



Government
of Canada

Gouvernement
du Canada

Veterans
Ombud

Ombud
des vétérans

Spotlight: Progress Update on OVO Recommendations to VAC

December 2023



*Veterans
Ombud
des vétérans*

Canada 

Veterans
Ombud
des vétérans



Telephone (toll-free):
1-877-330-4343



Email:
info@ombudsman-veterans.gc.ca



Fax (toll-free):
1-888-566-7582



TTY (toll-free):
1-833-902-9399

Spotlight: Progress Update on OVO Recommendations to VAC

Overview

For the past six years, the Office of the Veterans Ombud (OVO) has been tracking the progress made by VAC in implementing the recommendations we have made since our Office was established in 2007. These recommendations serve to shine a light on systemic fairness issues that have a significant impact on our Canadian Armed Forces (CAF) and Royal Canadian Mounted Police (RCMP) serving and former members, Veterans and their families. Each recommendation made to the Minister of Veterans Affairs is meant to fix a systemic unfairness or inequity that we have found. In spotlighting recommendations not implemented by VAC, we are asking for action.

By the numbers

Over the past 16 years we have completed 22 systemic reviews, resulting in 102 recommendations. While 23 of these recommendations are no longer tracked, we continue to track the remaining 79. As of March 31, 2023, VAC has fully or partially implemented 55, or 70% of the recommendations we continue to track. Beyond just the raw numbers, however, we now include whether VAC accepts each recommendation.

Progress in 2022-2023

Peer Support for Veterans who have Experienced Military Sexual Trauma: In 2021 we made a recommendation to provide peer support for Veterans who have experienced Military Sexual Trauma. Since then, VAC and DND/CAF have launched their online discussion forum [Togetherall](#). We thank them for their action in addressing this urgent need.

Adjudication of Sexual Dysfunction Claims Consequential to an Entitled Psychiatric Condition: This 2022 report identified a sex-based bias in how some disability claims were being decided. VAC has recently added new medical codes to the Disease Classification Manual to allow for more accurate categorization of sexual dysfunction, thereby partially fulfilling one of our recommendations. Considering Parliament's recent focus on women Veterans as evidenced in the ongoing study by the Parliamentary Standing Committee on Veterans Affairs (ACVA), we would ask VAC to continue its progress on this and the other outstanding recommendations from our 2022 report. These recommendations comprise concrete actions VAC can take to advance the equitable access by women Veterans to programs and benefits.

Disability Pension Reductions due to Merlo Davidson Settlement Compensation: VAC has partially implemented one of our recommendations about the issue of disability pension reductions for the women Veterans of the RCMP who are also Merlo Davidson settlement claimants. We remain deeply concerned that there may be RCMP women Veterans who are hesitant to approach VAC for help they need because of the widespread perception of "clawback." We urge VAC to implement lessons learned from Merlo Davidson and continue to refine its approach to reductions.



Outstanding Recommendations

We acknowledge that legislative or regulatory amendments are necessary to implement a number of our outstanding recommendations, and that this takes both time and commitment from Government. However, we continue to hear, loudly, from Veterans and their families about a number of fairness issues that have informed the following recommendations which have not yet been fully implemented:

Provide equitable access to timely decisions regardless of the applicant's gender and language

Meeting Expectations: Timely and Transparent Decisions for Canada's Ill and Injured Veterans – September 12, 2018

Wait times for disability benefits are the number one complaint our office receives.

We first reported on this issue in 2018 and, following the Auditor General's 2022 report, we re-examined wait times. We published an update in September 2022, in which we found that VAC was still far from meeting their 16-week service standard for disability claim decisions.

Subsequently, we were informed that as of March 31, 2023, the inequity in wait times for female applicants has been resolved and wait times for francophone applicants are improving. We are encouraged by VAC's ongoing efforts to rectify inequities in access to disability benefits while reducing the backlog and overall wait times.

