

Disabled: Feds say yes, but 10,000 Ontarians denied full benefits by the province



Splash . . .

Time to cool off! Summer ends in a matter of weeks, with kids due back in the classroom by September 2, but in the meantime, the best way to handle life is to enjoy the warm outdoors. The youngster above was spotted at Balm Beach pudding around in a natural pool. Staff photo

Hurononia Happenings

So far, the provincial election called for September 18 has been as lively as a beach on a rainy day, but all three major parties are slowly gearing up for the first summer campaign since 1943. That was the year current Liberal Leader Robert Nixon's father Harry lost to the Conservative's George Drew, beginning 32 years of Tory rule in the province.

Tomorrow in Midland, sitting Simcoe-East MPP Gord Smith will be renominated at a meeting in Midland at the Oddfellow's Hall. The Tories appear to be sharp as even for the campaign. In the July, 1974 federal election, Midland voted Liberal by a slight plurality. With all three Simcoe-East candidates from Orillia, holding the nomination meeting in Midland is a typically sound bit of politics.

Creemore bingo

Tomorrow marks the monster bingo at Creemore with \$1,800 up for grabs in cash prizes. It gets underway at 8 p.m. at the village's arena.

Barrie Fair starts

The annual Barrie Fair gets underway today, August 20, and runs through to Sunday, with a host of events scheduled ranging from a track and field meet to a fashion show, harness racing tonight, Friday and Saturday at 7:30 p.m., and a performance by the Rhythm Pals from the Tommy Hunter Show.

Conklin Shows, as usual, will have rides for the kids.

Orillia Industrial Week

This is Industrial Week in Orillia, with firms and their employees trying to familiarize the public with the range of manufactured goods produced in that city. A number of plant tours have been lined up, along with a huge picnic and a special Trade Exhibition this Friday and Saturday, August 22 and 23.

Women's mobile

An International Women's Year Mobile Information and Resource Unit will be presenting an information session, involving discussions and films, at the Creemore Town Hall on Wednesday, Aug. 27 at 8 p.m. All are welcome.

Ontario Premier William Davis will be on the campaign trail in the Georgian Bay area at the end of this month. He is scheduled to appear at a sailing regatta at the town of Meaford Aug. 29, and also at a ribbon-cutting ceremony just outside the town where a county road was recently re-constructed with provincial subsidy funds. Meaford is in the riding of Grey, which has been represented since 1967 by Eric Winkler, chairman of the government's management board of cabinet.

Quote of the week

Even when laws have been written down, they ought not always to remain unaltered.

Aristotle

TERRY PENN by John Beaulieu



by Jim Park
Elly Jensen is tough. In the 22 years since she came to Canada from her native Denmark, she has faced desertion by her husband, raised two sons, been certified as a registered nursing assistant, suffered two broken wrists through falls and been crippled by chronic arthritis that threatens to put her in a wheelchair.

At 58, after 16 years working at St. Andrew's Hospital in Midland, she is in constant pain, both mobile parts of her spine severely deformed by her arthritic condition.

For one hour, three times each day, she lies in bed in traction, to relieve the pressure and pain caused by deteriorating discs in her neck.

For the ruptured discs in the lumbar (lower) region of her back, there is no relief except that provided by pain pills - many not covered by the provincial government's drug plan.

She is under doctor's orders not to bathe herself alone, not to wash her hair, do housework or go shopping downtown.

Crippling pain

But she does all those things - usually winding up in bed for the next one to three days with crippling pain - because she wants to be self-sufficient, does not want to be a burden on society or her one son who still lives in Midland.

When Elly Jensen's husband, a mason she had married in Denmark, walked out years ago, she had two choices - take some form of government assistance to raise her sons, or go to work.

She chose to work for the princely sum of \$105 per month at the hospital, less than she would have received had she stayed home, and over the years upgraded her qualifications and income by becoming an RNA.

"Seventeen years ago, I could have gone on welfare," she said in an interview last week, "but I prefer to earn my own living. I could have cost the government money all those years, but I never have."

Her husband, now believed to be in British Columbia, stopped paying support despite a separation agreement, she lost the family's house through lack of funds, and her arthritis worsened.

