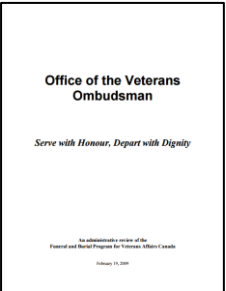







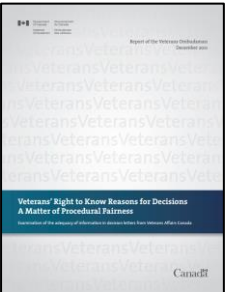






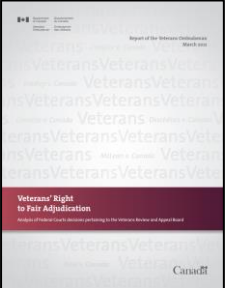







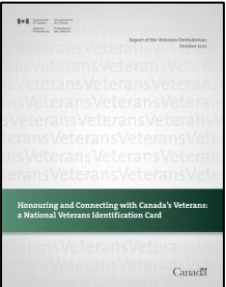




# Status of Veterans Ombudsman Recommendations – 2009 to 2016\*

\*Current as of February 27, 2017.

Report	Recommendation	Status
 <p>Office of the Veterans Ombudsman Serve with Honour, Depart with Dignity</p> <p>An independently created office of the Federal and Provincial Governments, Ottawa, Ontario, Canada February 11, 2009</p>	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.	 <b>Partially Implemented</b>
	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.	 <b>Implemented</b>
	3. That Veterans Affairs Canada extend the Funeral and Burial Program to all Veterans.	 <b>Implemented</b>
	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.	 <b>Not Implemented</b>
	5. That the estate exemption (surviving spouse) for the means test be increased and aligned with present-day income and cost levels.	 <b>Implemented</b>
	6. That Veterans Affairs Canada engage in a proactive multi-faceted communications campaign to raise awareness of the Funeral and Burial Program.	 <b>Implemented</b>
	7. That Veterans Affairs Canada be more flexible and allow for extraordinary circumstances to be considered when the established timeframe is exceeded.	 <b>Not Implemented</b>
 <p>Veterans' Right to Know Reasons for Decisions A Matter of Procedural Fairness</p> <p>Canada</p>	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 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.	 <b>Partially Implemented</b>
	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.	 <b>Partially Implemented</b>
	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.	 <b>Implemented</b>
	4. For quality assurance procedures to be put in place to ensure decision letters fully comply with standards for adequacy of reasons for decisions.	 <b>Partially Implemented</b>

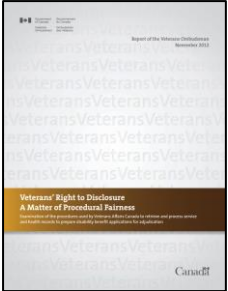
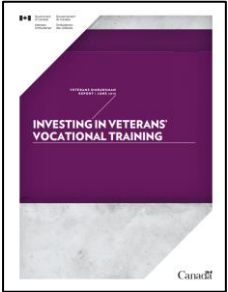



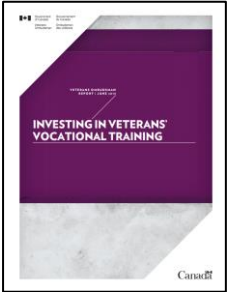




# Status of Veterans Ombudsman Recommendations – 2009 to 2016\*

\*Current as of February 27, 2017.

Report	Recommendation	Status
	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.	 <b>Implemented</b>
	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.	 <b>Partially Implemented</b>
	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 reasonable inference in favour of applicants, to accept credible uncontradicted evidence, and to give applicants the benefit of evidentiary presumptions (benefit of the doubt).	 <b>Implemented</b>
	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.	 <b>Implemented</b>
	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.	 <b>Not Implemented</b>
	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.	 <b>Implemented</b>
	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> .	 <b>Not Implemented</b>
	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.	 <b>Not Implemented</b>
	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.	 <b>Implemented</b>
	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 meets the standards for a government-issued identity document.	 <b>Partially Implemented</b>
	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.	 <b>Not Implemented</b>











# Status of Veterans Ombudsman Recommendations – 2009 to 2016\*

\*Current as of February 27, 2017.