Ensure that family members, including former spouses, survivors, and dependent children, have access to federal Government funded mental health treatment in their own right when the mental health illness is related to conditions of military service experienced by the family member, independent of the Veteran's treatment plan and regardless of whether the Veteran is engaging in treatment

Mental Health Treatment Benefits for Family Members, in their Own Right, for Conditions related to Military Service - January 19, 2021

Military service has a unique impact on the mental health and well-being of both Veterans and their family members. During our outreach visits across Canada, we hear countless heart-breaking stories of family members who desperately need mental health support in their own right.

We acknowledge that VAC has many mental health supports available to various family members under a range of circumstances, but unless the Veteran is engaging in treatment, mental health supports for family are limited. While there have been efforts made to be flexible within the bounds of existing legislation, these limited supports and short-term "per issue" counselling do not meet the needs of those whose mental health is negatively impacted by their Veteran's service.

Recommendations related to Gender-Based Analysis Plus:

Peer Support for Veterans who have Experienced Military Sexual Trauma – June 2, 2021 ***Mental Health Treatment Benefits for Family Members, in their Own Right, for Conditions related to Military Service – January 19, 2021***

We recommended that VAC conduct and publish their Gender-Based Plus Analyses for the establishment or monitoring of programs.

Gender-Based Analysis Plus is not just about gender. It also requires analysis of how other social factors such as race, ethnicity or marital status may be linked with such things as access to benefits. Specifically, we note that these outstanding recommendations to conduct and publish Gender-Based Analysis Plus offer an opportunity for VAC to analyze the needs of Indigenous Veterans and their families, and how these are being met by the



Department. Analysis that considers the intersectionality of an increasingly diverse population is essential to ensuring VAC programs and benefits are equitable and responsive to the needs of all Veterans and their families.

2022-2023 Implementation Progress Summary

The following table provides a summary of the progress made on our recommendations since we first began tracking this information in 2017. Some of these are no longer tracked and the percentage of fully or partially implemented is based only on those recommendations that are still valid.

2022-2023 Progress Summary Chart

| Year | Recommendations made since 2007 | No Longer Tracked | Still Valid | Implemented by VAC | Progress |
|------|---------------------------------|-------------------|-------------|--------------------|----------|
| 2017 | 57 | 0 | 57 | 37 | 65% |
| 2018 | 74 | 10 | 64 | 46 | 72% |
| 2019 | 81 | 18 | 63 | 50 | 79% |
| 2021 | 93 | 17 | 76 | 52 | 68% |
| 2022 | 95 | 20 | 75 | 52 | 69% |
| 2023 | 102 | 23 | 79 | 55 | 70% |

Implementation Status

For each recommendation, OVO applies one of the three following categories to describe the implementation status as of the last fiscal year.¹ The OVO arrives at these statuses independently, using both public information and information provided by VAC on the steps they have taken to address the recommendations.

Implemented: VAC has fully addressed the unfairness that the recommendation is intended to resolve, including through alternative mechanisms.

Partially Implemented: VAC has implemented and finalized certain steps to address the unfairness that the recommendation is intended to resolve, including through alternative mechanisms, such that the unfairness has been resolved in part.

Not Implemented: VAC has not implemented and finalized any steps to address the unfairness that the recommendation is intended to resolve, and the unfairness remains.

¹ The fourth category, No Longer Tracked, describes recommendations that the OVO has decided to cease tracking because they have been overtaken by events or are otherwise no longer relevant (for example, program changes have made them obsolete).



