

Minister
of Veterans Affairs



Ministre
des Anciens Combattants

Ottawa, Canada K1A 0P4

MAR 25 2009

Mr. Gordon Marsh
Dominion President
The Army, Navy and Air Force Veterans in Canada
2 - 6 Beechwood Avenue
Vanier, Ontario
K1L 8B4

Dear Mr. Marsh:

I have reviewed the resolutions that were passed at your Association's 49th Biennial Dominion Convention, and I am pleased to provide my responses in the enclosed annex.

Let me assure you that I greatly appreciate being informed of your membership's priorities and that I look forward to working with you on these and other issues of mutual interest.

Should you have questions or comments on any of my responses, please do not hesitate to contact my office at (613) 996-4649.

Yours sincerely,

The Honourable Greg Thompson, P.C., M.P.

Enclosure

Canada

**2008 DOMINION CONVENTION RESOLUTION
ANAVETS**

NUMBER 4

FINANCIAL FAIRNESS FOR VETERANS

WHEREAS Canadian Forces personnel are under the employment of the Government of Canada;

WHEREAS CF Personnel must follow orders and do things throughout the world when called upon by the government;

WHEREAS much of the work done by the CF both in training and operations is physically and/or mentally demanding, and in some cases our military members are hurt both physically and/or mentally while on duty;

WHEREAS frequently injured personnel may not be able to return to work, or find an occupation with full employment or with the wages and benefits of a non injured person;

WHEREAS CF personnel should not be penalized financially as a result of injuries that occurred while working for their country; and

WHEREAS frequently the injured CF member's spouse and/or family has to give up careers or work to help care for the injured Veteran:

THEREFORE BE IT RESOLVED that the government of Canada, in its remuneration to injured military personnel, provide full financial compensation which will leave the injured person with the financial support that he/she would have had should the injury not have happened. This would include appropriate increases reflecting anticipated career progression, and incentives; and

BE IT FURTHER RESOLVED that the loss spousal income as a result of having to care for the injured Veteran, be remunerated as well.

RESPONSE:

Veterans Affairs Canada (VAC) recognizes those who have a service-related or career-ending disability should be compensated for the economic impact that this has on their earning capacity.

Since its inception in 2006, the New Veterans Charter (NVC) has provided Canadian Forces (CF) members and Veterans with various financial benefits. In some cases, spouses, survivors, and dependent children may receive the benefits.

The current New Veterans Charter (NVC) Financial Benefits program includes Earnings Loss Benefit to provide income replacement; Canadian Forces Income Support Benefit to provide income support; Supplementary Retirement Benefit to recognize the lost opportunity to contribute to a retirement plan; and Permanent Impairment Allowance to recognize the effects a severe disability can have on employment and career advancement.

VAC also recognizes the economic and emotional impact of caring for a Veteran with a disability on spouses, family members, and other primary caregivers. The Department offers programs and services to both directly and indirectly support a Veteran's family. This includes support for the cost of caregivers through the Veterans Independence Program (VIP) if their need relates to a pensioned disability; vocational and job placement assistance for spouses if the Veteran is not able to participate; and, if needed, payment of child care expenses for clients receiving rehabilitation or vocational assistance.

As part of the "Living Charter" commitment, the Department is in the process of analyzing perceived gaps and exploring potential solutions. As part of this, VAC has requested that the New Veterans Charter Advisory Group (NVCAG) prepare a report to identify gaps in NVC benefits and services. The NVCAG has established three committees to review services and benefits that support families as well as those related to economic need, and rehabilitation. It is expected this report will be submitted to VAC in Spring 2009. In the interim, VAC will continue to look for ways to enhance support for Veterans and their families within its existing authorities.

NUMBER 5

ALLIED VETERANS-REINSTATEMENT OF VIP

WHEREAS the government of Canada terminated Veterans Independence Program (VIP) support for Allied Veterans in 1995;

WHEREAS allied Veterans fought in the same war as our veterans and have the same needs as our "Canadian" Veterans;

WHEREAS many of these allied Veterans were from Newfoundland, and fought for Britain during the war;

WHEREAS allied Veterans who qualify are entitled to Long Term Care through VAC; and

WHEREAS these military personnel deserve the honour dignity and fairness that the provision of VIP services provides, and providing this benefit slows down the necessity of moving allied Veterans into the more expensive Long Term Care facilities:

THEREFORE BE IT RESOLVED that Allied Veterans receive the same benefits under this program as do our own Veterans.