Report	Recommendation	Status
	<p>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.</p>	<p> Not Implemented</p>
	<p>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.</p>	<p> Implemented</p>
	<p>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.</p>	<p> Implemented</p>
	<p>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.</p>	<p> Not Implemented</p>
	<p>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.</p>	<p> Partially Implemented</p>
	<p>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.</p>	<p> Implemented</p>
	<p>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.</p>	<p> Implemented</p>
	<p>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 education while also taking into consideration the Veteran's aptitude and motivation in the development of an Individual Vocational Rehabilitation Plan.</p>	<p> Implemented</p>











# Status of Veterans Ombudsman Recommendations – 2009 to 2016\*

\*Current as of February 27, 2017.

Report	Recommendation	Status
	<b>Financial Support – Economic Benefits</b> 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.	 Partially 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.	 Partially Implemented
	<b>Financial Support – Non Economic Benefits</b> 1. 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.	To be Implemented April 1, 2017
	2. 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.	OVO completed a review – 3 new recomm. below
	3. Reviewing the adequacy of the \$500 provided for financial counselling.	 Not Implemented
	<b>Vocational Rehabilitation and Assistance Support</b> 1. 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.	 Partially Implemented
	2. 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.	 Implemented
	3. 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.	 Implemented






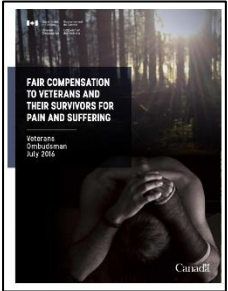



# Status of Veterans Ombudsman Recommendations – 2009 to 2016\*

\*Current as of February 27, 2017.

Report	Recommendation	Status
	4. Instructing the Department to amend its policies relating to vocational rehabilitation and assistance to ensure that the <b>Canadian Forces Members and Veterans Re-establishment and Compensation Regulations</b> 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.	 <b>Implemented</b>
	5. Increasing partnership opportunities to better help Veterans obtain good paying civilian jobs, in collaboration with the Minister of National Defence.	 <b>Partially Implemented</b>
	6. 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.	 <b>Not Implemented</b>
	<b>Family Support</b> 1. Providing proper counselling, information, communications and outreach to families.	 <b>Partially Implemented</b>
	2. 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.	 <b>Partially Implemented</b>
	3. Harmonizing Canadian Forces and Veterans Affairs Canada financial assistance provided to families.	 <b>Not Implemented</b>
	4. Developing a caregiver compensation program to compensate the spouse or family member who acts as the primary caregiver to a seriously disabled Veteran.	 <b>Not Implemented</b>
	5. 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.	 <b>Not Implemented</b>
	6. Eliminating the time limit for surviving spouses to apply for vocational rehabilitation and assistance services.	 <b>Not Implemented</b>

# Status of Veterans Ombudsman Recommendations – 2009 to 2016\*

\*Current as of February 27, 2017.

Report	Recommendation	Status
	<p>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.</p>	<p style="text-align: center;">   <b>Implemented</b> </p>
	<p>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.</p>	<p style="text-align: center;">   <b>Not Implemented</b> </p>
	<p>3. That the Minister and the Department of Veterans Affairs amend the Permanent 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.</p>	<p style="text-align: center;">   <b>Not Implemented</b> </p>
	<p>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.</p>	<p style="text-align: center;">   <b>Not Implemented</b> </p>
	<p>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.</p>	<p style="text-align: center;">   <b>Not Implemented</b> </p>
	<p>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).</p>	<p style="text-align: center;">   <b>Not Implemented</b> </p>
	<p>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.</p>	<p style="text-align: center;">   <b>Not Implemented</b> </p>