CNIB Feedback on the Canada Disability Benefit Regulations

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# About CNIB

Founded in 1918, CNIB is a non-profit organization driven to change what it is to be blind today. We deliver innovative programs and powerful advocacy that empower people impacted by blindness to live their dreams and tear down barriers to inclusion. Our work is powered by a network of volunteers, donors, and partners from Coast to Coast to Coast.

# CNIB’s Canada Disability Benefit Consultation Panel

Following the passage of the *Canada Disability Benefit Act*, CNIB formed our Canada Disability Benefit Consultation Panel to gather the perspectives of our community members on what the Canada Disability Benefit (CDB) would need to be accessible and effective. This panel is comprised of over 120 individuals from our community who are interested in providing feedback on the development of the CDB.

During the first round of public consultation on the Canada Disability Benefit Regulations in December 2023, CNIB collected feedback through bi-weekly surveys distributed to Panel members, which we used to prepare our submission to the federal government’s Online Engagement Tool. This time, we launched a survey on the proposed Regulations that was shared directly with Panel members and made available more widely to our community members via email blast. The survey was active for approximately 2 weeks and garnered 219 total responses in both English and French.

CNIB also shared information with our community on how to submit their feedback as an individual directly to the federal government through the Canada Gazette website.

The following submission and recommendations are grounded in the feedback we received through our community engagement survey.

# Eligibility

Our survey found 74 percent of respondents disagreed with tying CDB eligibility to the DTC, as proposed in the draft Regulations. There was consensus that while DTC beneficiaries should be considered automatically eligible for the new Benefit, there must be other pathways to eligibility without requiring a DTC Certificate.

Our survey findings were consistent with much of the feedback already shared with the Government regarding barriers to the DTC. Since the DTC functions as a tax credit, uptake is limited for persons without a regular or working income who are less likely to file an annual tax return. Moreover, the DTC application process requires forms to be completed by medical practitioners, which may result in a fee for the applicant who is ostensibly already facing severe financial hardship.

As a growing number of Canadians are left without a family doctor, simply finding a medical practitioner to complete the forms can be problematic. Persons with sight loss may also need to contend with compounding barriers like accessing transportation to appointments or finding information and completing forms in formats that are not accessible to them. The process to access the DTC can thus become unduly difficult or impossible for an applicant with sight loss to navigate independently. By tying eligibility for the CDB to the DTC, many Canadians with disabilities including sight loss risk being unfairly excluded.

Recognizing the limitations of the DTC, the Government of Canada committed in Budget 2024 to invest in navigation services to increase awareness and uptake of federal and provincial/territorial disability benefits and services. The Budget also allocated funds to cover fees from medical practitioners for completing required forms. These welcomed investments will support the removal of barriers to the DTC for many persons with disabilities, if they are implemented in a way that is barrier-free and adequately resourced.

However, these investments will not necessarily address the indirect barriers and compounding factors that affect those who are blind, Deafblind, or have low vision in the process to access a DTC Certificate. While DTC beneficiaries must be considered automatically eligible for the CDB, alternate pathways to eligibility must be established for the program to reflect the principles of inclusion and poverty reduction for Canadians with disabilities set out by the Act.

Eighty-eight percent of respondents to CNIB’s survey supported expanding automatic eligibility to include persons receiving any federal disability benefit, such as the CPP-D, and those receiving provincial/territorial disability benefits. Automatic eligibility would reduce burdens and barriers created when individuals must repeatedly undergo lengthy evaluation and application processes to receive different benefits, which may directly or indirectly create barriers that can result in undue hardship for the applicant. Respondents further highlighted that automatic eligibility would reduce duplication and enhance efficiency of program administration.

## Recommendations on Eligibility

1. CNIB recommends that the federal government establish additional pathways to eligibility to receive the Canada Disability Benefit for Canadians with disabilities who do not hold a valid Disability Tax Credit Certificate.
2. CNIB recommends that the federal government grant automatic eligibility for Canadians with disabilities who currently receive disability-related benefits at the federal, provincial or territorial level.

# Benefit Payment Amounts

The estimated 1.5 million Canadians who are blind, Deafblind, or have low vision incur extra costs associated with their sight loss every day. From public transit to the price of taxi and ride-share services, people with sight loss face increased costs simply for getting to and from work, going to medical appointments, or completing daily, essential errands. Add to that the cost of assistive technology for independent navigation and wayfinding, or getting information and communications, specialized accessible tools or applications, or veterinary care for guide dogs that are not otherwise covered – living with sight loss comes at a cost.

