Veterans Affairs Canada | Anciens Combattants Canada

Caregiver Recognition Benefit

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Purpose

This policy provides guidance on administering the Caregiver Recognition Benefit.

Policy

Definitions

1. For the purpose of administering this policy, the following definitions apply:

Activities of daily living a set of activities necessary for self-care. The following Activities of Daily Living (ADLs) are considered for the purpose of determining if a Veteran meets the eligibility criteria set out in subparagraphs 65.2(a)(ii) [i.e. daily physical assistance of another person for most activities of daily living] or 65.2(a)(iii) [i.e. ongoing direction and supervision during the performance of most activities of daily living] of the *Veterans Well-being Regulations* (see paragraph 3).

Mobility (considered 1 ADL):

- Transfers – the ability to change the position of the body independently (e.g. positioning the body from lying to sitting, sitting to standing, lying on the back to lying on the side, etc.); and
- Ambulation – the ability to move the body from one point in space to another (e.g. climbing stairs, walking, etc.).

Self-care (6 ADLs):

- Feeding – the ability to eat and drink prepared foods (e.g. cutting up food, buttering bread, etc.).
- Washing – the ability to wash their face, trunk, extremities and hair.
- Dressing – putting on and taking off all pieces of indoor and outdoor clothing.
- Grooming/Foot Care/Personal Care – the ability to brush their hair and teeth, shave and apply make-up, skin and nail care, cleansing and personal care associated with toileting.
- Toileting – the ability to get to and from the toilet facilities and the ability to control continence of bowel and bladder.
- Taking medication – the ability to prepare and self-administer medication.

Care – in relation to ongoing care, means the provision or coordination of any activity that is necessary for the health, welfare, maintenance and protection of an individual who is in need of support due to a physical, mental and/or cognitive condition.

Home – means the dwelling, other than a health care facility, in which the Veteran normally resides.

Informal Caregiver – a person 18 years of age or older who plays an essential role in the provision or coordination of ongoing care to the Veteran in the Veteran's home, for which the person receives no remuneration.

Instrumental activities of daily living – daily activities that individuals normally do, unassisted, to live independently. Instrumental Activities of Daily Living are considered for the purpose of determining the eligibility of the caregiver based on whether they play an essential role in the provision or coordination of ongoing care to the Veteran in the Veteran's home (see paragraph 6). However, Instrumental Activities of Daily Living cannot be used for the purpose of determining if a Veteran meets the Caregiver Recognition Benefit eligibility criteria set out in subparagraphs 65.2(a)(ii) or 65.2(a)(iii) of the *Veterans Well-being Regulations*. The following Instrumental Activities of Daily Living are considered for the purpose of determining if the informal caregiver plays an essential role in the provision or coordination of ongoing care to the Veteran in the Veteran's home:

- Preparing food,
- Managing money (e.g. banking, paying bills),
- Driving or accessing public transportation,
- Using the telephone,
- Running errands,
- Shopping,
- Housekeeping,
- Grounds maintenance.

Eligibility

2. These eligibility requirements support the identification of Veterans who, while still living at home, require an informal caregiver. They also reflect the nature and intensity of the care that the informal caregiver provides or coordinates, without which the Veteran would not be able to remain living at home.
3. A Veteran is eligible for the Caregiver Recognition Benefit under section 65.1 of the *Veterans Well-being Act* if
    a. the Veteran has had an application for a disability award or pain and suffering compensation approved under section 45 of the *Veterans Well-being Act* :
    b. the Veteran requires ongoing care as a result of the physical, mental or cognitive health condition(s) for which the Disability Award or Pain and Suffering Compensation application was approved;
    c. the Veteran has not been awarded a pension or compensation of at least 1% under the *Pension Act*;
    d. an informal caregiver who is 18 years of age or older plays an essential role in the provision or coordination of the ongoing care to the Veteran in the Veteran's home for which the informal caregiver receives no remuneration (see paragraph 8); and
    e. the Veteran requires at least one of the following criteria, which are all equal, but different ways to measure the same level and intensity of care required by the Veteran:
    1. i. a level of care and supervision consistent with admission to an institution.
        - In order to be eligible under this section, the Veteran's nursing care or personal care needs must be constant. Without the aid of a caregiver, these needs would not be met in their own home.
        - Constant is interpreted to mean daily.
        - Admission to an institution is interpreted to mean admission to a facility that provides nursing and/or personal care. Admission may be attributed to the deterioration in a Veteran's health or ability to manage in their own home (e.g. a fall, surgery, increasing frailty, worsening chronic condition, or psychiatric and neurocognitive problems etc.).

    ii. daily physical assistance of another person for most activities of daily living.
        - In order to be eligible under this section, the Veteran must be unable to perform most activities of daily living without the physical support from another individual to complete most steps of the task.
        - The phrase "most activities of daily living" is interpreted to mean a minimum of four (4) activities out of seven (7).

