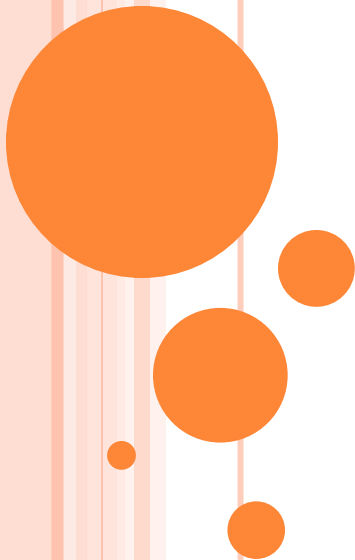




**DISABILITY BENEFITS,
SAVINGS PLANS, TAX
CREDITS & TRUSTS**

RECORD KEEPING

Make sure you keep photocopies of everything you submit. If you talk to someone from Service Canada, write down the name of the person and the date and time of your conversation. Keep all the information in one place.

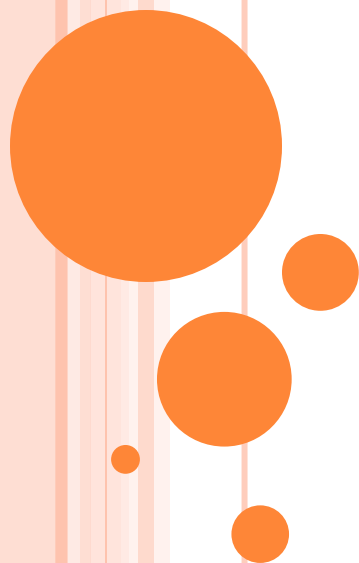


BENEFITS FINDER

Visit

<https://benefitsfinder.services.gc.ca/hm?GoCTemplateCulture=en-CA>

Answer a few questions to get a customized list of benefits for which you may be eligible.

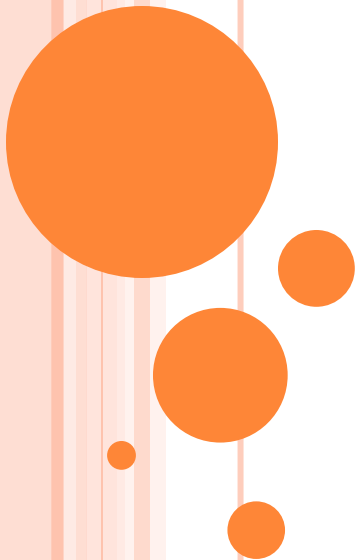


DISABILITY TAX CREDIT (DTC)

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/segments/tax-credits-deductions-persons-disabilities/disability-tax-credit.html>

What is the disability tax credit?

The disability tax credit (DTC) is a non-refundable tax credit that helps persons with disabilities or their supporting persons reduce the amount of income tax they may have to pay.



DISABILITY TAX CREDIT (DTC)

Who is eligible for the DTC?

You are eligible for the DTC only if we approve [Form T2201, Disability Tax Credit Certificate](#). A medical practitioner has to fill out and certify that you have a **severe and prolonged impairment** and must describe its effects.

Did you receive a denial letter for the disability tax credit?

If you applied for the disability tax credit (DTC) and received a notice of determination stating that your application has been denied, you still have options. For more information, see [If your DTC application is denied](#).

You can file a formal objection to appeal the initial decision no later than 90 days after the Canada Revenue Agency mails the notice of determination.

ADDITIONAL TAX CREDITS

Line 215 – Disability supports deduction

Individuals who have an impairment in physical or mental functions and have paid for certain medical expenses can, under certain conditions, claim the disability supports deduction.