RESPONSE:

In September 2008, as part of the Conservative campaign, Prime Minister Stephen Harper stated his Government would "restore Veterans Allowances for Veterans living in Canada for more than 10 years who fought for Commonwealth or Allied Forces during World War II or the Korean War." The Department is exploring ways to meet this commitment and provide similar support to other Veterans considered the most vulnerable and in the greatest need of health care services.

For those who were residents in Canada prior to World War II, VAC continues to provide benefits and services. Since 2003, the Department has helped these Allied Veterans by providing them access to long-term care. If adequate care cannot be provided in their community facility, the Veteran can receive care in one of the Department's contract facilities across the country. These Veterans can also receive treatment benefits while in a community or contract facility. Currently, VAC is helping more than 500 Allied Veterans receive long-term care. We acknowledge that Korean Veterans are not currently eligible.

VAC continues to work on this issue and is steadfast in its commitment to ensure Veterans receive health care support to best meets their needs throughout their life.

RESOLUTION 6
DOMINION COMMAND
DISABILITY PENSION SPOUSE ON DEATH OF VETERAN
(Revised June 2009)

WHEREAS when a Veteran on disability pension dies, the spouse's pension will be either 75% of the maximum disability of pension of a single person, (if the Veteran was receiving a disability pension of 48% or higher; and 50% of the pension that the Veteran was actually receiving (Married rate) for those rated at between 5% and 47%; and

WHEREAS the costs of running a home are not cut in half when the CF member dies for example; the cost of a phone, heating, cable television etc will remain the same. Further, in some respects the work done by the now deceased spouse, such as home and car maintenance, grounds keeping etc, will now have to be paid for; and

WHEREAS the surviving spouse was not been able to embark on a working career due to the frequent moves and long absence of their spouse while on training or operations, and therefore does not have a meaningful salary or pension themselves and must therefore rely on the spouses pension; and

WHEREAS the surviving spouse should expect to live with dignity after the death of his/her mate:

THEREFORE BE IT RESOLVED that VAC be approached to raise the survivor's pension for those rated at between 5% and 47%, from the present 50% of the married rate being received, to 70% of the married rate.

RESPONSE:

Under the *Pension Act*, when a disability pensioner dies, the survivor may receive, for a period of one year, the same pension and/or Prisoner of War compensation amount (including Attendance Allowance and Exceptional Incapacity Allowance, if applicable) being paid to the pensioner at the time of death.

After one year, a survivor will automatically receive, for life, a survivor's pension. There are two types of survivor's pensions under the *Pension Act*, dependent upon the benefits in place at the time of the Veteran's death:

- Proportionate Survivor's Pension: This pension is paid to the survivors of Veteran pensioners whose pensions were paid at a rate between 5 and 47 percent at the time of their death. The rate paid to the survivor is equal to 50 percent of the actual disability pension that was being paid at the married rate to the pensioner at the time of his or her death. At each assessment level, 50 percent of the actual married rate is equivalent to 62 percent of the single pensioner rate for the same assessment level.

For example, if the Veteran was pensioned at 45% and in receipt of \$1,306.20/month, the survivor would receive half of that rate, or \$653.10/month.

Survivors in receipt of proportionate survivor pensions can apply for an increase in pension if there is medical evidence to support that the pensioner's disability should have been assessed at a higher level at the time of death. If a posthumous increase in assessment results in a total disability assessment of 48 percent or greater, the survivor will be eligible for a full survivor's pension.

- Full Survivor's Pension: If a pensioner was receiving a pension paid at a rate of 48 percent or greater, the survivor is entitled to a full survivor's pension. The rate at which this pension is payable is equal to 75 percent of the pension that would be paid to a single pensioner at the 100 percent rate. This rate is not affected by the actual assessment of the late pensioner's disability. Any assessment of 48 percent or more would provide the maximum survivor's benefit.

The monthly amount of a full survivor pension is payable at \$1,741.61 according to 2009 rates. This amount represents 75% of \$2,322.14/month payable to a single pensioner at 100% single rate.

Survivors may also be eligible for other Veterans Affairs Canada (VAC) benefits. For example:

- Low-income survivors of War Veterans may be entitled to an allowance under the War Veterans Allowance program; and
- Survivors may continue to receive the Veterans Independence Program (VIP) housekeeping and grounds maintenance benefits in place at the time of the Veterans death or admission to a health care facility. In addition, in the case of low-income or disabled War Veterans who were not in receipt of VIP housekeeping or grounds maintenance services at the time of death or admission to a health care facility, their survivors may still qualify for these VIP services if they themselves have a low-income or are disabled.