Progress Assessment Chart

| Year | Report | Recommendation | Does VAC Accept? | 2023 Status |
|------|---|---|------------------|--|
| 2022 | Disability Pension Reductions due to Merlo Davidson Settlement Compensation | 1. That VAC immediately cease disability pension reductions for Merlo Davidson Levels 1 and 2 claimants and issue corrective payments to the women from whom pension amounts have been clawed back. | Partially agree | Partially Implemented  |
| | | 2. That VAC publish its methodology for determining whether and in what amount Merlo Davidson compensation comprises compensation for a pensioned disability under the <i>Pension Act</i> , and barring same, immediately cease disability pension reductions for Merlo Davidson claimants at Levels 3 to 6 and issue corrective payments to the women from whom pension amounts have been clawed back. | Partially agree | Not Implemented  |
| 2022 | Adjudication of Sexual Dysfunction Consequential to a Psychiatric Condition | 1. Eliminate the sex-based bias in the VAC adjudication of sexual dysfunction claims consequential to a psychiatric condition. One way would be to use the same approach to decision-making for both male and female claims. | Yes | Not Implemented  |
| | | 2. Update the PEN 68e Medical Questionnaire to equitably capture sexual dysfunctions affecting all clients. | Yes | Not Implemented  |
| | | 3. Update the Table of Disabilities to include impairment ratings for all sexual dysfunctions listed in contemporary diagnostic manuals to standardize the adjudication process for all clients. | Yes | Not Implemented  |
| | | 4. Provide clearer guidance for adjudicating female sexual dysfunction claims consequential to a psychiatric condition by defining decreased libido in the psychiatric Entitlement Eligibility Guidelines. | Yes | Not Implemented  |
| | | 5. Refine the granularity of the data collection system in order to fully capture the nature of sexual dysfunction claims, including for decreased libido, in the diverse VAC client population. | Yes | Partially Implemented  |



| | | | | |
|------|---|--|-----|--|
| 2022 | Additional Monthly Amount | 1. That the Minister correct the financial unfairness between the two benefits at the crossover point. Increasing the Additional Monthly Amount payment to the same rate as the Pain and Suffering Compensation payment for Veterans who live beyond their crossover point would be one way of achieving this. | No | Not Implemented  |
| 2021 | Peer Support for Veterans who have Experienced Military Sexual Trauma | 1. Provide a funded peer support program that meets the needs of Veterans who have experienced MST. | Yes | Partially Implemented  |
| | | 2. Publish the Gender-Based Analysis Plus for the establishment of a funded peer support program for Veterans who have experienced MST. | Yes | Not Implemented  |
| | | 3. Establish a performance measurement system and report annually on all peer support program outcomes to ensure that the needs of Veterans and their families are addressed. | Yes | Not Implemented  |
| 2021 | Mental Health Treatment Benefits for Family Members, in their Own Right, for the Conditions Related to Military Service | 1. Considering the unique impact of military service on the mental health and well-being of both Veterans and their family members as a result of frequent postings, long and multiple absences, and the inherent risk of military service resulting in illness, injury or death, the Government ensure that family members, including former spouses, survivors and dependent children, have access to federal Government funded mental health treatment in their own right when the mental health illness is related to conditions of military service experienced by the family member, independent of the Veteran's treatment plan and regardless of whether the Veteran is engaging in treatment. | Yes | Not Implemented  |
| | | 2. That VAC conduct and publish a Gender Based Analysis+ of the accessibility to mental health treatment benefits and services to family members, including spouses, former spouses, survivors and dependent children, to determine if there are barriers which make it difficult for certain groups to access the care they need. | Yes | Not Implemented  |



| | | | | |
|------|---|---|-----------------|--|
| | | 3. VAC continue to demonstrate flexibility to address the urgent mental health needs of family members. Further, we encourage VAC to explore expanding and obtaining additional financial authorities to minimize the significant financial costs of obtaining mental health treatment for family members that some Veterans and their families experience. This may include expanding access to treatment sessions for some family members. | Partially Agree | Partially Implemented  |
| 2020 | Financial Compensation for Canadian Veterans: A Comparative Analysis of Benefit Regimes | 1. Clearly identify the financial outcomes Canada seeks to provide for ill and injured Veterans. | No | Not Implemented  |
| | | 2. Harmonize existing financial compensation frameworks to meet identified financial outcomes. | No | Not Implemented  |
| | | 3. Pending identification of financial compensation outcomes and to avoid further inequity, ensure that no Veteran with a Diminished Earning Capacity designation who submits their application under Pension for Life is financially disadvantaged compared to those who submitted their application under the Veterans Well-being Act prior to April 1, 2019. | No | Not Implemented  |
| | | 4. Compensate Veterans for lost career progression as though the Veteran had served a full military career. | No | Not Implemented  |
| 2020 | Supplementary Retirement Benefit Payout | 1. Review the SRB eligibility start date of all dual CAF-LTD and VAC Veterans released prior to 1 October 2016 and deemed TPI/DEC. Veterans released after this date are assumed to be in receipt of ELB because of the VAC outreach connected to the implementation of the 90% top up of CAF-LTD benefits; 2. If a Veteran's SRB eligibility start date is later than the payment commencement date for CAF-LTD, use the latter date as the eligibility start date for calculation of the SRB payout (going back as early as 1 April 2006); 3. From a fairness perspective, and to achieve equitable outcomes, it is | No | Not Implemented  |