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-215-disability-supports-deduction.html>

On this page:

- [Who is eligible?](#)
- [Which expenses can you claim?](#)
- [What are the amounts you cannot claim?](#)
- [How do you calculate your claim?](#)
- [How do you report the amount on your tax return?](#)

ADDITIONAL TAX CREDITS

Line 304 - Canada caregiver amount for spouse or common-law partner, or eligible dependant age 18 or older:

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-304-caregiver-spouse-dependant.html>

If you are eligible for the Canada caregiver amount for your spouse or common-law partner, or an eligible dependant 18 years of age or older, and their net income is between \$7,005 and \$23,391, you may be able to claim an amount up to a maximum of \$6,986 on Line 304 of your Schedule 1.

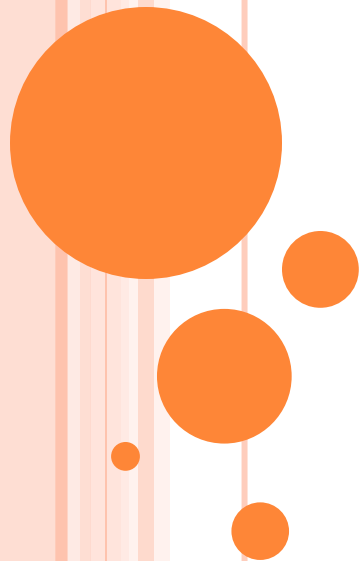
However, you must first claim the amount of \$2,182 in calculating the spouse or common-law partner amount on [line 303](#) of your Schedule 5; or the amount on [line 305](#) of your Schedule 5 for an eligible dependant 18 years of age or older, whichever applies.

ADDITIONAL TAX CREDITS

Line 307 - Canada caregiver amount for other infirm dependants age 18 or older:

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-307-caregiver-infirm-dependant.html>

You can claim an amount up to a maximum of \$6,986 for each of your or your spouse's or common-law partner's dependent children or grandchildren only if that person was dependent on you because of an impairment in physical or mental functions and was 18 years of age or older.

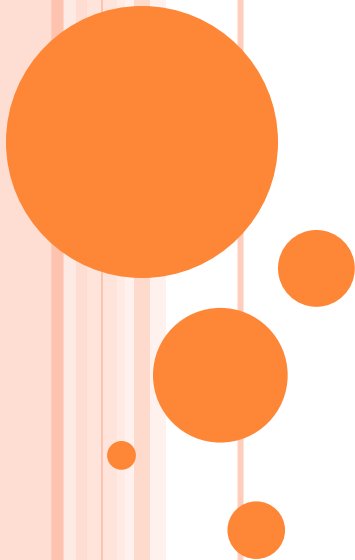


ADDITIONAL TAX CREDITS

Line 316 – Disability amount for self:

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-316-disability-amount-self.html>

If you are eligible for the disability tax credit, you may be able to claim the disability amount of \$8,235 on line 316 of your tax return.



ADDITIONAL TAX CREDITS

Line 318 – Disability amount transferred from a dependant

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-318-disability-amount-transferred-a-dependant.html>

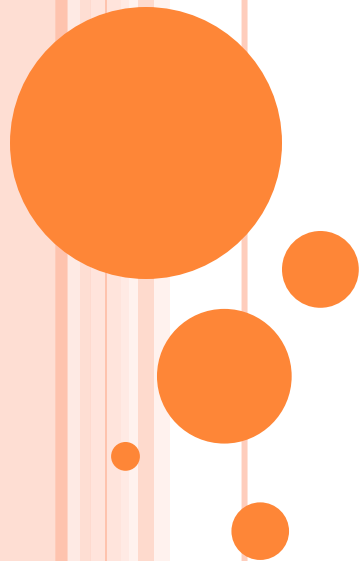
You may have a dependant who is able to claim the disability amount ([line 316](#)), and that person may not need to claim all or part of that amount on their tax return. Under certain conditions, your dependant may be able to transfer this amount to you. If your dependant is eligible for the disability tax credit (DTC), you may be able to claim all or part of their disability amount on your tax return.