A change to survivors' benefits, as recommended by this resolution, would require legislative changes that would need to be based on a thorough analysis. While VAC is not contemplating these changes at this time, the Department will continue to monitor the policies and programs that apply to Veterans, their dependents and survivors to ensure they are being treated fairly and that benefits meet their needs in the best way possible.

NUMBER 7

EARNINGS LOSS UNDER NEW VETERANS CHARTER (NVC) (as amended by convention)

WHEREAS under the NVC, earnings loss is a percentage of either the members rate of pay at the time of release, or that of a senior Private;

WHEREAS this calculation fails to consider the growth of expenses in a family as the family matures, for example cost of educating children, owning a home etc.;

WHEREAS a military person who has suffered an injury should not personally be financially hurt for serving his or her country; and

WHEREAS in the civilian sector, most settlements take into consideration a calculated evolution of pay, promotion and incentives that one would expect if the person's career were to continue without the injury:

THEREFORE BE IT RESOLVED that the injured person's earnings loss should be based on an appropriate progression of pay and incentives that the member would have otherwise received if it had not been for the accident; and

BE IT FURTHER RESOLVED that the base salary be increased to that of a Corporal.

RESPONSE:

Veterans Affairs Canada (VAC) recognizes that Canadian Forces (CF) members or Veterans who have a disability resulting from their service or that ended their military career should be compensated for the impact this has on their earning capacity.

Since its inception in 2006, the New Veterans Charter (NVC) has provided Canadian Forces (CF) members and Veterans with various financial benefits. The current NVC Financial Benefits program includes Earnings Loss Benefit to provide income replacement; Canadian Forces Income Support Benefit to provide income support; Supplementary Retirement Benefit to recognize the lost opportunity to contribute to a retirement plan; and Permanent Impairment Allowance to recognize the effects a severe disability can have on employment and career advancement.

The EL benefit is distinct financial compensation to recognize the impact of a service-related or career-ending disability. It is not considered a "settlement". The intent is to reduce the need for Veterans to substitute disability pensions for employment income. It is also in place, in some cases, to provide long-term financial compensation to

a surviving spouse or common-law partner and dependent children in the event of a service-related death of a Veteran or CF member. It is indexed annually to help with the increases in the cost of living. This benefit can continue until age 65 if the individual is determined to be totally and permanently incapacitated, and not capable of returning to suitable gainful employment in spite of rehabilitation efforts.

In keeping with the "Living Charter" commitment, VAC is in the process of analyzing perceived gaps in programs under the NVC and exploring potential solutions to ensure client needs are being addressed as they were intended. This includes considering how EL is structured, particularly as it relates to those who are seriously injured early in their military careers while still at lower rank and salary levels.

VAC has also requested that the New Veterans Charter Advisory Group (NVCAG) prepare a report to identify gaps in NVC benefits and services. The NVCAG, including a representative from The Royal Canadian Legion, has established three committees to review items related to economic need, rehabilitation and family support. It is expected this report will be submitted to VAC in Spring 2009. Subject to this report's findings, amendments may be considered as part of discussions around the "Living Charter."

VAC looks forward to receiving the NVCAG report and will then consider next steps. In the interim, VAC will continue to review its programs to ensure that existing authorities are maximized.

NUMBER 8

VIP BENEFITS FOR ALL VETERANS IN NEED

WHEREAS the riggers of military training, and operations take their toll on military personnel; and

WHEREAS as our Veterans age, they require help to maintain their property, and to be able to stay in their home where they can maintain their friends, acquaintances, and local surroundings and the relating memories; and

WHEREAS to qualify for VP services, the Veteran must be in receipt of a veterans pension and to obtain a Veterans Pension will require application, reviews, possibly additional applications etc which is expensive and time consuming for all; and

WHEREAS in a recent VAC study relating, the conclusions found in the document entitled "Keeping the Promise" that there is a positive influence on health when Veterans can remain at home and with their care giver; and

WHEREAS if Veterans are unable to stay at home (which is the least costly alternative), then they are forced to move into more costly and less enjoyable alternatives; and

WHEREAS if a Veteran must move, then this relocation may not include consideration for his/her spouse as well:

THEREFORE BE IT RESOLVED that VIP be made available to all aging Veterans who require it; and

BE IT FURTHER RESOLVED that should the Veteran pre-decease his/her spouse, then the spouse should continue to receive these same benefits if they are needed.

