

What happens if my application to CPP Disability Benefits is denied?

If your benefits are denied you will be advised in writing. You will have 90 days from the date you receive the denial letter to appeal the decision.

It is important to read through the letter to determine the reason you have been denied and to confirm you have a valid reason to appeal (check with an expert if you are not sure).

Common reasons for being denied include:

- Insufficient contributions
- Your medical condition is not considered severe or prolonged
- That you still have treatment options available to you, or
- CPPD argue that you are capable of working at some type of gainful occupation.

Asking for a Reconsideration

If it is within the 90 day time frame then you can appeal your case by writing a letter addressed to the Service Canada office listed on your denial letter. You need to state that you disagree with the decision and would like to have a reconsideration appeal. There is a 120 day service standard on adjudication of your reconsideration. It is important to understand why you have been denied and what you need to obtain in order to establish you are disabled. It is not up to CPPD to prove that you cannot work, so ensure that you have submitted your best effort to establish that you meet the requirements. Remember CPPD is a complex program and if you are in doubt, speak to a professional.

A different CPPD adjudicator will assess your request for reconsideration. Be prepared to be called by a CPPD adjudicator and understand how disability is defined.

What if my Reconsideration appeal is approved?

You will receive notification in writing that your benefits have been granted. You will then receive a Notice of Entitlement that will explain your monthly benefit amount.

What if your Reconsideration appeal was denied?

If your reconsideration is denied, you will again be informed in writing. You will notice at the end of that letter that if you do not agree with the decision that you must appeal your decision to the Social Security Tribunal. Again, you have 90 days to do so.

How do I appeal my case to the Social Security Tribunal?

Within 90 days from your denial you will need to submit a Notice of Appeal form found on the Service Canada website to the Social Security Tribunal. You will then receive a notice of hearing form indicating when your hearing to the SST will be held.

We highly recommend you seek out specialized advice at this level of the appeal process.

Fortis Advocacy Partners can assist you through the process and advocate for you at all levels of appeal. Please contact us today to determine how Fortis Advocacy Partners MDP LLP can help at 1-844-352-6221 or e-mail us at info@fortisap.ca.