ADDITIONAL TAX CREDITS

Line 326 – Amounts transferred from your spouse or common-law partner

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-326-amounts-transferred-your-spouse-common-law-partner.html>

If your spouse or common-law partner does not need to claim all of certain non-refundable tax credits to reduce their federal tax to "0", you may be able to transfer those unused amounts to your return.



ADDITIONAL TAX CREDITS

Lines 330 and 331 – Eligible medical expenses you can claim on your tax return

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/lines-330-331-eligible-medical-expenses-you-claim-on-your-tax-return.html>

On this page:

- [Which medical expenses can you claim?](#)
- [How do you claim eligible medical expenses on your tax return?](#)
- [What documents do you need to support your medical expenses claim?](#)
- [What if you claim medical expenses for someone who died?](#)
- [What are the related credits to medical expenses?](#)

ADDITIONAL TAX CREDITS

Line 367 – Canada caregiver amount for infirm children under 18 years of age

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-352-367-canada-caregiver-infirm-children-under-18-years.html>

You can claim an amount for each of your or your spouse's or common-law partner's children who meet all of the following conditions:

- are under 18 years of age at the end of the year
- lived with both of you throughout the year
- are dependent on others because of an impairment in physical or mental functions and will likely continue to be dependent on others for an indefinite duration.
Dependent on others means the child needs significantly more assistance in attending to his or her personal needs and care when compared to children of the same age.

The full amount can be claimed in the year of the child's birth, death, or adoption.

ADDITIONAL TAX CREDITS

Line 398 – Home accessibility expenses

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-398-home-accessibility-expenses.html>

On this page:

- [Are you eligible?](#)
- [Do you have an eligible dwelling?](#)
- [What renovations or expenses are eligible and ineligible?](#)
- [Completing your tax return](#)

ADDITIONAL TAX CREDITS

Line 452 - Refundable medical expense supplement

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-452-refundable-medical-expense-supplement.html>

You may be able to claim a credit of up to \$1,222 if all of the following apply:

you have an amount on [line 215](#) of your return or on line 332 of [Schedule 1](#)

you were resident in Canada throughout 2018

you were 18 years of age or older at the end of 2018

The total of the following 2 amounts is \$3,566 or more:

your employment income on [line 101](#) and [line 104](#) of your return (other than amounts received from a wage-loss replacement plan) minus the amounts on lines [207](#), [212](#), [229](#), and [231](#) of your return (but if the result is negative, use "0")

your net self-employment income (not including losses) from [lines 135 to 143](#) of your return

ADDITIONAL TAX CREDITS

Attendant care or care in a facility

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/lines-330-331-eligible-medical-expenses-you-claim-on-your-tax-return/attendant-care-care-a-facility.html>

On this page:

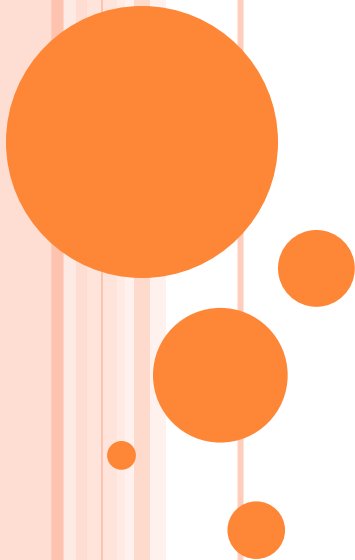
- [What is attendant care and care in a facility?](#)
- [Who can claim these expenses?](#)
- [What can you claim as medical expenses?](#)
- [Are you claiming the disability amount?](#)
- [What documents do you need to support your attendant care expenses?](#)

CANADA PENSION PLAN DISABILITY (CPPD)

<https://www.canada.ca/en/employment-social-development/programs/pension-plan-disability-benefits.html>

<https://www.canada.ca/en/services/benefits/public-pensions/cpp/cpp-disability-benefit/apply.html>

Canada Pension Plan Disability (CPPD) benefits are designed to provide partial income replacement to eligible CPP contributors who are under age 65 with a **severe and prolonged disability**, as defined in the Canada Pension Plan legislation.