| | | | | |
|------|--|--|-----------------|--|
| | | recommended that the Minister of Veterans Affairs and VAC recalculate the SRB payable based on the adjusted eligibility date and pay the corrected amount to eligible Veterans. | | |
| 2020 | Income Replacement Benefit Calculation for Reserve Force Veterans | <p>1. Amend the Veterans Well-being Regulations to ensure that Income Replacement Benefits are fairly calculated for Veterans releasing from any class of Reserve Force service.</p> <p>The OVO suggests the following change to the wording of paragraph 18(1)(b) of the Veterans Well-being regulations (and other relevant sections):</p> <p>For a Veteran whose final release is from the Reserve Force, select the greater of:</p> <ul style="list-style-type: none"> the Veteran’s monthly military salary at the time of release; the Veteran’s monthly military salary at the time of release from the class of service wherein the event that resulted in the health problem leading to the release occurred; or the set minimum salary. | Yes | Partially Implemented  |
| | | 2. Rectify unintentional systemic bias by applying a Reservist lens in policy development. | | Implemented  |
| 2018 | Meeting Expectations: Timely and Transparent Decisions for Canada’s Ill and Injured Veterans | 1. Provide equitable access to timely decisions regardless of factors such as the applicant’s gender and language. | Yes | Partially Implemented  |
| | | 2. Standardize Service Standard Start Dates to improve transparency and equity and facilitate accurate performance reporting. | Yes | Partially Implemented  |
| | | 3. Triage applications upon receipt based on health and financial need. | Partially Agree | Partially Implemented  |
| | | 4. Reimburse all Veterans’ health care expenses for approved claimed conditions 90 days prior to their date of application. | | Implemented  |



| | | | | |
|------|--|---|-----------------|--|
| | | 5. When a Veteran dies with a disability benefit application in progress, continue to process the application and permit payment to the estate if the decision is favourable. | No | Not Implemented  |
| | | 6. Provide each applicant with an individualized, expected turnaround time for their application, and inform them if the decision will be delayed and why. | Partially agree | Not Implemented  |
| | | 7. Provide clients with a checklist of all required documents on the application form and, upon receipt, immediately return applications if required documents are missing. | Yes | Partially Implemented  |
| 2017 | Continuum of Care: A Journey from Home to Long Term Care | 1. Follow-up contact with Veterans Independence Program recipients should be made on at least an annual basis and more frequently for those at higher risk (with in-home assessments when necessary) to ensure timely and accurate identification of changing needs as Veterans age. | Partially Agree | Partially Implemented  |
| | | 2. Eliminate the inconsistency in Veterans Independence Program eligibility for housekeeping and grounds maintenance for survivors and spouses so that they may all have access to the services they need, regardless of what the Veteran received or did not receive prior to their death or involuntary separation. | Partially Agree | Not Implemented  |
| | | 3. Adjust the eligibility criteria of the Caregiver Recognition Benefit to provide easier access to compensation for caregivers when service-related conditions inhibit a Veteran's ability to perform Instrumental Activities of Daily Living and childcare. | No | Not Implemented  |
| | | 4. Introduce additional financial support that can be used to subsidize assisted living options for Veterans whose needs do not require Long Term Care, but who cannot stay in their own homes. | Partially Agree | Not Implemented  |
| | | 5. Merge the Veterans Independence Program and Long Term Care program into one "Continuum of Care" program such that access is determined once, and criteria are transparent, understandable, | Partially Agree | Not Implemented  |



