# Establishing the Existence of a Disability

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This policy replaces the following VPPM 5 policy - Establishment of a Disability - Article 45(1). This policy replaces the following PPM policy: Establishment of a Disability - Article 21 (1&2).

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## Purpose

The purpose of this policy is to provide general guidance on determining that a disability exists; specifically, the requirement for a medical diagnosis and who must provide a diagnosis.

## Policy

### General

1. An important part of the adjudication of a disability benefit claim is determining whether an injury or disease has resulted in a disability.
2. The definition of “disability” is found in subsection 3(1) of the *Pension Act* and subsection 2(1) of the *Veterans Well-being Act* .
3. In general, to determine that a disability exists, the Department requires medical evidence that establishes a diagnosis of a medical condition. As part of this diagnosis, the medical evidence should demonstrate that the medical condition is symptomatic and generally expected to persist.
4. A diagnosis may be provided by:
    a. a qualified medical practitioner, i.e. a medical doctor who is licensed by a provincial medical college to practice in the provincial jurisdiction; or
    b. other regulated health care professionals who are duly authorized under federal or provincial statute to diagnose medical conditions in their area of expertise and are registered in good standing with a professional body which governs the licensing and accreditation of their particular profession, i.e. registered psychologists and clinical audiologists.
        i. A diagnosis provided by regulated health care professionals, other than registered psychologists and clinical audiologists may be considered on a case by case basis.
5. Diagnostic requirements relating to specific medical conditions can be found in other departmental documents, including the Entitlement Eligibility Guidelines and the Hearing Loss and Tinnitus policy.

# References

*Pension Act* , subsections 3(1), 21(1), and 21(2)

*Veterans Well-being Act*, subsection 2(1); section 45

Hearing Loss and Tinnitus

Entitlement Eligibility Guidelines