



## Qualifying for Disability Benefits:

If you are applying for Canada Pension Plan Disability benefits, the most important aspect, aside from your condition, is whether or not you have made enough contributions to the Canada Pension Plan, and when you have made them. If you have not paid into this plan because you have not been working, or have not worked recently, you may not be eligible. Your advocate, or a lawyer from Legal Services, can help you understand whether or not you should apply for CPP Disability.

If you are applying for BC Disability Benefits, it can help if you have applied for and received your CPP, but not having CPP Disability will not disqualify you from getting BC Disability Benefits.

## Some of the Issues:

### The Runaround:

Getting disability even if you are really sick is not easy. Often you will need to have lots of papers and doctors appointments and interviews. When you are feeling really sick and tired, it is very frustrating to have to go to one appointment after another, all the while not knowing how you are

going to eat, let alone pay the rent.

### Hep C and Doctors:

Perhaps the single most important document you will need when making your disability claim is your doctor's letter. Unfortunately, many doctors, no matter how sympathetic they may be to your plight, do not know how to fill in the form properly. Your advocate will be able to provide you with guidelines that you can give to your doctor, to help him or her fill out the form more effectively.

Sadly, there are still many doctors out there who do not understand the nature of hepatitis C. Many continue to think that it is only a liver disease, and that, unless you are suffering from end-stage liver disease (cirrhosis, ascites, bleeding), you cannot be disabled.

Other doctors and specialists are beginning to understand that hepatitis C, while it does cause liver disease, also causes a host of other problems related to autoimmunity. In fact an article in the *American Journal of Gastroenterology* states that "up to 70% of patients with chronic hepatitis C" may suffer from autoimmune related disorders.<sup>1</sup>



It is the presence of autoimmune activity (your body fighting the hepatitis C virus) that causes the fatigue, muscle aches, confusion, bone aches, feverishness, nausea, itching and mood swings from which people with hepatitis C suffer. Often, none of this can be established by a specific blood test, although some autoimmune disorders do have special "markers" in the blood.

When the Federal Government decided to compensate certain individuals who received tainted blood between 1986 and 1990, they concluded that those under the plan with Grade 2 Liver Fibrosis (a stage of scarring in the liver) would be eligible for "loss of income" payments. In making this decision, the government may have set a precedent which could make it easier for anyone with Grade 2 Fibrosis (non-bridging Fibrosis) to qualify for long term disability benefits, which is what "loss of income" payments are.<sup>2</sup>

Those under the compensation scheme with Grade 3 Fibrosis (bridging fibrosis) or cirrhosis have been awarded even more because the government recognizes that the more heavily scarred the liver is, the more disabled the person will be.

However, in order for anyone to know to what extent your liver is scarred, you must undergo a liver bi-

opsy, which is not the most pleasant of experiences, but should be standard procedure for everyone with hepatitis C.

## Notes:

1. *American Journal of Gastroenterology*, Vol 96 number 2, 2001: 910-911.
2. *Hepatitis C : January 1, 1986-July 1, 1990 Class Actions Settlement*, p. 18.

## Locating an Advocate

### On the Net:

**Povnet** has a publication, *Your Welfare Rights*, which lists advocates in communities throughout BC. <http://povnet.web.net/weldisability.html>

### Vancouver

The **BC Coalition of People with Disabilities** has an Advocacy Access Program. They will direct you to an advocate nearest you: 1-800-663-1278.

**Enquiry BC** will help you find the Legal Aid office nearest you: 1-800-663-7867

### In Victoria

Together Against Poverty (TAPS) (250) 361-3521

Action Committee of People with Disabilities (ACPD) (250) 383-4105

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