People living with a disability are more than twice as likely to live in poverty than those who live without a disability. Societal barriers are a daily occurrence for people living with a disability – living in poverty brings on another, compounding barrier to people with disabilities, who often don’t have the means to meet their needs, purchase medication, or access life-changing assistive technology.

Current, inadequate social assistance programs provide a level of assistance that sits below Canada’s Official Poverty Line. The current programs are splintered across the country, meaning a person with a disability receives different supports depending on where in the country they live. Survey respondents were consistent in emphasizing the importance of ensuring that the CDB works as a supplement to existing provincial support programs — not claw back existing benefits or create further inequities across the country.

Respondents to CNIB’s survey widely agreed that adequate payment amounts must include the additional costs of living with a disability and reflect a supplemented income level at or above the Official Poverty Line. Almost all respondents believed the maximum Benefit amount of $200 per month is too low to meet either of these requirements, although some respondents suggested the amounts would positively affect their capacity to buy healthier food, access social and recreational opportunities, or fill certain prescription medications. Most agreed the amounts they would receive from the CDB based on the proposed Regulations would be insufficient to meaningfully impact their financial security or ability to meet their basic needs, especially for those who cannot work due to their disability.

The Government of Canada does not have to look far and wide to find success of which the Canada Disability Benefit should mirror. The Canada Child Benefit (CCB), a program built on an evolution of successive social support programs with the goal of lifting children out of poverty, should be viewed as a program to which the Canada Disability Benefit should seriously consider. Like the CCB, the Canada Disability Benefit should be tax-free and indexed to inflation.

Similar to the *Universal Child Care Benefit Act*, the legislation that governs the Canada Child Benefit program, CNIB continues to recommend that a mandatory minimum amount for which the Canada Disability Benefit will remit to those who are eligible is defined in the legislation. Any future changes to the financial amount to the Canada Disability Benefit, must be done in meaning consultation with the disability community. Government and Cabinet cannot unilaterally make changes to the amount of the program.

## Recommendations on Benefit Amounts

1. CNIB recommends that the federal government establish a mandatory minimum amount for which the Canada Disability Benefit will remit to those who are eligible is defined in the legislation. This amount must be adequate to provide a basic livable income and account for the additional costs of living with a disability. Payments amounts must also be tax-free and indexed to inflation.

# Benefit Payment Calculations

## Individual versus Family Income

Canadians with disabilities who are living in poverty are often forced to rely on their personal networks and/or inadequate public income assistance to meet their basic needs. This undermines their dignity and independence and puts them at greater risk of staying in unsafe or abusive situations where they cannot leave without sacrificing their ability to meet their basic needs. Alternatively, some persons with disabilities may avoid entering long-term relationships due to concerns that they may lose their benefits, forcing them to become more reliant on their partner or family.

Many respondents to CNIB’s survey were supportive of using individual incomes to determine payment amounts, rather than household income, to uphold the dignity and independence of beneficiaries, with the issue of potential abuse cited as a key factor. Additionally, some survey respondents noted that they did not cohabitate with their spouse or partner, meaning their payment amounts would be reduced despite having the same day-to-day costs as a single individual.

## Income Thresholds

Most survey respondents strongly agreed that the income thresholds to receive the benefit payments were too low in the proposed Regulations. Only 52 percent of CNIB’s survey respondents believed they would qualify to receive payment amounts through the CDB. Many who did not believe they would qualify still reported that they were struggling or unable to meet their basic needs with their current income.

Respondents further noted that the thresholds were below the Official Poverty Line income threshold for certain regions using the Market Basket Measure (MBM). The MBM is also insufficient to account for the added costs of living with a disability. If the MBM will be used to determine CDB payment amounts, calculations must be adapted to account for the additional expenses that come with living with a disability. Income thresholds for CDB payment amounts should also not be lower than the income thresholds associated with the MBM.

## Working Income Exemption Threshold

The Canada Disability Benefit must lift people out of poverty, but it cannot keep people from disabilities from working if they want to.

While CNIB is working to move the needle on employment levels, participants often say that existing income supports create a disincentive for recipients to gain employment and are a barrier to financial security. CNIB’s 2018 International Levels of Employment Study reveals that almost half (46 percent) of those not looking for work indicated that it was because they were on disability assistance.

Specifically, people with sight loss reference claw backs built into social support as a disincentive, and fear losing healthcare and other benefits if they gain any degree of employment. For many, this creates an impossible decision they must make. Either they must fight uphill against attitudinal barriers and stigmas seeking to get a job and become economically independent or they become trapped in woeful social assistance programs.

