

(e)a bath lift;

(f)a bed pan or urinal;

(g)a raised toilet seat;

(h)a toilet safety frame;

(i)a floor-to-ceiling pole in a bathroom or bedroom;

(j)a portable commode chair;

(k)a standing frame for a person for whom a wheelchair is medically essential to achieve or maintain basic mobility;

(l)a positioning chair for a person for whom a wheelchair is medically essential to achieve or maintain basic mobility;

(m)a transfer aid for a person for whom the transfer aid is medically essential to transfer from one position to another.

(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.

Medical equipment and devices — hospital bed

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.

(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

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.

Medical equipment and devices — floor or ceiling lift devices

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3.8 (1)In this section, **"floor or ceiling lift device"** means a device that stands on the floor or is attached to the ceiling and that uses a sling system to transfer a person.

(2)A floor or ceiling lift device is a health supplement for the purposes of section 3 of this Schedule if the following requirements are met:

(a)the minister is satisfied that the floor or ceiling lift device is medically essential to facilitate transfers of a person in a bedroom or a bathroom;

(b)the cost of the floor or ceiling lift device does not exceed $4 200 or, if the cost of the floor or ceiling lift device does exceed $4 200, the minister is satisfied that the excess cost is a result of unusual installation expenses.

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

Medical equipment and devices — breathing devices

3.9 (1)Subject to subsection (4) of this section, the following items are health supplements for the purposes of section 3 of this Schedule:

(a)if all of the requirements set out in subsection (2) of this section are met,

(i)a positive airway pressure device,

(ii)an accessory that is required to operate a positive airway pressure device, or

(iii)a supply that is required to operate a positive airway pressure device;

(b)if the minister is satisfied that the item is medically essential to monitor breathing,

(i)an apnea monitor,

(ii)an accessory that is required to operate an apnea monitor, or

(iii)a supply that is required to operate an apnea monitor;

(c)if the minister is satisfied that the item is medically essential for clearing respiratory airways,

(i)a suction unit,

(ii)an accessory that is required to operate a suction unit, or

(iii)a supply that is required to operate a suction unit;

(d)if the minister is satisfied that the item is medically essential for clearing respiratory airways,

(i)a percussor,

(ii)an accessory that is required to operate a percussor, or

(iii)a supply that is required to operate a percussor;

(e)if the minister is satisfied that the item is medically essential to avoid an imminent and substantial danger to health,

(i)a nebulizer,

(ii)an accessory that is required to operate a nebulizer, or

(iii)a supply that is required to operate a nebulizer;

(f)if the minister is satisfied that the item is medically essential to moisturize air in order to allow a tracheostomy patient to breathe,

(i)a medical humidifier,

(ii)an accessory that is required to operate a medical humidifier, or

(iii)a supply that is required to operate a medical humidifier;

(g)if the minister is satisfied that the item is medically essential to deliver medication,

(i)an inhaler accessory device,

(ii)an accessory that is required to operate an inhaler accessory device, or

(iii)a supply that is required to operate an inhaler accessory device.

(2)The following are the requirements in relation to an item referred to in subsection (1) (a) of this section:

(a)the item is prescribed by a medical practitioner or nurse practitioner;

(b)a respiratory therapist has performed an assessment that confirms the medical need for the item;

(c)the minister is satisfied that the item is medically essential for the treatment of moderate to severe sleep apnea.

(3)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 as follows:

(a)in the case of an item referred to in subsection (1) (a) (i), 5 years from the date on which the minister provided the item being replaced;

(b)in the case of an item referred to in subsection (1) (a) (ii) or (iii), one year from the date on which the minister provided the item being replaced;

(c)in the case of an apnea monitor, suction unit, percussor, nebulizer or medical humidifier, 5 years from the date on which the minister provided the item being replaced;

(d)in the case of an inhaler accessory device, one year from the date on which the minister provided the device being replaced;

(e)in the case of an accessory or supply for an item referred to in paragraph (c) or (d), one year from the date on which the minister provided the device being replaced.

(4)A ventilator is not a health supplement for the purposes of section 3 of this Schedule.

Medical equipment and devices — orthoses

3.10 (1)In this section:

"off-the-shelf", in relation to an orthosis, means a prefabricated, mass-produced orthosis that is not unique to a particular person;

"orthosis" means

(a)a custom-made or off-the-shelf foot orthotic;

(b)custom-made footwear;

(c)a permanent modification to footwear;

(d)off-the-shelf footwear required for the purpose set out in subsection (4.1) (a);

(e)off-the-shelf orthopaedic footwear;

(f)an ankle brace;

(g)an ankle-foot orthosis;

(h)a knee-ankle-foot orthosis;

(i)a knee brace;

(j)a hip brace;

(k)an upper extremity brace;

(l)a cranial helmet used for the purposes set out in subsection (7);

(m)a torso or spine brace;

(n)a foot abduction orthosis;

(o)a toe orthosis;

(p)a walking boot.