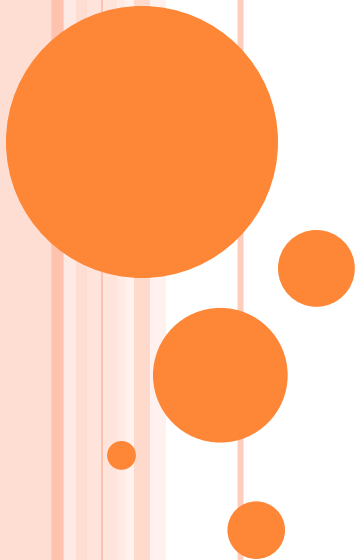


CANADA PENSION PLAN DISABILITY (CPPD)

There are two eligibility criteria for the CPPD program.

First, applicants must have made contributions to the program in four of the last six years, with minimum levels of earnings in each of these years, or three of the last six years for those with 25 or more years of contributions.

Second, they must demonstrate that their physical or mental disability prevents them from working regularly at any job that is substantially gainful, and that it is long-term and of indefinite duration or is likely to result in death.



CANADA PENSION PLAN DISABILITY (CPPD)

You should apply as soon as you develop a **severe and prolonged** or terminal medical condition that prevents you from working regularly at any job.

Do not delay in sending your completed application forms. You must apply for CPP disability benefits in writing. The date your application is received affects the date your benefit begins.

How do I apply

You must apply in writing. The Application kit for Canada Pension Plan Disability benefits includes the application form (ISP1151) and the medical report (ISP2519) to be completed by your doctor or nurse practitioner.

You may save and complete the application on your computer but it cannot be submitted electronically. **You must print a copy and mail it to us with certified copies of any required documents.**

Note: If you have a terminal illness, print out the Terminal Illness Application form (ISP2530A) and the Terminal Illness Medical Attestation form (ISP2530B) and mail the completed forms to us. For the purposes of CPP, a terminal medical condition is a disease state that cannot be cured or adequately treated and is reasonably expected to result in death within six (6) months.

CANADA PENSION PLAN DISABILITY (CPPD)

Do not wait for your doctor or nurse practitioner to complete the medical report or medical attestation form before sending your completed application to Service Canada.

If you are a parent or guardian, you could request the child-rearing provision (included in the application form) and the children's benefit (included in the application form).

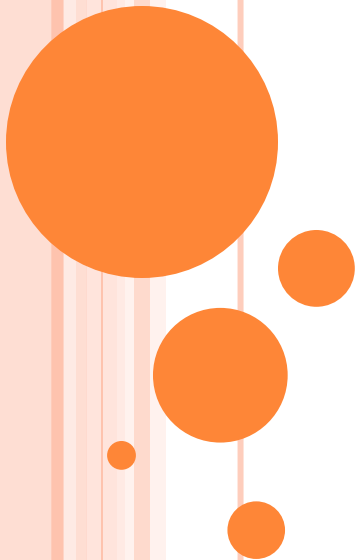
Will my doctor or nurse practitioner charge me for completing the medical report that is part of my application?

We will pay your health care professional up to \$85.00 for completing your medical report or your terminal illness medical attestation. They are responsible for sending us invoices for payment. Should they charge more than our set amount, you are responsible for covering any extra costs.

CANADA PENSION PLAN DISABILITY (CPPD)

How do I request a reconsideration?

You must make your request for reconsideration in writing within 90 days of receiving the written decision on your application for Canada Pension Plan disability benefits.