The majority of CNIB’s survey respondents believed the proposed working income exemption threshold should be increased from the $10,000 proposed. They told us that a higher working income exemption would give CDB beneficiaries security to strengthen their financial situation through gainful employment without having their benefit payments reduced. Many indicated they were actively seeking employment or would like to seek employment but were unable to access and/or retain work due to associated expenses, like transportation for commutes or purchasing assistive or adaptive devices that would enable them to be successful in the workplace. Several respondents hoped CDB payments could support them in finding employment by offsetting some of these expenses.

The working income exemption threshold should therefore be increased to enable CDB beneficiaries to meaningfully strengthen their financial situation with a livable income that allows them to meet their basic needs, including disability-related expenses, and plan for their economic futures. A higher working income exemption will provide additional security for persons with disabilities who are able to work, giving them the confidence they need to enter or return to the world of work.

## Recommendations on Payment Calculations

1. CNIB recommends that CDB payment calculations be based only on the individual income of the applicant or beneficiary to help facilitate the independence and dignity of CDB recipients.
2. CNIB recommends that CDB income thresholds be, at minimum, in alignment with MBM income thresholds for an individual or two-person household to ensure more Canadians with disabilities experiencing poverty will be eligible to receive payment amounts through the CDB.
3. CNIB recommends increasing the working income exemption threshold to ensure the CDB supports beneficiaries who are able to work in accessing and retaining gainful employment.

# Applications, Appeals, and Administration

## Application Process

The proposed CDB Regulations suggest the following pathways to complete the applications process: Online, physical copy sent by mail, or physical copy dropped off in-person to a Service Canada Centre. The Regulations also anticipate that assistance to complete applications will be available by phone or in-person at a Service Canada Centre. 91 percent of respondents to CNIB’s survey felt that they would be able to complete an application using one of these methods, presuming each component of the process is designed to be fully accessible and flexible to accommodate diverse needs.

Survey respondents specifically called for the creation of a centralized, easy to find location, such as an online portal, where persons could access the following information and resources:

* Step-by-step instructions to complete an application, request reconsideration of a decision, or file an appeal
* Any required forms or documents
* Contact information and instructions to access assistance

Alternate versions of forms and documents must be made available in accessible formats including braille, large print, and audio. Applicants must have the option to choose their preferred format to complete the application. We also heard that forms should be simplified to the greatest extent possible in terms of plain language and clear formatting.

Many respondents highlighted the importance of ensuring timely access to human assistance to complete forms and/or inquire about application processes. They told us that assistance is increasingly provided through AI chat features that are often unhelpful and cannot address their specific and unique needs. Respondents shared that when they had previously tried to use these AI chat features, their issues had not been solved, and it made it more difficult to find and receive human assistance. Accordingly, they underscored the need to ensure live human assistance is available to answer questions and provide support with completing application forms. Live agents must be available via the applicant or beneficiary’s preferred method of communication, including online, dedicated phone line, and in-person at a Service Canada Centre.

Participants also shared that one of the largest barriers to the administration of government benefits are often the attitudinal barriers of the staff that are assisting with the process. Several respondents recommended enhanced training to Service Canada staff who will be administering the program and assisting people with disabilities in filling out the application forms. Survey respondents also told us that an appropriate number of properly trained staff must be available to facilitate support in a timely manner.

## Reconsiderations and Appeals

A barrier-free appeals process must include the same features as the application and other administrative processes. All information and materials relating to appeals must be available in accessible formats including braille, large print, and audio, as well as accessible online formats that are usable with screen reading and screen magnification software, and on mobile devices. Information and instructions for submitting appeals must be written in clear, plain language, and applicants and beneficiaries should be able to use their preferred means of communication to access support and file an appeal, such as online, via phone, or in person.

Moreover, CNIB’s survey respondents told us that processes to undertake an appeal often carry a cognitive load and potentially significant time, energy, or financial investment for individuals with disabilities due to their lengthiness and complexity. As such, the process for submitting and carrying out a CDB-related request for reconsideration or appeal must be as streamlined as possible to minimize the forms and other documentation an applicant would be required to submit. Information and step-by-step instructions to file an appeal or request for reconsideration must be available in an easy to find location, like an online portal. Likewise, respondents advised that Notice of Decision letters should include clear instructions on how the applicant or beneficiary can make a request for reconsideration.