    iii. ongoing direction and supervision during the performance of most activities of daily living.
        - In order to be eligible under this section, the Veteran must be unable to perform most activities of daily living without the direction from another individual to complete most steps of the task.
        - The phrase "most activities of daily living" is interpreted to mean a minimum of four (4) activities out of seven (7).

    iv. daily supervision and is not considered to be safe when left alone.
        - This means that the Veteran requires the presence of another individual to ensure the Veteran's health, welfare, maintenance and protection, as they pose a risk to themselves or others if not supervised on a daily basis.
        - Supervision is interpreted to mean that the Veteran requires the presence of another individual, and may only be left alone for very short periods of time, such as 2 to 3 hours during the day, or 5 to 6 hours overnight.
4. For the purposes of determining the Veteran's eligibility for the CRB, the Veteran's continued eligibility for the CRB, the Veteran's extent of impairment, or whether the extent of impairment has changed, the Department may:
    a. require the Veteran to undergo a medical examination or assessment by a person specified by the Minister; and/or

    b. require that the Veteran provide medical reports, records or other necessary information.
5. A Veteran is considered to need ongoing care, if their health condition(s)
    a. are continuous, and unlikely to substantially improve; or
    b. the duration cannot be determined, but are not expected to substantially improve for at least 12 months.
6. An informal caregiver plays an essential role in the provision or coordination of the ongoing care to a Veteran in the Veteran's home if there is evidence that:
    a. the Veteran relies on the informal caregiver to provide or coordinate:
        i. daily supervision;
        ii. direction and/or physical assistance with most activities of daily living; or
        iii. assistance with completion of instrumental activities of daily living; and
    b. the Veteran's health, welfare, maintenance and protection would be placed at risk and the provision or coordination of the Veteran's ongoing care would be compromised without the informal caregiver.
7. In some situations, it will be difficult, if not impossible, to separate the impact of a health condition for which a disability award or pain and suffering compensation has been granted from other non-entitled health conditions. In circumstances where there is a reasonable doubt or uncertainty as to whether the need for ongoing care is a result of the condition(s) for which the disability award or pain and suffering compensation is approved, then the reasonable doubt or uncertainty should be resolved in the Veteran's favour.

Excluded Groups

8. A still-serving member of the Canadian Armed Forces is not eligible for the Caregiver Recognition Benefit.
9. A Veteran who resides in a health care facility wherein the level of care provided eliminates the need for an informal caregiver is not eligible for the Caregiver Recognition Benefit.

Application for Benefit

10. Veterans Affairs Canada (VAC) staff will guide the Veteran through the Caregiver Recognition Benefit application process in an effort to eliminate unnecessary administrative burden. Given the eligibility requirements for the Caregiver Recognition Benefit and its relationship to the Veteran's Disability Award, or Pain and Suffering Compensation, VAC may already have much of the necessary information, including medical, nursing and/or other assessments/records. VAC will use this information to confirm the Veteran's health condition.
    a. To protect the initial application date, and to ensure the Veteran's current health situation is reflected in the decision making process, the Veteran will be asked to provide additional information or to undergo further assessment to support the application in the following circumstances:
        i. If there is insufficient evidence to support a favourable decision and the information on file is more than 6 months old additional information must be collected before a decision can be rendered.
        ii. In cases where there is insufficient evidence to support a favourable decision and VAC is in the process of gathering information or completing assessments for another program which could be relevant to the Caregiver Recognition Benefit application, the decision maker will wait until that information has been received prior to rendering a decision or requesting additional information.

b. When there is sufficient evidence to grant entitlement to the Caregiver Recognition Benefit there is no restriction on the age of the information on file so long as it demonstrates that the Veteran's condition is not likely to improve within the next 12 months.

11. A Veteran is required to designate the person who is acting as the Veteran's informal caregiver on the application.
12. A Veteran may designate only one informal caregiver on the application.
13. The informal caregiver designated by a Veteran is required to provide information on and sign the Veteran's application for the Caregiver Recognition Benefit.
14. A Veteran is required to submit a new application for the Caregiver Recognition Benefit if the Veteran's designated informal caregiver changes.

Waiver of Application

15. The Department may waive the requirement for a Caregiver Recognition Benefit application if VAC believes, based upon information that has been collected or obtained by VAC as part of its ongoing administration of programs and services and daily operations, that the person may be eligible for the benefit (compensation, service or assistance) if the person applied for it. (See Waiver of Requirement for Application Policy.)

Ongoing Eligibility

16. A Caregiver Recognition Benefit is paid on an ongoing basis to a Veteran's designated informal caregiver provided the Veteran continues to meet the eligibility requirements.
17. VAC may require
    a. a Veteran and the Veteran's designated informal caregiver to provide information or documentation, and
    b. a Veteran to undergo an assessment to allow VAC to assess the Veteran's continued eligibility for the Caregiver recognition Benefit.

