

# DENIED BY DESIGN

How Inadequate Regulation Impacts Benefit Access for People with Developmental Disabilities



## What is the Persons with Developmental Disabilities (PDD) Program?

A benefit program to help adults with disabilities to plan, coordinate and access services so they may live as independently as possible in their communities.

## Supports & Services

- Home Living Supports
- Respite Care
- Community Access Supports
- Education & Employment Supports
- Mental Health & Behavioural Supports



## Case Example

### What Happened

- Young man with autism spectrum disorder aged out of the benefit program for younger children.
- Denied PDD benefits on the basis his IQ was too high.
- Mother and psychologist argued the score was an overestimation.
- The Appeal Panel found the IQ score to be inaccurate but had no recourse to act due to flaws in the legislation.

### What We Did

- Opened a full investigation into the complaint.
- Identified three findings of unfair treatment.
- Recommended the PDD program work towards amending the Regulation to align with current psychological standards for assessing intellectual capacity, no later than September 2024.
- Recommended the PDD program reconsider the young man's application for benefits.



Evan's mental health and difficulty finding a job are made worse by a lack of support and services. This makes it even harder for him to start his adult life on strong footing, and as a parent, I'm really worried about how he'll cope without government services, especially when I'm no longer around to support him.

- Evan's Mother



## Why This Matters

**The current Regulation unfairly affects a vulnerable population and those that care for them.**

Sometimes, fairness requires that legislation be adapted to ensure every Albertan's needs are met and they have access to a fair process. Updating the Regulation would help prevent future applicants from falling through the cracks and being left without the support they need.



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