## Digital Accessibility

Many of CNIB’s survey respondents emphasized that digital accessibility would be fundamental for them to independently navigate applications and/or appeals processes. We heard that many government forms and documents continue to be made available only in PDF formats that are incompatible or difficult to navigate using screen reading and magnification software. This leads to individuals who are blind, Deafblind, or have low vision relying on government employees or friends and family to read and share information on government forms, as they do not have access to the traditional print version of the information.

Additionally, we heard that digital infrastructure and assets must be compatible with and usable on mobile devices, as many individuals with sight loss use a smartphone or tablet as their primary or only computing device. Further, we heard that online portals must not use visual captchas, which are inaccessible to Canadians who are blind or low vision.

Digital assets and forms must be compliant with WCAG 2.2 guidelines and user tested by people with disabilities including blindness and low vision to ensure the content is not just accessible, but usable by persons of varying skill levels. CNIB’s Access Labs welcomed a partnership with Service Canada to support the development of an accessible applications process by facilitating the participation of user testers across the sight loss spectrum, and we look forward to seeing the beneficial results.

## Communications

Survey respondents told CNIB that CDB applicants and beneficiaries must be able to receive communications materials in their preferred format, with options including online via email or physical copies in alternate formats (i.e., braille or large print). When an applicant or beneficiary indicates their preference, it must be retained in their file so the individual does not need to repeatedly request alternate versions of information and communications.

Respondents also emphasized the importance of ensuring all information, guidance resources, and communications assets—such as information and guidance resources, Notice of Decision letters, or notifications relating to an application or appeal—must be written in plain language.

## Recommendations on Administration

1. CNIB recommends that a centralized and easy to find location, such as an online portal, be created to house information, step-by-step instructions, and any required forms or documents to complete administrative processes related to the CDB (i.e., applications, requests for reconsiderations, and appeals).
2. CNIB recommends that all digital assets adhere to the latest WCAG guidelines (i.e., WCAG 2.2 as of 2024) and be compatible and usable on mobile devices with screen reading and magnification software. Digital assets must also be user tested by persons with lived experience with sight loss to ensure an accessible and user-friendly design that works for individuals with varying types and levels of disability.
3. CNIB recommends that all communications assets, such as information and guidance resources and Notice of Decision Letters, must be delivered in the preferred format of an applicant or beneficiary. Multiple format options must be available, including accessible PDFs sent via email and physical versions with braille or large print.
4. CNIB recommends that all informational resources, guidance documents, required forms, and communications assets be designed for simplicity and provided in plain language.
5. CNIB recommends that navigational assistance be available from live agents via dedicated telephone line, online, or in-person at a Service Canada Centre, to answer questions and provide support to persons completing applications or filing requests for considerations and appeals. Enhanced training must be provided to Service Canada staff who will be administering the program and assisting people with disabilities in filling out the application forms.
6. CNIB recommends streamlining and simplifying processes to request reconsideration of a decision or file an appeal, to the greatest possible extent. Notice of Decision letters should include clear instructions about next steps to initiate a request for reconsideration or proceed to an appeals process.

# General Comments

## Preventing Clawbacks

CNIB recommends the Government of Canada work with provincial and territorial counterparts to ensure the Canada Disability Benefit does not clawback existing federal, provincial, and territorial benefits. Many persons with sight loss rely on social support programs for healthcare coverage and other benefits, which they risk losing if they receive additional income. The federal government must ensure CDB payment amounts do not impact the level of social assistance that beneficiaries receive from other federal and provincial disability benefits, both in terms of payment amounts and related benefits like healthcare insurance. The CDB cannot support the financial strength of Canadians with disabilities like sight loss if it undermines the existing supports that many individuals who are blind, Deafblind, or have low vision rely on to meet their basic needs.

We were pleased to see that the Government of British Columbia recently announced a decision to ensure beneficiaries of the CDB will keep their full benefit payment amount, making it the first province or territory to make a formal commitment to prevent benefit clawbacks. It is instrumental for the success of the CDB as a *supplemental* benefit to ensure that equivalent guarantees are put in place by the 12 remaining provinces and territories before the Benefit is launched in 2025.

## Enhancing Employment Supports

As we have reiterated throughout this and previous submissions, the Canada Disability Benefit must act as a springboard to gainful employment for beneficiaries with sight loss who are willing and able to work. Accordingly, the Government of Canada must ensure that the Canada Disability Benefit serves to remove employment barriers by implementing it in tandem with the federal Employment Strategy for Canadians with Disabilities.

