



COMMUNITY LIVING
BRITISH COLUMBIA

Policy Number: SE4.112	Policy Section: Supports and Services	Effective: July 1, 2007 Amended: April 1, 2012
Title: Individual Financial Payment Policy: Residential Services		Executive Sponsors: Directors, Regional Operations

1. PURPOSE

The *Individual Financial Payment* policy clarifies the expectation that individuals make payments to the service provider, from their income, towards their shelter and support costs, when they are receiving a CLBC funded residential service and the service provider provides the housing as part of their contract for services.

The *Individual Financial Payment* policy provides information for staff to assist in determining the monthly amount an individual pays for shelter and support where this is required.

2. DEFINITIONS

Old Age Security/Guaranteed Income Supplement (OAS/GIS): Federal payments made to eligible individuals, age 65 and over, under the provisions of the *Old Age Security Act*. These payments are intended to cover costs for food, clothing, shelter and other expenses for eligible individuals.

Persons with Disabilities Benefits (PWD): Individual payments made to persons with disabilities as determined by the Ministry of Social Development (MSD) under the provisions of the *Employment and Assistance for Persons with Disabilities Act and Regulation*. These payments are intended to cover costs for food, clothing, shelter and other expenses for eligible adults.

Residential Services: CLBC funded living arrangements including living arrangements funded via Individualised Funding or a Microboard.

Shelter and Support Payments: An individual's rent and basic living costs.

Trust: A legal relationship between three parties, the **settlor**, who sets up the trust, the **trustee**, who manages the trust and the **beneficiary**, who benefits from the assets of the trust. Some trusts (**non-discretionary**) require the trustee to make certain payments to the beneficiaries. Other trusts (**discretionary**) give the trustee discretion as to whether or not funds should be paid to a beneficiary.

3. POLICY

Individuals make shelter and support payments to the residential service provider when they receive CLBC funded residential services and the service provider also provides the housing as part of their contract for services. Arrangements where the service provider provides the housing include home sharing and staffed residential services.

Individuals, who own, lease, or rent their own homes and are responsible for their own daily living costs, are already paying for their shelter and support directly and therefore are not expected to make shelter and support payments to the service provider. Individuals pay shelter and support costs directly in live-in and outreach support arrangements.

For individuals, who are required to make shelter and support payments to the service provider, the amount of the payment is based on the individual's source of income (e.g. PWD, OAS/GIS). CLBC reviews the PWD and OAS/GIS rates annually, and as necessary, adjusts the monthly amount that individuals pay.

4. PROCEDURES

Facilitator's Role:

4.1 When planning with individuals for residential services, facilitators:

- gather information about the individual's source of income, such as PWD, OAS/GIS benefits, employment or other income,
- inform the individual of the required shelter and support payment,
- advise the individual the shelter and support payment rate changes from time to time as their income changes,
- advise individuals, who are employed, that they pay shelter and support payments using the same rate as those receiving PWD Benefits,
- advise the individual ,as needed, that the shelter and support payment will change once they receive OAS/GIS benefits,
- inform the quality service analyst, responsible for the residential services contract, of the individual's source of income, e.g. PWD, OAS/GIS ,a trust, settlement or other income.

4.2 Facilitators review the need to update planning around financial options and responsibilities, with an individual or their authorised representative:

- when their financial circumstances change significantly,
- when the individual approaches age 65,
- when the individual becomes the beneficiary of an estate or trust.

4.3 For individuals, receiving the PWD benefit, facilitators:

- advise the individual that they may arrange with MSD to have their shelter and support payment go to their service provider on their behalf ,

- advise the individual they will receive funds directly from MSD to cover personal expenses if the shelter and support payment goes to the service provider,
- advise the individual of other MSD benefits for which they may be eligible.

4.4 For individuals, eligible to receive the OAS/GIS benefit, facilitators:

- provide information ,as needed, to individuals, prior to age 65, about the benefits they will receive through the federal government OAS/GIS programs,
- provide information about the application process for these benefits.

4.5 When planning for residential services with individuals or their authorised representative, who have settlements or trusts, facilitators:

- review the provisions of any trusts, whether discretionary or non-discretionary, which may impact the individual's shelter and support payment,
- review the provisions of insurance or other settlements, which contain specific terms for disbursement of funds to cover shelter and support payments,
- confirm who manages the trust or settlement, whether the Office of the Public Guardian and Trustee or a Committee,
- advise managers of the trust or settlement, so the manager may consult with the Director, Quality Assurance, as outlined in the practice section of this policy.