| | | | | |
|------|--|--|-----|--|
| | | and based on the physical and mental health needs of the Veteran. | | |
| | | 6. Reduce the complexity of 28 different eligibility groups, currently using service type, such that access to continuum of care support is based on the physical and mental health needs of Veterans. | Yes | Not Implemented  |
| | | 7. Develop and publicly communicate a strategy to ensure that the continuum of care needs of all Veterans are being met within the current context of the Canadian Health Care system. | | No Longer Tracked  |
| 2017 | Improving the New Veterans Charter The Actuarial Analysis – Follow up Report | 1. That the Minister of Veterans Affairs, by 1 April 2019, consolidate financial benefits to reduce complexity and better address the financial needs of Veterans and survivors. | | No Longer Tracked  |
| | | 2. That VAC assess the level of financial support it provides to Veterans who are not TPI to ensure that their financial needs are being met and publish the results of that assessment by 1 April 2018. | | No Longer Tracked  |
| | | 3. That VAC assess the level of financial support it provides to survivors to ensure that their lifelong financial needs are being met and publish the results of that assessment by 1 April 2018. | | No Longer Tracked  |
| | | 4. That VAC review when financial benefits are being delivered to Veterans and their survivors to ensure that their financial needs are being met and publish by 1 April 2018 the benchmarks used to measure that financial support. | | No Longer Tracked  |
| 2016 | Veterans' Families: Caring for those who care | 1. Provide mental health treatment benefits to family members in their own right. | | No Longer Tracked  |
| | | 2. Establish a caregiver benefit for families providing care to ill and injured Veterans. | | No Longer Tracked  |
| 2016 | Joint Transition Project: Closing the Seam | 1. Apply once for all benefits. | Yes | Partially Implemented  |



| | | | | |
|------|--|--|-----------------|--|
| | | 2. Reduce CF Pension payment delay. | | Implemented  |
| | | 3. Ensure that all VAC benefits in place at time of release. | Partially agree | Partially Implemented  |
| | | 4. Provide Members/Veterans/Families with a navigator throughout the transition process. | Partially agree | Partially Implemented  |
| 2016 | Fair Compensation to Veterans and their Survivors for Pain and Suffering | 1. That the Minister of Veterans Affairs provide compensation to Veterans and their survivors under the NVC to recognize for the non-economic effects of exceptional incapacity. | | Implemented  |
| | | 2. That Veterans Affairs Canada develop new eligibility criteria for the non-economic benefit that compensates for exceptional incapacity (i.e. criteria that are not based on a specific minimum disability percentage). | | Implemented  |
| | | 3. That the Minister of Veterans Affairs amend NVC legislation and regulations to permit a single CAF member with no dependent children to designate a family member to apply for and receive the Death Benefit. | No | Not Implemented  |
| 2014 | Supporting Severely Impaired Veterans: A Report on the New Veterans Charter Permanent Impairment Allowance and Permanent Impairment Allowance Supplement | 1. That the Minister of Veterans Affairs amends section 40 of the <i>Canadian Forces Members and Veterans Re-establishment and Compensation Regulations</i> to include, “other permanent and severe injury or illness that affect employment and career progression opportunities” in the definition of a permanent and severe impairment. | | Implemented  |
| | | 2. That the Minister and the Department of Veterans Affairs amend relevant Permanent Impairment Allowance regulations and policy to include specific loss of earning capacity criteria to ensure alignment between the determination of the extent of impairment and the objective of the allowance. | | Implemented  |
| | | 3. That the Minister and the Department of Veterans Affairs amend the Permanent | | Implemented |