Specifically, the federal government can act as a referral service to connect any individual eligible for the CDB with employment supports, including government-based supports and programs operated by disability organizations, like CNIB’s Come To Work program. Persons who are blind, Deafblind, or have low vision are often unaware of the employment services available to them and may find it challenging to enjoy the benefits of these programs due to barriers such as inaccessible information and forms or administrative complexity. As Service Canada will be administering the CDB, it would be able to refer eligible individuals to appropriate employment programs and services according to their needs and aspirations. This would streamline the process to navigate the system, improve awareness of existing supports, and increase uptake of employment supports by making them more easily accessible.

Moreover, the Government of Canada must leverage the Opportunities Fund to continue supporting all national employment initiatives operated by disability organizations. This would include CNIB’s Come To Work program, which connects job seekers who are blind or low vision with employers who want to discover the fill potential of Canada’s talent and provides a range of supports including job-readiness and technology training, mentorship opportunities, and employer networking opportunities. Community-based programs like Come To Work are instrumental to extend program reach and provide accessible services that are responsive to the specific and unique needs of Canadians with disabilities including with sight loss.

## General Recommendations

1. CNIB recommends the Government of Canada work with provincial and territorial counterparts to ensure the Canada Disability Benefit does not negatively interact with or clawback existing federal, provincial, or territorial disability-related benefits.
2. CNIB recommends the Government of Canada ensure the Canada Disability Benefit acts as a springboard for Canadians with sight loss to access gainful employment by establishing a referral service to employment supports for all CDB-eligible individuals, and by continuing to fund national employment programs run by disability organizations through the federal Opportunities Fund.

# Full List of CNIB Recommendations

1. CNIB recommends that the federal government establish additional pathways to eligibility to receive the Canada Disability Benefit for Canadians with disabilities who do not hold a valid Disability Tax Credit Certificate.
2. CNIB recommends that the federal government grant automatic CDB eligibility to Canadians with disabilities who currently receive disability-related benefits at the federal, provincial or territorial level.
3. CNIB recommends that the federal government establish a mandatory minimum amount for which the Canada Disability Benefit will remit to those who are eligible is defined in the legislation. This amount must be adequate to provide a basic livable income and account for the additional costs of living with a disability. Payments amounts must also be tax-free and indexed to inflation.
4. CNIB recommends that CDB payment amounts are calculated on the basis of an individual applicant’s income, rather than combined income with a spouse of common-law partner, to uphold the independence, safety, and dignity of beneficiaries.
5. CNIB recommends that CDB income thresholds be, at minimum, in alignment with MBM income thresholds for an individual or two-person household to ensure more Canadians with disabilities experiencing poverty will be eligible to receive payment amounts through the CDB.
6. CNIB recommends increasing the working income exemption threshold to ensure the CDB supports beneficiaries who are able to work in accessing and retaining gainful employment.
7. CNIB recommends that a centralized and easy to find location, such as an online portal, be created to house information, step-by-step instructions, and any required forms or documents to complete administrative processes related to the CDB (i.e., applications, requests for reconsiderations, and appeals).
8. CNIB recommends that all digital assets adhere to the latest WCAG guidelines (i.e., WCAG 2.2 as of 2024) and be compatible and usable on mobile devices with screen reading and magnification software. Digital assets must also be user tested by persons with lived experience with sight loss to ensure an accessible and user-friendly design that works for individuals with varying types and levels of disability.
9. CNIB recommends that all communications assets, including information, guidance resources, and letters or notifications about administrative processes, must be delivered in the preferred format of an applicant or beneficiary. Multiple format options must be available, including accessible PDFs sent via email and physical versions with braille or large print.
10. CNIB recommends that all informational resources, guidance documents, required forms, and communications assets be designed for simplicity and provided in plain language.
11. CNIB recommends that navigational assistance be available from live agents via dedicated telephone line, online, or in-person at a Service Canada Centre, to answer questions and provide support to persons completing applications or filing requests for considerations and appeals. Enhanced training must be provided to Service Canada staff who will be administering the program and assisting people with disabilities in filling out the application forms.
12. CNIB recommends streamlining and simplifying processes to request reconsideration of a decision or file an appeal, to the greatest possible extent. Notice of Decision letters should include clear instructions about next steps to initiate a request for reconsideration or proceed to an appeals process.
13. CNIB recommends the Government of Canada work with provincial and territorial counterparts to ensure the Canada Disability Benefit does not negatively interact with or clawback existing federal, provincial, or territorial disability-related benefits.
14. CNIB recommends the Government of Canada ensure the Canada Disability Benefit acts as a springboard for Canadians with sight loss to access gainful employment by establishing a referral service to employment supports for all CDB-eligible individuals, and by continuing to fund national employment programs run by disability organizations through the federal Opportunities Fund.