RESPONSE:

Veterans Affairs Canada (VAC) has the legislative authority to provide health care to Veterans who have a disability as a result their military service or who have a low income.

Once a Veteran has met this entitlement, the Department can then provide services and benefits based on the needs of the Veteran. In keeping with this needs-based approach, VAC is examining current authorities to identify opportunities for even greater flexibility to best meet the needs of Veterans throughout the different stages of their life. Based on this, VAC will consider how to best update certain policies to ensure Veterans and their

families are provided access to the most appropriate level of care possible within existing authorities.

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As a result of the 2008 Veterans Independence Program (VIP) expansion, survivors of income qualified civilians, income qualified Veterans, ~~Veteran pensioners or civilian pensioners~~ who did not receive VIP services at the time of their death, are now eligible to receive VIP housekeeping and grounds maintenance services where the survivor meets the eligibility criteria.

This expansion builds upon prior changes to ensure survivors continue to receive VIP benefits after the death of the Veteran. Veterans' organizations have indicated VIP housekeeping and grounds maintenance services would help surviving spouses to remain independent in their home. To date, more than 2,000 survivors have been approved under this expansion.

VAC is exploring, through the New Veterans Charter Advisory Group (NVCAG), potential gaps that exist for families under the NVC. Depending on the Committee's recommendations, VAC may consider options to better support families. The Department expects to receive the NVCAG report in Spring 2009.

NUMBER 9

SPOUSAL VIP BENEFITS

WHEREAS Spouses of Veterans have, due to frequent military moves, and in many cases having to fend for themselves when their military partner is away on training and operations, and therefore been unable to sustain a career thereby losing out on increased rates of pay, pension plans etc.; and

WHEREAS spouses provide assistance to their disabled Veteran, and by doing so again reduce their ability to maintain a separate career path. Furthermore, this time spent in care giving often results in burn out due to the added demands of this responsibility:

THEREFORE BE IT RESOLVED that the Spouse of a Veteran be included in Integrated Health benefits and VIP as required.

RESPONSE:

The primary clients of Veterans Affairs Canada (VAC) are Veterans. Survivors receive benefits such as access to housekeeping and grounds maintenance under the Veterans Independence Program as a result of the Veteran's entitlement.

Spouses have access to benefits and services provided by their provinces of residence. Currently, there is no legal authority for VAC to extend medical and long-term care services to those other than eligible Veterans.

However, as part of the "Living Charter" commitment, the Department is in the process of analyzing perceived gaps in programs under the New Veterans Charter (NVC) and exploring potential solutions. As part of this, VAC has requested that the New Veterans Charter Advisory Group (NVCAG) prepare a report to identify gaps in NVC benefits and services. The NVCAG has established three committees to review services and benefits that support families as well as those related to economic need, and rehabilitation. It is expected this report will be submitted to VAC in Spring 2009. In the interim, VAC will continue to look for ways to enhance support for Veterans and their families within its existing authorities.

NUMBER 10

VETERANS INDEPENDENCE PROGRAM (VIP) - APPLICATION TO OTHER FORMS OF HABITATION

WHEREAS the VIP program was meant to allow the Veteran to remain at home in a caring environment benefiting from a known neighbourhood with friends and acquaintances; and

WHEREAS the incremental cost of VIP which has so many benefits for the Veteran, and enables the Veteran to remain more independent, and outside the more costly alternatives of accommodation leading up to hospitalization and full supervision; and

WHEREAS a Veteran who lives in a condominium or Co-operative (co-op) type of accommodation does not qualify for VIP even though, he pays for snow removal, and grass cuffing through a portion of his/her condominium or coop fees:

THEREFORE BE IT RESOLVED that Veterans living in Condominiums or co-op arrangements, not be discriminated against, and that the portion of the Condominium fees that are used for grounds keeping be paid for under the VIP program.

RESPONSE:

Veterans Affairs Canada (VAC) is committed to provide a program and policy framework that ensures Veterans are able to live with dignity and independence in their own homes and communities for as long as possible.

As part of this commitment for a strong continuum of care, the program management of the Veterans Independence Program and Residential Care are now under one directorate, the Continuing Care Directorate. This will allow for the development of a more integrated approach to support the shifting needs of Veterans as they age.

VAC is currently examining its authorities and policies to provide appropriate levels of benefits and services to better accommodate Veterans who live in a variety of settings. This includes those who have moved from their traditional home into more supportive types of settings.