| | | | | |
|------|--|--|--|--|
| | | Impairment Allowance policy and the relevant regulations so that the assignment of grade levels is based on specific criteria (including the number of working years affected) that characterize the impact of a permanent and severe impairment on loss of employment and career progression opportunities. | |  |
| | | 4. That the Minister of Veterans Affairs amends legislation to provide the Permanent Impairment Allowance and the Supplement to a survivor at the full rate for a period of one year following the death of the Veteran, if the Veteran was in receipt of the benefits at the time of death. | | No Longer Tracked  |
| 2013 | Investing in Veterans' Vocational Training | 1. It is recommended that the Department of Veterans Affairs develop appropriate program measurements to effectively monitor Veterans' progression and success in completing their Individual Vocational Rehabilitation Plan, including subsequent employment. | | No Longer Tracked  |
| | | 2. It is recommended that the Minister of Veterans Affairs amend the <i>Canadian Forces Members and Veterans Re-establishment and Compensation Regulations</i> to ensure that all costs associated with post-secondary education are paid. | | Implemented  |
| | | 3. It is recommended that the Department of Veterans Affairs Canada amend its policies relating to vocational rehabilitation and assistance to ensure that the <i>Canadian Forces Members and Veterans Re-establishment and Compensation Regulations</i> are liberally interpreted with regard to the cost and duration of an Individual Vocational Rehabilitation Plan. | | Implemented  |
| | | 4. It is recommended that the Department of Veterans Affairs Canada amend its policies relating to vocational rehabilitation and assistance to ensure that the <i>Canadian Forces Members and Veterans Re-establishment and Compensation Regulations</i> are liberally interpreted to allow more flexibility for Veterans to acquire new skills and higher | | Implemented  |



| | | | | |
|------|--|--|--|--|
| | | education while also taking into consideration the Veteran's aptitude and motivation in the development of an Individual Vocational Rehabilitation Plan. | | |
| 2013 | Improving the New Veterans Charter: The Report | <i>Financial Support – Economic Benefits</i> 1. Providing additional financial support after age 65 to eligible totally and permanently incapacitated Veterans to ensure that their monthly benefits are no less than 70 percent of their indexed pre-release salary. | | Implemented  |
| | | 2. Increasing the Earnings Loss Benefit to 90 percent of pre-release salary. | | Implemented  |
| | | 3. Providing the same Earnings Loss Benefit to former part-time Reserve Force members whose injury or illness is related to service. | | Implemented  |
| | | 4. Calculating the annual cost of living adjustment to the Earnings Loss Benefit based on actual annual increases in the cost of living as measured by the Consumer Price Index. | | Implemented  |
| | | 5. Providing the Permanent Impairment Allowance and Permanent Impairment Allowance Supplement benefits to all totally and permanently incapacitated Veterans who are in receipt of a Disability Award and an approved rehabilitation plan for the condition that is causing the total and permanent incapacity. | | No Longer Tracked  |
| | | <i>Financial Support – Non-Economic Benefits</i> 6. As a first step, increasing the maximum amount of the Disability Award to the maximum judicial cap for non-pecuniary damages awarded by Canadian courts. | | Implemented  |
| | | 7. Conducting a comprehensive review, including consultations with Veterans' stakeholders, to determine what the appropriate maximum amount should be to fairly compensate Canadian Armed Forces members and Veterans for pain and suffering resulting from an injury or illness in service to Canada. | | No Longer Tracked  |
| | | 8. Reviewing the adequacy of the \$500 provided for financial counselling. | | Implemented  |



| | | | |
|--|--|----|--|
| | <i>Vocational Rehabilitation and Assistance Support</i> | | No Longer Tracked  |
| | 9. Instructing the Department to develop appropriate program measurements to effectively monitor Veterans' progression and success in completing their Individual Vocational Rehabilitation Plan, including subsequent employment. | | No Longer Tracked  |
| | 10. Amending the <i>Canadian Forces Members and Veterans Re-establishment and Compensation Regulations</i> to ensure that all costs associated with post-secondary education are paid. | | No Longer Tracked  |
| | 11. Instructing the Department to amend its policies relating to vocational rehabilitation and assistance to ensure that the <i>Canadian Forces Members and Veterans Re-establishment and Compensation Regulations</i> are liberally interpreted with regard to the cost and duration of an Individual Vocational Rehabilitation Plan. | | No Longer Tracked  |
| | 12. Instructing the Department to amend its policies relating to vocational rehabilitation and assistance to ensure that the <i>Canadian Forces Members and Veterans Re-establishment and Compensation Regulations</i> are liberally interpreted to allow more flexibility for Veterans to acquire new skills and higher education while also taking into consideration the Veteran's aptitude and motivation in the development of an Individual Vocational Rehabilitation Plan. | | No Longer Tracked  |
| | 13. Increasing partnership opportunities to better help Veterans obtain good paying civilian jobs, in collaboration with the Minister of National Defence. | | Implemented  |
| | 14. Undertaking an independent review of the dual SISIP Financial Services and Veterans Affairs Canada income support and vocational rehabilitation programs to determine whether the current construct is effective, in collaboration with the Minister of National Defence. | No | Not Implemented  |
| | <i>Family Support</i> | | Implemented  |