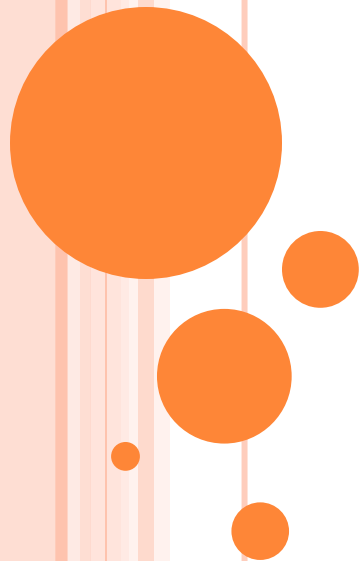
ONTARIO DISABILITY SUPPORT PROGRAM (ODSP)

<https://www.mcass.gov.on.ca/en/mcass/programs/social/odsp/>

https://www.mcass.gov.on.ca/en/mcass/programs/social/odsp/income_support/index.aspx

Overview

If you have a disability and need help with your living expenses, you may be eligible for the Ontario Disability Support Program (ODSP).



ONTARIO DISABILITY SUPPORT PROGRAM (ODSP)

ODSP offers:

- **financial assistance** to help you and your family with essential living expenses
- **benefits**, for you and your family, including prescription drugs and vision care
- **help finding and keeping a job**, and advancing your career

If you require immediate financial assistance, please contact your [local Ontario Works office](#) (you can also still apply for ODSP).

ONTARIO DISABILITY SUPPORT PROGRAM (ODSP)

ODSP offers two types of support:

Income support - Financial assistance provided **each month** to help with the costs of basic needs, like food, clothing and shelter. Income support also includes benefits, like drug coverage and vision care, for clients and their eligible family members.

Employment supports - Services and supports to help clients with disabilities find and keep a job, and advance their careers.

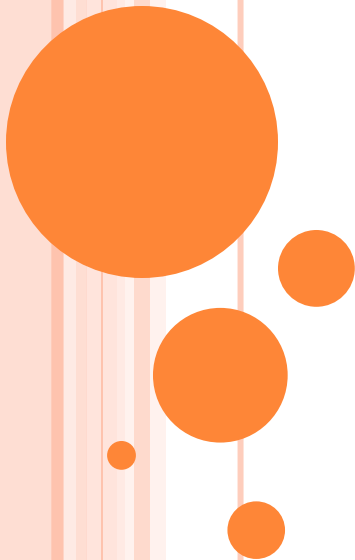
Each type of support has its own eligibility requirements and application process.

<https://stepstojustice.ca/questions/income-assistance/what-can-i-own-and-still-get-income-support-odsp>

CRA

VOLUNTARY DISCLOSURES PROGRAM

If you could not fulfill your tax obligations and requirements due to extraordinary circumstances, actions of the CRA, inability to pay, financial hardship, or other circumstances beyond your control, go to Cancel or waive penalties or interest for information about applying for relief from penalties and interest under the taxpayer relief provisions.



REGISTERED DISABILITY SAVINGS PLAN

... is a long-term savings plan to help Canadians with disabilities and their families save for the future. If you have an RDSP, you may also be eligible for grants and bonds to help with your long-term savings.

You should consider opening an RDSP if you have a long-term disability and are:

- eligible for the [Disability Tax Credit](#);
- under the age of 60 (if you are 59, you must apply before the end of the calendar year in which you turned 59);
- a Canadian resident with a [Social Insurance Number \(SIN\)](#); and
- looking for a long-term savings plan.

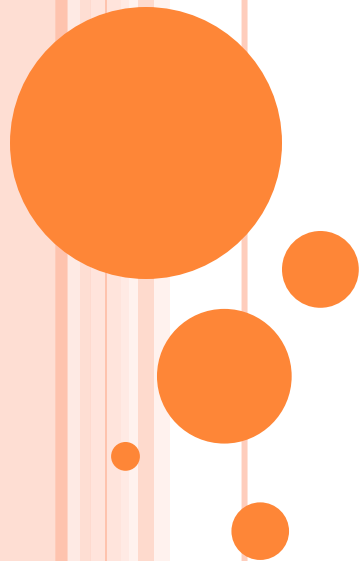
You may contribute any amount to your RDSP each year, up to the lifetime contribution limit of \$200,000. With written permission from the RDSP holder, anyone may contribute to the RDSP.