Analyst's Role:

4.6 With residential service providers, analysts:

- clarify the service provider's responsibility for collecting the monthly shelter and support payment from each individual they support,
- provide notice of updated rates to the individual's service provider once the individual's residential service is ongoing,
- ensure the service provider is aware that an increased payment from an individual for shelter and support may mean a lower contract payment from CLBC, but the total amount received by the service provider remains the same,
- advise the service provider that they may address regular changes in shelter and support payments directly with the individual,
- advise service providers they must notify CLBC of significant changes in an individual's financial circumstances.

4.7 Analysts refer an individual receiving ongoing residential services to a facilitator:

- if there are significant changes in the individual's financial circumstances, such as accumulated personal income, a settlement received or depleted,
- when the individual or their authorised representative has concerns or issues around the shelter and support payments,
- if an individual is moving from a live-in or outreach support arrangement to a staffed residential or home sharing arrangement which will require the individual to make a monthly shelter and support payment to the service provider,

- before the individual turns 65.

4.8 Where the Public Trustee or a Committee is managing the financial affairs of an individual, analysts:

- inform the Public Trustee or Committee, in writing, about the requirement for shelter and support payments,
- inform the Public Trustee or Committee of their responsibility to pay shelter and support payments directly to the residential service provider.

Contract and Procurement Services Team Role:

4.9 Contract and Procurement Services Team staff reviews the PWD and OAS/GIS rates annually, and if rates increase, update the information available to CLBC staff about the monthly amount that individuals pay for shelter and support. Appendix One lists relevant rate information that is current at this policy's publication date.

5. DOCUMENTATION

5.1 Facilitators and analysts document information about the individual's shelter and support payments and associated staff actions in PARIS.

5.2 Facilitators ensure the Individual Support Plan documents the requirement for a shelter and support payment, where needed.

6. PRACTICE

6.1 Individuals, without a source of monthly income, should be encouraged to meet with an Employment Assistance Worker (EAW) at MSD to determine whether they are eligible for PWD benefits and other related financial assistance, for example, access to medical coverage, dietary/nutrition or transportation allowances, etc.

6.2 Individuals, approaching age 65, should be provided with information on OAS/GIS and federal government contacts as well as assisted to make contacts with seniors organisations where needed.

6.3 An individual's family, relatives, or friends may assist with the completion of an application for benefits or management of funds. Staff refer to the *Role of Formal and Informal Representatives Policy* for guidance.

6.4 When an individual receiving PWD becomes the beneficiary of a trust, MSD legal counsel reviews the terms of the trust and provides a legal opinion to MSD about the individual's eligibility for PWD. If MSD determines the individual remains eligible for PWD, they continue to make the usual shelter and support payment. If MSD finds the trust does provide the individual with monthly income such that they are no longer eligible for PWD, the individual may be required to make shelter and support payments based on the terms of the trust. CLBC

abides by the decisions made by MSD in these circumstances. The Director, Quality Assurance assists managers with questions.

6.5 Managers consult the Director, Quality Assurance with practice questions about this policy including trusts, estates, and sponsor's responsibilities for immigrants.

7. REFERENCES

CLBC:

Role of Formal and Informal Representatives policy

Ministry of Health:

Residential Care Rate Structure:

www.health.gov.bc.ca/hcc/rcr.html

Ministry of Social Development:

Community Living BC - Payment for Clients:

www.hsd.gov.bc.ca/factsheets/2007/CLBCClientPaymentRates.htm

Employment and Assistance for Persons with Disabilities Act and Regulation

Public Guardian and Trustee:

Financial and Personal Care Services for Adults

www.trustee.bc.ca/services/adult/personal_care_mgmt.html

Federal Government:

Canada Pension Plan and Old Age Security - Legislation

www.hrsdc.gc.ca/eng/oas-cpp/legislation/index.shtml

1. Individuals receiving Persons with Disabilities (MSD)

As of June 1, 2007 all individuals receiving PWD who reside in CLBC funded facilities receive the maximum monthly PWD rate of \$906.42. From this amount, individuals pay the service provider \$716 towards their shelter and support costs, leaving the individual with \$190 for personal expenses.

More information is available on the MSD website link in the References section above regarding PWD rates and shelter and support payments.

2. Individuals receiving OAS/GIS

CLBC uses the Ministry of Health (HLTH) rate for persons receiving OAS/GIS benefits for individuals age 65 and over receiving residential services. The monthly shelter and support rate as of April 2012 is \$932.30 per month. Individuals age 65 and over retain a minimum of \$ 325 per month from their OAS/GIS for personal expenses, in keeping with people age 65 and over in other government funded residential services.

More detailed information regarding the monthly rate for individuals age 65 and over is provided on the HLTH website.

Relevant HLTH links include:

Residential Care Rate Structure:

www.health.gov.bc.ca/hcc/rcr.html

Low Income Seniors Information - 2012

<http://www.newsroom.gov.bc.ca/2011/12/new-residential-care-rates-benefit-low-income-seniors.html>