



Policy Number: SE4.114	Policy Section: Supports and Services	Effective: July 1, 2007 Amended: August 10, 2018
Title: Individual Financial Payment Policy: Residential Services		Executive Sponsor: Vice President, 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

Committee of Person/Estate: An individual appointed by the Supreme Court of British Columbia under the Patient’s Property Act to assume responsibility for managing either or both the personal and/ or financial and legal affairs of an adult who has been found “incapable”. Committees have the right and the duty to protect the adult and/or their property and assume full decision-making responsibility on behalf of the adult.

Old Age Security/Guaranteed Income Supplement (OAS/GIS): Federal income payments made to eligible individuals, age 65 and over.

Persons with Disabilities Benefits (PWD): Individual payments made to persons with disabilities as determined by the Ministry of Social Development and Poverty Reduction (MSDPR) 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 through Individualized Funding or a Person Centred Society.

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 payment amount 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

Facilitators Responsibilities

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, and
- Inform the 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 authorized representative when:

- Their financial circumstances change significantly,
- The individual approaches age 65, and

- 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 MSDPR to have their shelter and support payment go to their service provider on their behalf
- Advise the individual they will receive funds directly from MSDPR to cover personal expenses if the shelter and support payment goes to the service provider, and
- Advise the individual of other MSDPR 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, and
- Provide information about the application process for these benefits.

4.5 When planning for residential services with individuals or their authorized 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 Public Guardian and Trustee or a Committee
- Advise managers of the trust or settlement, so the Integrated Service Manager may consult with the Director, Quality Assurance, as outlined in the practice section of this policy.

Analyst Responsibilities

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, and
- 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 authorized 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, and
- Before the individual turns 65.

4.8 Where the Public Guardian and Trustee (PGT) or a Committee is managing the financial affairs of an individual, analysts:

- Inform the PGT or Committee, in writing, about the requirement for shelter and support payments
- Inform the PGT or Committee of their responsibility to pay shelter and support payments directly to the residential service provider, and
- Revise the residential service provider's contract as needed , consistent with CLBC's arrangement with the PGT.

Contract and Procurement Services Team Responsibilities

4.9 Contract and Procurement Services Team staff reviews the PWD and OAS/GIS rates annually, and if rates change, 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.

6. PRACTICE

6.1 Individuals, without a source of monthly income, should be encouraged to meet with an Employment Assistance Worker at MSDPR 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 organizations, 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, MSDPR legal counsel reviews the terms of the trust and provides a legal opinion to MSDPR about the individual's eligibility for PWD. If MSDPR determines the individual remains eligible for PWD, they continue to make the usual shelter and support payment. If MSDPR 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 MSDPR 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

Guidance for Staff:

Role of Formal and Informal Representatives Policy

Resources for Individuals and Families

Information for Families: Residential Services Individual Financial Payments

<https://www.communitylivingbc.ca/wp-content/uploads/2018/03/Information-for-Families-and-Individuals-Individual-Financial-Payment-Policy-April-2016.pdf>

Government of British Columbia:

Home and Community Care: Care Options and Costs

<http://www2.gov.bc.ca/gov/content/health/accessing-health-care/home-community-care/care-options-and-cost/long-term-residential-care>

Ministry of Social Development and Social Innovation:

Disability Rates

<http://www.sdsi.gov.bc.ca/mhr/da.htm>

Public Guardian and Trustee:

Financial and Personal Decision Making Services

<http://www.trustee.bc.ca/services/services-to-adults/Pages/financial-management-and-personal-decision-making-services.aspx>

Federal Government:

Old Age Security /Guaranteed Income Supplement Payment Amounts

<https://www.canada.ca/en/services/benefits/publicpensions/cpp/old-age-security/payments.html>

Appendix One: PWD and OAS/GIS Rates

1. Individuals receiving Persons with Disabilities Benefits

As of June 1, 2007 all individuals receiving PWD who reside in CLBC funded residential services receive the maximum monthly PWD rate of \$1,133.42. From this amount, individuals pay the service provider \$716.13 towards their shelter and support costs, leaving the individual with \$417.29 for personal expenses. More information regarding PWD rates is available on the MSDPR website.

2. Individuals Age 65 and Over Receiving OAS/ GIS Benefits

CLBC uses the BC government rates for persons receiving OAS/GIS benefits for individuals age 65 and over receiving residential services. Contributions may change annually, consistent with other government funded residential services rates.

A. The monthly shelter and support rate for single individuals and married individuals whose spouse is not in receipt of OAS/GIS is **\$1,005.80** per month as of **April 2016**.

B. For couples who live together and are both in receipt of the GIS benefit at the married rate, their monthly shelter and support rate is calculated based on their after tax income. CLBC staff can contact the CLBC CMS Help Mailbox for advice on the appropriate rate.