QUALIFIED DISABILITY TRUST (QDT)

... was created in 2016 to temper changes to the tax rules for testamentary trusts (trusts set up by a Will). All testamentary trusts used to benefit from the graduated tax rates, however this was changed to tax all testamentary trusts at the top marginal rate.

The QDT is an exception to the new rule that all testamentary trusts are taxed at the top marginal rate.

A QDT now has access to the graduated tax rates that previously applied to all testamentary trusts.



QUALIFIED DISABILITY TRUST (QDT)

Subsection 122(3) of the *Income Tax Act* sets out the definition of a QDT. In order to be a QDT, the trust must meet the following criteria:

1. The trust must be a testamentary trust meaning it must be created in a Will and must arise as a consequence of someone's death, an *inter vivos* trust does not qualify.
2. The trust must be resident in Canada. Residency of a trust is determined by a variety of factors, but if the trustee resides in Canada, the funds are held in Canada, and the beneficiary is in Canada then the trust will likely be resident in Canada.
3. The trust must make a joint election with a "qualifying beneficiary" to be a QDT.
4. The qualifying beneficiary must be specifically named as a beneficiary in the trust.
5. **The qualifying beneficiary must qualify for the disability tax credit.**
6. There can only be one QDT per beneficiary. If multiple testamentary trusts are set up for the benefit of the same person only one of these may be a QDT; the others will be taxed and the top marginal rate.

Keep in mind that a trust does not have to be a Henson trust in order to become a QDT; a beneficiary of a testamentary trust who later becomes disabled may qualify for the QDT designation.

<https://www.siskinds.com/qualified-disability-trust/>

HENSON TRUST

A Henson trust (sometimes called an absolute discretionary trust), in Canadian law, is a type of trust designed to benefit disabled persons.

Specifically, it protects the assets (typically an inheritance) of the disabled person, as well as the right to collect government benefits and entitlements (from Wikipedia).

When building your long term financial plan it is very important to consider whether a Henson Trust should be a component of your estate plan.

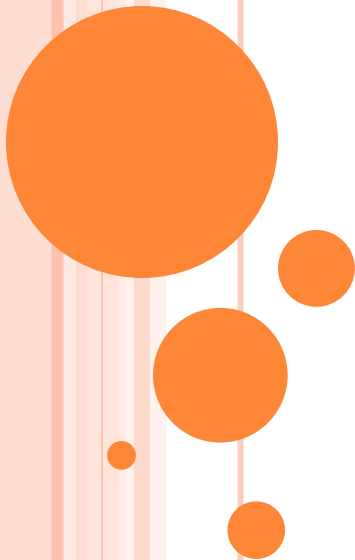
<http://clcnow.com/uploads/articles/44/henson-trust.pdf?1402319212>

<http://www.planningnetwork.ca/en-ca/resources/18556/henson-trust>

TRUST TYPES

Additional Trust Types can be found here:

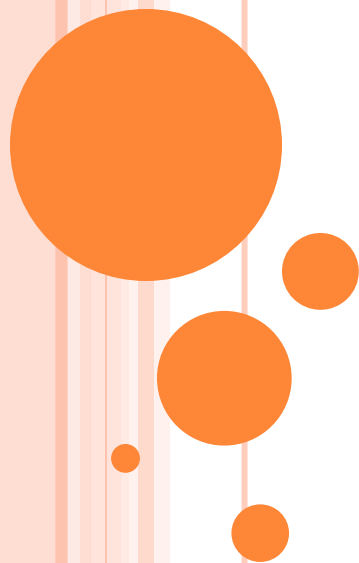
<https://www.canada.ca/en/revenue-agency/services/tax/trust-administrators/types-trusts.html>