Payment of Benefit

18. A Caregiver Recognition Benefit is paid directly to the informal caregiver designated by the Veteran.
19. The amount of a Caregiver Recognition Benefit is set out in Schedule 2 of the *Veterans Well-being Act* (see column 2 of item 5). The amount will be indexed annually on January 1st based on the Consumer Price Index.
20. A Caregiver Recognition Benefit is not subject to income tax.
21. A Caregiver Recognition Benefit is not payable unless a duly completed and signed application (i.e. application form plus any other pertinent information) has been made by or on behalf of the Veteran, the Veteran's designated informal caregiver has completed and signed their portion of the Veteran's application, and payment of the benefit has been approved by the appropriate decision maker.
22. Only one designated informal caregiver may be paid the Caregiver Recognition Benefit at one time regardless of the number of informal caregivers involved in providing or coordinating the ongoing care to the Veteran in the Veteran's home.

Date Payable – Application for Benefit

23. A Caregiver Recognition Benefit begins to be payable on the first day of the month in which the application for the benefit is made.

Application Made

24. An application is considered to be made on the earlier of:
    a. the date stamped on the application when it is received by the Department; or
    b. the date the application is received at the Digital Images Scanning Centre in Matane, QC.

Date Payable – Application to Replace Informal Caregiver

25. If a Veteran replaces their designated informal caregiver with a new designated informal caregiver, the Caregiver Recognition Benefit begins to be payable to the new designated informal caregiver on the later of:
    a. the first day of the month in which the new application is made, and
    b. the day on which the benefit ceases to be payable to the previous designated informal caregiver.

Payment Ceases

26. A Caregiver Recognition Benefit ceases to be payable to a designated informal caregiver on the earliest of:
    a. the first day of the month after the month in which any of the eligibility requirements set out in paragraph 3 (a) to (e) are no longer met,
    b. the first day of the month after the month in which the Veteran makes a new application to replace the designated informal caregiver with a new designated informal caregiver, or
    c. the first day of the month after the month in which the Veteran or the designated informal caregiver dies.

Requirement to Notify

27. A Veteran is required to advise VAC if there is any change in circumstances which would affect the Veteran's eligibility for the Caregiver Recognition Benefit or if the Veteran's designated informal caregiver dies.
28. A designated informal caregiver is required to advise VAC if he or she is no longer playing an essential role in providing or coordinating the ongoing care to the Veteran in the Veteran's home, if he or she begins to receive remuneration for providing or coordinating the care, or if the Veteran dies.

Suspension and Cancellation of Benefit

29. The payment of a Caregiver Recognition Benefit may be suspended if:
    a. the Veteran or the Veteran's designated informal caregiver does not provide the information or documentation requested to allow VAC to assess the Veteran's continued eligibility for the Caregiver Recognition Benefit, or
    b. the Veteran fails to undergo an assessment as required under section 65.3 of the *Veterans Well-being Act*.
30. VAC will notify the Veteran and the Veteran's designated informal caregiver in writing of the reasons for and effective date of the suspension before suspending the payment of the Caregiver Recognition Benefit.
31. A Caregiver Recognition Benefit may be cancelled if:
    a. the suspension of the Caregiver Recognition Benefit continues for at least 6 months, or
    b. the Veteran's eligibility for the Caregiver Recognition Benefit was based on a misrepresentation or the concealment of a material fact.

32. On the cancellation of the Caregiver Recognition Benefit, VAC will notify the Veteran and the Veteran's designated informal caregiver in writing of the reasons for the cancellation, the effective date of the cancellation and the Veteran's rights of review.

Termination of Benefit

33. A Caregiver Recognition Benefit is no longer payable if:
    a. the Veteran no longer requires ongoing care,
    b. the Veteran permanently relocates to a health care facility,
    c. the Veteran is awarded a pension or compensation of at least 1% under the *Pension Act*,
    d. the Veteran dies,
    e. the designated informal caregiver no longer plays an essential role in providing or coordinating the ongoing care to the Veteran,
    f. the designated informal caregiver receives remuneration for providing or coordinating the ongoing care to the Veteran, or
    g. the designated informal caregiver dies.

Benefit Awarded in Error

34. An overpayment occurs when a designated informal caregiver receives payment of the Caregiver Recognition Benefit when the caregiver was not entitled to receive the payment.
35. Any overpayment, regardless of the cause, is considered a Crown Debt and must be addressed by recovery, remission or write-off in accordance with VAC's Overpayments – Caregiver Recognition Benefit policy.

Rights of Review

36. Two levels of review are available to a Veteran who is dissatisfied with a decision rendered in respect of the Caregiver Recognition Benefit. See the policy entitled Review of Part 1, Part 1.1, Part 2 and Part 3.1 Decisions under the *Veterans Well-being Act* for additional information.

References

Veterans Well-being Act

Veterans Well-being Regulations

Pension Act

Overpayments - Caregiver Recognition Benefit

Review of Part 1, Part 1.1, Part 2 and Part 3.1 Decisions under the *Veterans Well-being Act*