(2)Subject to subsections (3) to (11) of this section, an orthosis is a health supplement for the purposes of section 3 of this Schedule if

(a)the orthosis is prescribed by a medical practitioner or a nurse practitioner,

(b)the minister is satisfied that the orthosis is medically essential to achieve or maintain basic functionality,

(c)the minister is satisfied that the orthosis is required for one or more of the following purposes:

(i)to prevent surgery;

(ii)for post-surgical care;

(iii)to assist in physical healing from surgery, injury or disease;

(iv)to improve physical functioning that has been impaired by a neuro-musculo-skeletal condition, and

(d)the orthosis is off-the-shelf unless

(i)a medical practitioner or nurse practitioner confirms that a custom-made orthosis is medically required, and

(ii)the custom-made orthosis is fitted by an orthotist, pedorthist, occupational therapist, physical therapist or podiatrist.

(3)For an orthosis that is a custom-made foot orthotic, in addition to the requirements in subsection (2) of this section, all of the following requirements must be met:

(a)a medical practitioner or nurse practitioner confirms that a custom-made foot orthotic is medically required;

(b)the custom-made foot orthotic is fitted by an orthotist, pedorthist, occupational therapist, physical therapist or podiatrist;

(c)Repealed. [B.C. Reg. 144/2011, Sch. 2.]

(d)the custom-made foot orthotic must be made from a hand-cast mold;

(e)the cost of one pair of custom-made foot orthotics, including the assessment fee, must not exceed $450.

(4)For an orthosis that is custom-made footwear, in addition to the requirements in subsection (2) of this section, the cost of the custom-made footwear, including the assessment fee, must not exceed $1 650.

(4.1)For an orthosis that is off-the-shelf footwear, in addition to the requirements in subsection (2) of this section,

(a)the footwear is required to accommodate a custom-made orthosis, and

(b)the cost of the footwear must not exceed $125.

(4.2)For an orthosis that is off-the-shelf orthopaedic footwear, in addition to the requirements in subsection (2) of this section, the cost of the footwear must not exceed $250.

(5)For an orthosis that is a knee brace, in addition to the requirements in subsection (2) of this section, the medical practitioner or nurse practitioner who prescribed the knee brace must have recommended that the knee brace be worn at least 6 hours per day.

(6)For an orthosis that is an upper extremity brace, in addition to the requirements in subsection (2) of this section, the upper extremity brace must be intended to provide hand, finger, wrist, elbow or shoulder support.

(7)For an orthosis that is a cranial helmet, in addition to the requirements in subsection (2) of this section, the cranial helmet must be a helmet prescribed by a medical practitioner or nurse practitioner and recommended for daily use in cases of self abusive behaviour, seizure disorder, or to protect or facilitate healing of chronic wounds or cranial defects.

(8)For an orthosis that is a torso or spine brace, in addition to the requirements in subsection (2) of this section, the brace must be intended to provide pelvic, lumbar, lumbar-sacral, thoracic-lumbar-sacral, cervical-thoracic-lumbar-sacral, or cervical spine support.

(9)Subject to section 3 of this Schedule, the limit on the number of orthoses that may be provided for the use of a person as a health supplement for the purposes of section 3 of this Schedule is the number set out in Column 2 of Table 1 opposite the description of the applicable orthosis in Column 1.

Table 1

Item	Column 1 **Orthosis**	Column 2 **Limit**
1	custom-made foot orthotic	1 or 1 pair
2	custom-made footwear	1 or 1 pair
3	modification to footwear	1 or 1 pair
4	ankle brace	1 per ankle
5	ankle-foot orthosis	1 per ankle
6	knee-ankle-foot orthosis	1 per leg

7	knee brace	1 per knee
8	hip brace	1
9	upper extremity brace	1 per hand, finger, wrist, elbow or shoulder
10	cranial helmet	1
11	torso or spine brace	1
12	off-the-shelf footwear	1 or 1 pair
13	off-the-shelf orthopaedic footwear	1 or 1 pair
14	foot abduction orthosis	1 or 1 pair
15	toe orthosis	1

(10)The period of time referred to in section 3 (3) (b) of this Schedule with respect to replacement of an orthosis is the number of years from the date on which the minister provided the orthosis being replaced that is set out in Column 2 of Table 2 opposite the description of the applicable orthosis in Column 1.