OUTRIGHT GIFT BY WILL

Receiving a gift outright under a will, even of a small amount, may jeopardize receipt of ODSP

<https://www.osullivanlaw.com/Advisory-Letters/Estate-Planning-to-Benefit-Family-Members-with-Special-Needs.pdf>



JOINTLY HELD ASSETS

Care must be taken to properly plan and document the transfer into joint ownership in order to evidence the individual's intention to give the property to the family member with special needs. An important consideration is that such a transfer **may have tax consequences resulting in a capital gain being triggered and resulting tax** and it is important that professional advice be sought prior to any such transfer.

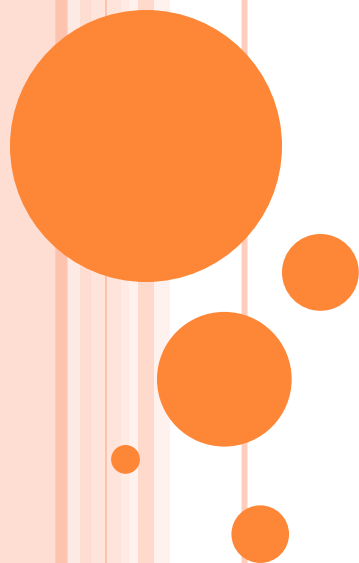
<https://www.osullivanlaw.com/Advisory-Letters/Estate-Planning-to-Benefit-Family-Members-with-Special-Needs.pdf>

<https://www.osullivanlaw.com/blog/2018/03/special-needs-special-trusts.shtml>

ASSISTIVE DEVICES PROGRAM

If you have a long-term physical disability, you can get help paying for equipment and supplies when you qualify for the Assistive Devices Program.

<https://www.ontario.ca/page/assistive-devices-program>



INHERITED METABOLIC DISEASES PROGRAM

Through the Inherited Metabolic Diseases (IMD) Program, the Ministry of Health and Long-Term Care covers the full cost of certain outpatient drugs, supplements and specialty foods used in the treatment of specific inherited metabolic disorders. The IMD Program covers:

- Specific drugs and supplements
- Modified L-Amino Acid mixtures ("medical foods")
- Special Low Protein Foods
- Other supplements
- Infant Feeds
- Complete Enteral Feeds

Only the metabolic disorders and Funded Products as listed in the *List of Disorders, Covered Drugs, Supplements and Specialty Foods* are covered by the IMD Program.

http://www.health.gov.on.ca/en/pro/programs/drugs/funded_drug/fund_inherited_drug.aspx

GET FULL COVERAGE FOR CERTAIN DRUGS

<https://www.ontario.ca/page/get-full-coverage-certain-drugs>

Find out how to qualify and apply for full coverage of some cancer drugs and other special drug treatments.

On this page:

1. [Injectable cancer drugs](#)
2. [Drugs for certain serious conditions](#)
3. [Metabolic disease drugs](#)
4. [Drug for eye conditions](#)
5. [Preventative drug for high-risk babies](#)

EMPLOYMENT INSURANCE (EI) AND VOLUNTARILY LEAVING

You are quitting your job

<https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/quit-job.html>

Table of Contents

- What you should know
- What "voluntarily leaving" means
- You think the only reasonable alternative for you is to quit your job
- A number of circumstances for quitting are considered just cause
- Gathering facts from you and your employer
- Work force reduction with your employer
- Authorized period of leave
- Quitting your job before the end of your term or before being laid off

EI REGULAR BENEFITS

Employment Insurance (EI) provides regular benefits to individuals who lose their jobs through no fault of their own (for example, due to shortage of work, seasonal or mass lay-offs) and are available for and able to work, but can't [find a job](#).