| | | | | |
|------|---|---|--|--|
| | | 15. Providing proper counselling, information, communications and outreach to families. | | |
| | | 16. Extending access by families to Military Family Resource Centre programs after the medical release of the Canadian Forces member, in collaboration with the Minister of National Defence. | | Implemented  |
| | | 17. Harmonizing Canadian Forces and Veterans Affairs Canada financial assistance provided to families. | | No Longer Tracked  |
| | | 18. Developing a caregiver compensation program to compensate the spouse or family member who acts as the primary caregiver to a seriously disabled Veteran. | | Implemented  |
| | | 19. Providing the same access to the Treasury Board Pensioner Dental Service Plan to Veterans and their families as that provided to them by Veterans Affairs Canada under the Public Service Health Care Plan. | | No Longer Tracked  |
| | | 20. Eliminating the time limit for surviving spouses to apply for vocational rehabilitation and assistance services. | | Implemented  |
| 2012 | Veterans' Right to Fair Adjudication: Analysis of Federal Courts decisions pertaining to the Veterans Review and Appeal Board | 1. That the Veterans Review and Appeal Board report to Parliament on its performance using the <i>percentage of Federal Court judgments that uphold Board decisions</i> as an indicator of fairness in the redress process, and on remedial measures to attain the 100 percent target. | | Implemented  |
| | | 2. That the Veterans Review and Appeal Board, Veterans Affairs Canada, and the Bureau of Pensions Advocates establish a formal mechanism to review each Federal Court decision rendered in favour of the Veteran or other applicant, for the purpose of remedial action to procedures and adjudication practices. | | No Longer Tracked  |
| | | 3. That the Veterans Review and Appeal Board provide reasons for its decisions that clearly demonstrate that its obligation to liberally construe the legislation has been met, as well as its obligations under Section 39 of the <i>Veterans Review and Appeal Board Act</i> to draw every | | Implemented  |



| | | | | |
|------|--|--|--|--|
| | | reasonable inference in favour of applicants, to accept credible uncontradicted evidence, and to give applicants the benefit of evidentiary presumptions (benefit of the doubt). | | |
| | | 4. That the Minister of Veterans Affairs ensure that the Veterans Review and Appeal Board is sufficiently resourced so that the Board may publish all of its decisions on its Web site and all Federal Court judgments pertaining to Board decisions. | | Implemented  |
| | | 5. For the Minister of Veterans Affairs to mandate the Bureau of Pensions Advocates to represent applicants on judicial review of decisions of the Veterans Review and Appeal Board in the Federal Court. | | No Longer Tracked  |
| | | 6. For the Veterans Review and Appeal Board and the Bureau of Pensions Advocates to review their processes and service standards for the priority treatment of cases returned by the Federal Courts for rehearing. | | Implemented  |
| | | 7. For the Minister of Veterans Affairs to put forward the necessary legislative and regulatory amendments to allow Veterans to be compensated retroactively to date of application under the <i>Pension Act</i> and the <i>Canadian Forces Members and Veterans Re-establishment and Compensation Act</i> . | | Implemented  |
| 2012 | Honouring and Connecting with Canada's Veterans: a National Veterans Identification Card | 1. That the Minister of Veterans Affairs, in consultation with the Minister of National Defence and the Minister of Public Safety, amend the current definition of a <i>veteran</i> for commemoration purposes to include former members of the RCMP. | | No Longer Tracked  |
| | | 2. That Veterans Affairs Canada broadly publicize and make prominent on its Web site and in appropriate publications the definition of a <i>veteran</i> for commemorative purposes. | | Implemented  |
| | | 3. That the Minister of Veterans Affairs, in consultation with the Minister of National Defence and the Minister of Public Safety, pursue, as a priority, the development of a <i>National Veterans Identification Card</i> that | | No Longer Tracked  |