Hardly slept

When working, she said, after she was up and around for the day, "I was fine . . . but I hardly ever slept all those years. Maybe for 20 minutes or a half hour, then I'd be up walking the floor for 20 minutes" in pain.

But she raised her sons and supported herself. John, now 30, is a wire editor with the Vancouver Province. Morgan, 23, is the bar manager at the recently renovated Midtown Motel in Midland.

Morgan lived with his mother until last spring, and said last week that "we always had everything in the home that we needed."

When he can, Morgan helps out with shopping, heavy cleaning, arranging furniture and laying carpet he bought himself for the new senior citizen's apartment his mother now occupies after a two year wait.

But, he said, she still tries to do too much of that work herself, "and of course ends up in bed for three or four days at a time" afterwards.

So Elly Jensen is disabled. In 1972, doctors at St. Andrew's told her to stop work before she had to be confined to a wheelchair.

No cure possible

In the winter of 1973, Dr. Ron Tasker, a senior neurosurgeon at the Toronto General Hospital, told her after an extensive examination that there was nothing current medical science could do for her lower back region, and he could only offer symptomatic relief from the pain caused by the arthritis in her neck. Thus the traction each day for three hours.

An operation would be pointless, he told her, and there is no cure for arthritis -

researchers still don't know what causes it. Her condition could only worsen, barring some miracle cure for a crippling disease that in her case first reared its head when she was 28 years old.

It developed shortly after she, like most women in her country, were forced to spend years making mud bricks for the Germans who occupied Denmark during World War II.

Under Canadian law, Elly Jensen is disabled and eligible for benefits through the Canada Pension Plan. In August of 1973, she received her first payment of \$755.34, an allotment retroactive to December 1972. Her regular monthly payment totaled \$82.46.

But she, like roughly 100,000 other Ontario residents, also is eligible for provincial benefits. She has no income, no savings, and no property or investments. Her money over the years went for survival for herself and her family.

'Brutal' regulations

Now, against her wishes and inclination, she is forced to fall back on society for support. And that is where she has run up against a bureaucracy at Queen's Park that has a confusing and curiously brutal set of regulations that govern the amount of money she receives each month.

The Progressive Conservative government of Ontario, in its wisdom, has developed two classifications for people with disabilities, and Elly Jensen, along with an estimated 10,000 others, is caught in the web of bureaucratic definitions that neither she nor her doctor understand.

What she does know, is that it means a difference of \$76.08 per month in income. And she knows that the decision on whether or not she gets that money is made by highly paid experts in Toronto.

Murray Keam, director general of the Canada Pension Plan, said in a telephone interview from Ottawa that "we are only interested here in whether a person is disabled within our act . . . we don't get into technicalities . . . about whether a person is permanently unemployable or permanently disabled." For benefits, he said, a person's disability "must be severe and prolonged."

"Severe" is translated in simple language to as meaning that "it precludes you from doing very much." "Prolonged" means that the condition is ongoing and/or chronic. Keam noted, for example, that someone with two broken legs would not likely be eligible for benefits.

Broken legs heal. Chronic arthritic conditions do not.

In Ontario, the definitions are more complex. William G. Smith, director of provincial benefits with the Ministry of Community and Social Services, said in an interview that those definitions are under review and that there are problems drawing the "lines of demarcation."

Two definitions

But basically, unlike Ottawa, Ontario has decided that there are two kinds of disabled people - the "permanently disabled" and "permanently unemployable."

Elly Jensen is classified as "permanently unemployable," and therefore receives \$168.92 total income - \$105.49 from the federal government, and \$63.43 from the province. Because of what Queen's Park says was an overpayment made by Ontario, \$5 per month is deducted from her cheque to "recover" \$67.92.

She provided this newspaper with her file of correspondence with Queen's Park, and for virtually every month since she began receiving benefits, there has been a similar \$5 deduction for some form of overpayment.

If she were classified as "permanently disabled" by the province, her income, according to Smith, would be \$240 per month. That would still leave her below the poverty line established by the Economic Council of Canada.

To be permanently disabled, Smith said a person must be suffering "a major physical or mental impairment that is

likely to continue for a prolonged period of time, and who, as a result thereof, is severely limited in actions pertaining to normal living as verified by objective medical findings accepted by the medical advisory board (of the ministry)."