Always apply for EI benefits as soon as you stop working. You can apply for benefits even if you have not yet received your Record of Employment (ROE). **If you delay filing your claim for benefits for more than four weeks after your last day of work, you may lose benefits.**

<https://www.canada.ca/en/services/benefits/ei/ei-regular-benefit.html>

EI SICKNESS BENEFIT

The Employment Insurance (EI) program offers temporary financial assistance to unemployed workers. **This assistance includes providing sickness benefits to people unable to work because of sickness, injury, or quarantine.**

If you cannot work because of sickness, injury or quarantine, but you would otherwise be available to work, you could be eligible to receive up to a maximum of 15 weeks of EI sickness benefits.

<https://www.canada.ca/en/services/benefits/ei/ei-sickness.html>

WAGE EARNER PROTECTION PROGRAM

A program to protect workers' wages! Who is eligible?

Any worker who **meets all of the following criteria** can apply:

- Your employment has ended
- Your former employer is declared bankrupt or is subject to a receivership and
- Your former employer owes you:
 - wages and vacation pay earned during the six month period ending on the date of the bankruptcy or receivership* and/or
 - termination and severance pay for employment that ended during the six month period ending on the date of the bankruptcy or receivership*

<https://www.canada.ca/en/employment-social-development/services/labour-standards/reports/wage-protection.html>

ONTARIO TRILLIUM BENEFIT

Learn more about the tax-free payment that helps low-to moderate-income Ontario residents pay for energy costs, sales and property tax.

On this page:

1. [About the benefit](#)
2. [Northern Ontario Energy Credit](#)
3. [Ontario Energy and Property Tax Credit](#)
4. [Ontario Sales Tax Credit](#)
5. [How to get the Ontario Trillium Benefit](#)

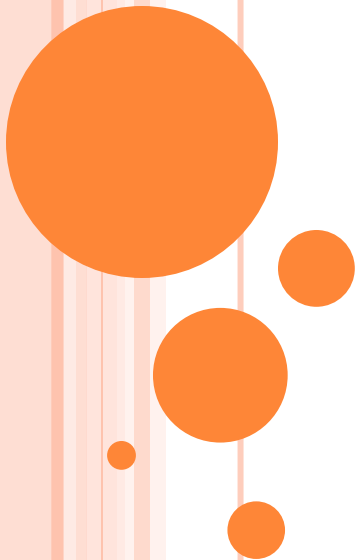
<https://www.ontario.ca/page/ontario-trillium-benefit>

CRA

ALL DEDUCTIONS, CREDITS, AND EXPENSES

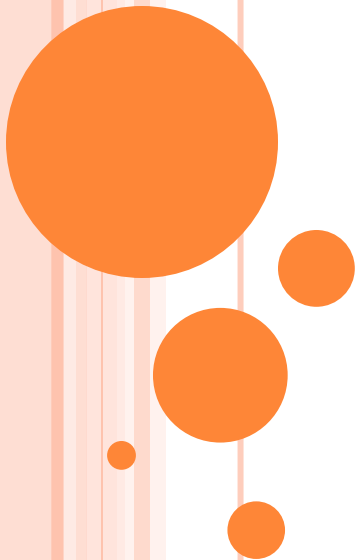
The complete list of all deductions, credits, and expenses can be found here:

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/deductions-credits-expenses.html>



ADDITIONAL RESOURCES

- <https://retirehappy.ca/henson-trusts-the-ontario-disability/>
- <https://stepstojustice.ca/questions/income-assistance/i-have-disability-can-i-get-ontario-disability>
- <https://www.canada.ca/en/services/benefits/disability.html>
- <https://settlement.org/ontario/health/disability/disability-services-and-supports/what-financial-assistance-can-i-get-if-i-have-a-disability/>
- <https://www.ontario.ca/page/people-disabilities>
- <https://disabilitycreditcanada.com/the-ontario-disability-support-program-act/>



THANK YOU

Prepared by Ken Nightingale

**For the WRCPI Workshop
Held Sept. 18, 2019**