Table 2

Item	Column 1 **Orthosis**	Column 2 **Time period**
1	custom-made foot orthotic	3 years
2	custom-made footwear	1 year
3	modification to footwear	1 year
4	ankle brace	2 years
5	ankle-foot orthosis	2 years
6	knee-ankle-foot orthosis	2 years

7	knee brace	4 years
8	hip brace	2 years
9	upper extremity brace	2 years
10	cranial helmet	2 years
11	torso or spine brace	2 years
12	off-the-shelf footwear	1 year
13	off-the-shelf orthopaedic footwear	1 year
14	toe orthosis	1 year

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

(a)a prosthetic and related supplies;

(b)a plaster or fiberglass cast;

(c)a hernia support;

(d)an abdominal support.

(e)Repealed. [B.C. Reg. 94/2018, App. 2, s. 1 (b).]

(f)Repealed. [B.C. Reg. 144/2011, Sch. 2.]

(12)An accessory or supply that is medically essential to use an orthosis that is a health supplement under subsection (2) is a health supplement for the purposes of section 3 of this Schedule.

Medical equipment and devices — hearing instruments

3.11 (1)A hearing instrument is a health supplement for the purposes of section 3 of this Schedule if

(a)the hearing instrument is prescribed by an audiologist or hearing instrument practitioner, and

(b)an audiologist or hearing instrument practitioner has performed an assessment that confirms the need for a hearing instrument.

(2)The minister may provide a hearing instrument under this section only if the person is not receiving a hearing assistance supplement under section 70.02 of this regulation.

Medical equipment and devices — non-conventional glucose meters

3.12 (1)In this section, **"non-conventional glucose meter"** includes

(a)a continuous glucose monitoring meter, and

(b)a talking glucose meter.

(2)A non-conventional glucose meter is a health supplement for the purposes of section 3 of this Schedule if the minister is satisfied that

(a)the glucose meter is medically essential to test blood glucose levels, and

(b)the person for whom the non-conventional glucose meter has been prescribed is unable to use a conventional glucose meter.

(3)The period of time referred to in section 3 (3) (b) of this Schedule with respect to replacement of a non-conventional glucose meter is 5 years from the date on which the minister provided the glucose meter being replaced.

Panel Decision:

Section 62 of the EAPWDR authorizes the minister to provide medical equipment and devices to/for a family unit in receipt of disability assistance.

The Ministry states that the Appellant is eligible to receive health supplements, but prescription medications are not health supplements and are also not covered under medical supplies and equipment.

The Ministry states that the Health Assistance Branch does not have the regulatory authority to provide prescription medication regardless of Section 69 being met or not.

No medical evidence was provided by the Appellant to confirm a direct or imminent life-threatening need. The Ministry states that it would have come to the same conclusion even if that evidence had been provided.

The panel finds that the Ministry reasonably applied the legislation in concluding that the prescription medication is not an eligible health supplement under the EAPWDR Schedule C.

Conclusion

The panel finds that the ministry reasonably determined that the Appellant was not eligible for a health supplement because the eligibility criteria set out in EAPWDR Section 62 , Schedule Section 2 (1), Schedule Section 3, 3.1 to 3.12 and Section 69 were not met.

APPEAL NUMBER

The panel confirms the Ministry's decision. The Appellant is not successful in her appeal.

APPEAL NUMBER

ART G – ORDER

THE PANEL DECISION IS: (Check one) X **UNANIMOUS** ☐ **BY MAJORITY**

THE PANEL X **CONFIRMS THE MINISTRY DECISION** ☐ **RESCINDS THE MINISTRY DECISION**

If the ministry decision is rescinded, is the panel decision referred back to the Minister for a decision as to amount? ☐ Yes ☐ No

LEGISLATIVE AUTHORITY FOR THE DECISION:

Employment and Assistance Act

Section 24(1)(a) X or Section 24(1)(b) ☐

and

Section 24(2)(a) X or Section 24(2)(b) ☐

PART H – SIGNATURES

PRINT NAME	
Marilyn Mellis	
SIGNATURE OF CHAIR	DATE (YEAR/MONTH/DAY) 2018/Jun/25

PRINT NAME	
Patrick Cooper	
SIGNATURE OF MEMBER	DATE (YEAR/MONTH/DAY) 2018/Jun/25
PRINT NAME	
Melvin Donhauser	
SIGNATURE OF MEMBER	DATE (YEAR/MONTH/DAY) 2018/Jun/25