

If you've ever asked yourself any of these questions, we can help you find the answers:

- I have hepatitis C? What do I do now?
- I feel very weak, tired, confused, and nauseous. Will I die?
- I had a biopsy, and they said I was fine. But I'm always tired and my stomach hurts. Why?
- The doctor said I need to go on treatment for my disease, what does this mean?
- I am scared, feel very alone, isolated and depressed. What can I do?
- Are there any support groups for hepatitis C?
- Someone told me I need help filling out the disability form. Do I? I'm too sick to work.
- I'm in the "Window" from 1986-1990 for those with blood transfusions. I get a pay out, don't I?
- I have worked all my life and have been paying into CPP. Now I can't work, but I have been turned down for my CPP disability twice. Where can I find help?
- I'm too tired to shop and cook, or clean my house. I need help?
- I can't work anymore, and I've been turned down for my Provincial disability. I can't pay my rent, and I'm scared. Can anyone help me?

## Hepatitis C & Disability Benefits



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## HEPATITIS C & DISABILITY: WHAT YOU NEED TO KNOW

### *Your Doctor(s):*

If you have been diagnosed with hepatitis C you should be under the care of a specialist. If you are not, ask your family doctor to recommend one. Your doctors should be your closest allies, both in your battle with hepatitis C and also in obtaining your disability benefits, should you qualify.

### *Disability Benefits:*

There are several types of Disability Benefits available to residents of BC: Canada Pension Disability Benefits; Disability Benefits from the BC Government; Worker's Compensation; and various private plans. All have very different qualifications, and procedures, which your local advocate can explain to you.

### *Advocates:*

Advocates are community workers who have a great amount of experience fighting for citizens' rights in many areas: housing, income assistance, disability benefits, and so forth. Often advocates can

be found at community organisations, such as AIDS organisations, or organisations for the disabled, such as the BC Coalition of People with Disabilities, TAPS or the ACPD. They can also be found at various Legal Services Society offices throughout the province. For help in locating an advocate nearest you, you can call the Advocacy Access Project at 1-800-663-1278, or HepCBC at (250) 361-4808.

Often people feel their case is so clear cut that they can take care of it themselves. Big Mistake! Unfortunately, the decision to award disability is not based on how you feel, or even on how you look, but on very special criteria that each disability plan has established. Unless you meet these criteria, you will not get your disability—no matter how deserving you may feel that you are.

Arguing your own case is exhausting. If you are ill, this is the last thing you need. Advocates know the ropes and they are there to help you.



## 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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