"Most of these cases," said Smith, "would require some assistance bathing, eating, getting out of bed . . ."

To be permanently unemployable, a person is known as "unable to engage in remunerative employment for a prolonged period of time, as verified by objective medical findings accepted by the medical advisory board."

Fine line to draw

It's a fine line to draw - some say a fictitious and stupid one - and according to Simcoe-East MPP Gord Smith, he and others have raised the matter in the government caucus at Queen's Park, and have been promised a thorough review by the ministry.

Last spring, Elly Jensen appealed her classification in the hopes of increasing her income. The ministry's social assistance review board, headed by a Mr. M. Borczak, turned her down. His letter ended with the following notation:

"Further medical evidence was subsequently submitted on her behalf and was reviewed by our Medical Advisory Board who again expressed the opinion that Mrs. Jensen is considered to be a permanently unemployable person but is not disabled within the meaning of the Family Benefits Act and Regulations.

"Mrs. Jensen is therefore not eligible for a Family Benefits allowance as extended by the Ontario Guaranteed Annual Income System as she is not considered to be a disabled person and she is receiving the amount of the allowance to which she is entitled."

Roaring mad

Elly Jensen is not an emotional or a hostile woman, but that decision, she said, left her "roaring mad" and after much discussion with her family she consented to an interview and this newspaper article.

Her mood has not been improved over the years by the fact that every time Health and Welfare Canada increases her Canada Pension Plan benefits, the Ontario government deducts the exact amount from its payments.

Brian Iverson, acting deputy minister at Health and Welfare, admitted that there have been problems co-ordinating increases in benefits between the federal and provincial levels of government.

He said his department, headed by the Honourable Marc Lalonde, has been in favour of "a system of rational escalation" in payments.

But regulations - and budget allotments - in each province vary, and Iverson says "the sheer fact of the matter is that there is not complete harmonization" between Ottawa and the provinces.

Technically, her condition is known as cervical spondylosis of the C-5 to C-6 and C-6 to C-7 vertebrae of the neck, and spinal stenosis of the L-3 to L-4 and L-4 to L-5 lumbar vertebrae in the lower back. She has osteo arthritis of the spine.

Severely disabled

The lawyer's terms, that means she limps, falls if her legs give out, and is in constant pain. Her condition will not improve.

Dr. Heinz Kiefer, her Midland physician of many years, said Saturday that she is "severely disabled, and (her condition) is progressive."

But he called her "a lady with great determination and desire to look after herself as long as she's able to do it," adding that "I've known that lady for 10 years, and she's been pulling her own weight as long as she could. She's not trying to put something over on anybody."

He said that in his reports to the ministry, he had classified her as permanently unemployable because he believed that to be the more severe



She's 'a tough lady'

At 58, Elly Jensen is facing a tough battle against arthritis that has affected the lumbar region of her back, as well as her neck, making it impossible for her to work, and extremely painful to do even routine housework. Yet because of Ontario regulations interpreted by civil servants in the Progressive Conservative government of Premier William Davis, the former registered nursing assistant is classified as permanently unemployable, as opposed

to permanently disabled - despite medical opinions from her own doctor and a senior neurosurgeon at the Toronto General Hospital. As a result, Mrs. Jensen loses \$76.08 per month in income, leaving her with just over \$160 to pay her rent, food and personal expenses. An estimated 10,000 Ontario residents are in a similar situation, according to the director of provincial benefits for the Ministry of Community and Social Services.

classification.

"I classified her as that," he said, "but I don't understand what the distinction is. She is physically disabled, and therefore permanently unemployable."

He added that "to me, (a person who is permanently unemployable can only be so) due to a physical or mental disability," and he claimed the province's forms he must fill out are unclear and he did not know that the distinction would make any financial difference to Mrs. Jensen.

"I would certainly," he said, "next time classify that woman as permanently disabled, because that's what she is."

And he noted that someone who, for example, had lost two legs, could be employable from a wheelchair, where Mrs. Jensen is not.

Bureaucratic jungle

In short, Elly Jensen is caught in a bureaucratic jungle she has not been able to escape, as are thousands of others in the "progressive" province of Ontario.