| | | | | |
|------|---|--|--|--|
| | | meets the standards for a government-issued identity document. | | |
| | | 4. That Veterans Affairs Canada, in consultation with the Canadian Forces and the RCMP, pursue a strategy for the issuance of a <i>National Veterans Identification Card</i> to Veterans and releasing members of the Canadian Forces and the RCMP. | | Implemented  |
| 2012 | Veterans' Right to Disclosure - A Matter of Procedural Fairness | 1. That Veterans Affairs Canada modify the current procedure to retrieve service and health records by providing applicants with a copy of the records and all other information that will be considered by adjudicators in making decisions on disability benefit applications, along with a notice advising applicants of the importance of reviewing the information and notifying the Department of any errors or omissions. | | No Longer Tracked  |
| | | 2. That Veterans Affairs Canada clarify how service and health records required to process disability benefit applications will be obtained and by whom; and that this be included in a policy available to applicants. | | Implemented  |
| | | 3. That Veterans Affairs Canada more clearly inform applicants of its intent to retrieve service and health records upon receipt of the application, and the types of records that will be retrieved, and notify applicants that, notwithstanding the actions deemed to be authorized by the consent form, applicants remain responsible for the accuracy of the information. | | Implemented  |
| | | 4. That service and health records recovered by Veterans Affairs Canada in support of disability benefit applications be sent directly to disability adjudicators intact and without input by employees who do not have the delegated authority to render decisions on applications. | | No Longer Tracked  |
| 2011 | Veterans' Right to Know Reasons for | 1. For Veterans Affairs Canada to improve the mechanisms by which disability benefit assessment letters are generated to make sure essential information is captured for inclusion in letters. This | | Implemented  |



| | | | | |
|------|--|--|-----------------|--|
| | Decisions: A Matter of Procedural Fairness | information should be presented in a form that is understandable and is in relation to the decision made. An explanation of how this information has been used to arrive at the decision is required. The Department should also ensure that a notice of the right to appeal is contained in every disability benefit decision letter. | | |
| | | 2. For reasons for decisions to be written in plain language. Any legal, medical, or administrative terms used should be explained. A separate brochure or other companion piece would serve this purpose and could be included with decision letters. | | Implemented  |
| | | 3. For procedure manuals and training modules to be examined to ensure that adjudicators are aware of the minimum information to be provided in letters and what is needed to substantiate the reasons for their decisions. | | Implemented  |
| | | 4. For quality assurance procedures to be put in place to ensure decision letters fully comply with standards for adequacy of reasons for decisions. | | Implemented  |
| 2009 | Serve with Honour Depart with Dignity: An Administrative Review of the Funeral and Burial Assistance Program for Veterans Affairs Canada | 1. That the ceiling for Veterans funeral and burial expenses be raised to reflect industry standards and that an indexing formula be introduced to ensure that the rates keep up with the economic increases. | Partially Agree | Partially Implemented  |
| | | 2. That the administration of funeral and burial benefits be simplified by using a discretionary lump sum approach for reimbursable expenses rather than the present itemized approach. | | Implemented  |
| | | 3. That Veterans Affairs Canada extend the Funeral and Burial Program to all Veterans. | | Implemented  |
| | | 4. That eligibility related to the Funeral and Burial Program be extended to include Veterans who suffer from multiple pensioned conditions where the total aggregate suffering and weakening of their body may contribute to the cause of death. | | Implemented  |



| | | | | |
|--|--|---|--|--|
| | | 5. That the estate exemption (surviving spouse) for the means test be increased and aligned with present-day income and cost levels. | | Implemented  |
| | | 6. That Veterans Affairs Canada engage in a proactive multi-faceted communications campaign to raise awareness of the Funeral and Burial Program. | | Implemented  |
| | | 7. That Veterans Affairs Canada be more flexible and allow for extraordinary circumstances to be considered when the established timeframe is exceeded. | | Implemented  |