The decisions on her fate are made in Toronto, by men likely making \$15-25,000 salaries, while she lives on an income that

leaves barely enough for food and medication.

But as noted above, she's a tough lady, with a high tolerance for pain, and who says she won't be ready for a nursing home until she's "70 or 75" years old. "I'd just go downhill if I got into a home now."

Calm bitterness

And she would, of course, cost the government much more money if she did go into a home, rather than fighting to maintain her subsidized apartment on - Midland's King Street, as she is now doing.

"They keep talking," she said, "about a guaranteed income for people with disabilities and pensioners - especially at election time - but some people get it and some people don't."

And as she sits in her immaculately clean apartment, hair done at an unknown cost in pain, a reporter looks at the clear face and smile-pain lines around her eyes, listens to her laugh and talk gently with a calm bitterness, and the strains of Ontarian dance through his head.

This is, after all, an election summer.

column

Yank gets comeuppance on Quebec bus tour



by Shirley Whittington

There are those who scoff at sight-seeing tours. I do not. Lacking a sense of direction, this near-sighted lady prefers to tour an unfamiliar town by bus before setting out on footloose adventures.

So it was that I found myself on a bus in Quebec City, in the shadow of the Chateau

Frontenac, waiting for the driver to start conducting me through history.

My fellow passengers were package tour tourists - the Seven-Days-in-Beautiful-Historic-Quebec-City variety. You can spot them every time, because they look clean and tidy, and the men do not have that cross-eyed look that comes from dodging traffic in a strange town while the wife sits in the front seat complaining about the lack of hot water in last night's motel, and the kid re-enact the War of 1812 in the back seat.

On every bus tour in the world, there is a man like the Gentleman From Philadelphia, who sat across from me. Clean white knee socks. White shoes with navy a smudge. A short sleeved jersey, also clean, with a penguin on the pocket. A pudgy neck, bestrung with cameras and light meters. Sunglasses. Authority, and a clear penetrating voice.

"I like Cue-bec," he announced to everyone. "Reminds me of New Orleans,

with all those horse and buggy things, and everybody speaking French. Beats me why they still speak French here. The English took it over years ago but they still do the parley-vo."

By this time, he had quite an attentive audience. He expounded further.

"The French up here hate the English you know. The English call them Frogs. Frogs - it's a nickname, like Krauts or Hunkies."

General astonishment followed this revelation.

"You wanna know why they call them Frogs? Because they talk way down in their throats, like frogs do. Some of these Frenchmen, though - they speak perfect English. As good as you and me. But they don't let on."

He fingered his Kodak amulet and continued. "I've been in Toronto, and Hamilton. You don't get your French there. Just here in Cue-bec. Nice clean country, Canada. 'Course, that's natural.

You take a big country like this, with only 22 million people. They're spread out so thin, they don't make any mess at all."

The bus driver gunned his motor, greeted his passengers, and off we flew on our scenic tour. We passed a warehouse with "De Gaulle, Oui!" scrawled carelessly on the wall.

"You see, there," said the Gentleman from Philadelphia in a properly academic tone. "They don't all hate the English. Right there, it says 'De Gaulle, Out!'"

By this time, our bus was poised on the brink of a steep hill, and the driver spoke over the intercom.

He said that he was about to tackle a very steep hill, with a sharp turn at the bottom. He said that he thought he would back up before he tackled it, and wondered if someone at the rear of the bus would check to see if there was room.

The Gentleman from Philadelphia, used to taking charge, leapt to his feet, and pulled his dewlaps into an approximation

of John Wayne directing a landing at Okinawa.

"Right!" he snapped. "I'll look after it." To his rapid audacity he added a note of explanation. "Everybody drives crazy in Cue-bec."

As he stood, poised in the stern of the bus, one hand nobly shielding his eyes, the bus suddenly plunged down the hill and swerved around the sharp corner at the bottom.

There were squeals all around, like the kind that come from the descending side of the ferris wheel.

"I change my mind," shouted the bus driver. "We don't back up for anybody in Quebec."

Everybody laughed except the Gentleman from Philadelphia. He settled himself, rearranged his necklace of cameras, and looked sore.

His wife patted him on the arm and said. "It's all right, Honey-bun. Tomorrow we'll be in Ottawa."