



Saskatchewan  
Ministry of  
Social  
Services

# **Saskatchewan Assured Income for Disability**

POLICY MANUAL

**Saskatchewan Assured Income for Disability  
Policy Manual Revisions – February 2011**

<b>Chapter Section</b>	<b>Update</b>
2.4	Clarify - Individual who resides on a reserve
3.1	Clarify - Determining need for alternate correspondence format
4.3.1	Add - Earned income exemptions
4.3.2	Add - Inheritances
4.3.3 – 4.3.4	Add - Interest income
4.3.5 – 4.3.6	Add - Gifts
4.3.7	Add -RDSP contribution time limit
4.4.1 – 4.4.2	Add - Inherited Home

**Saskatchewan Assured Income for Disability  
Policy Manual Revisions – March 2011**

<b>Chapter Section</b>	<b>Update</b>
4.3.2	Clarify - Inheritances received during the period of eligibility
4.3.3	Add - Inheritances received prior to application
4.3.4	Clarify - Inheritances exceeding \$100,000
4.3.5	Clarify - Interest income from inheritances
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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 43.1</b>	<b>Intent</b>	<b>CH 1</b>

**Intent**

**The Saskatchewan Assured Income for Disability Program (SAID)** is a long term income support program for people with significant and enduring disabilities.

**Section 43.1 of The Saskatchewan Assistance Regulations** establishes the SAID program and prescribes the conditions of eligibility for SAID. *The Saskatchewan Assistance Regulations* in total are the legislative authority prescribing the amount of benefits, the conditions under which benefits are cancelled or reduced or under which appeals can be made.

**The SAID Policy Manual** describes Ministry policy, related to the delivery of the program under the authority of the regulations, that are not addressed in the Saskatchewan Assistance Program (SAP) Policy Manual.

**Unless indicated otherwise in the SAID Policy Manual all the provisions of the SAP Policy Manual, including documentation requirements and delegation of authority, apply to SAID.**

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Subsection 43.1(1)</b>	<b>Eligibility</b>	<b>CH 2</b>

## **Intent**

Definitions of terms used in the program are found in *The Saskatchewan Assistance Regulations 43.1(1)*.

SAID is an income support program intended to provide long term income support to Saskatchewan residents, 18 years of age or older, who:

- have a disability that is *significant* and *enduring*, irrespective of whether the disability is physical, psychiatric, cognitive, or intellectual in nature; and
- have insufficient income from employment or other sources to permit self-sufficiency; and
- are not expected to attain long-term financial self-sufficiency through employment or self-employment given available treatments or supports.

\*A *significant* disability is defined as a disability that has a substantial impact on routine daily living activities, and which results in a person requiring help in the form of an assistive device, the assistance of another person, a modified environment, or other accommodation.

\*An *enduring* disability is defined as a disability that is expected to last permanently or indefinitely and which limits a person's ability either continuously or periodically.

## **Policy**

### **2.1 Persons Who Are Eligible**

An applicant is eligible if he or she is:

- a) a Saskatchewan resident 18 years or older who resides in a Community Living Service Delivery (CLSD) or Mental Health Services group home licensed under *The Residential Services Act*;

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or

b) a Saskatchewan resident 18 years or older who has an assessed level-of-care of 2 or higher on an assessment instrument designated by the Minister (see 2.5) and who resides in:

- a CLSD Approved private-service home licensed under *The Residential Services Act*;
- a Mental Health Services approved home, as defined in *The Mental Health Services Act*;
- a special care home(nursing home) defined under *The Housing and Special Care Homes Act*;
- a personal care home licensed under *The Personal Care Homes Act*;
- a hospital approved pursuant to *The Hospital Standards Act*, or Health Centre approved pursuant to *The Regional Health Services Act* (if not requiring acute care); or
- a family home (receiving personal care from a relative as defined in *The Personal Care Homes Act*).

c) The applicant must also:

- Have a budget deficit as specified in *subsection 9(2.1) of The Saskatchewan Assistance Regulations* and meet all the other eligibility requirements for SAP benefits (Chapter 3 – SAP Policy Manual).

d) For those living on-reserve see 2.4.

## **2.2 Application**

### **2.2.1 New Applicants (not receiving SAP Benefits)**

New applicants, who are not current SAP recipients, are responsible for completing a written application for benefits on a prescribed form and for:

- providing the documentation required to determine eligibility for benefits;

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- reporting changes in circumstances; and
- signing a declaration and consent (Chapter 2.5.1 – SAP Policy Manual)

If the applicant is incapable of completing or signing the form, the trustee (or other individual acting on behalf of the applicant) may complete the declaration and sign on the line provided. See Regulation 4(1). The declaration is completed regardless of who signs the application. The name of the individual signing the declaration (applicant or person completing on behalf of applicant) must appear on the line identified for this purpose.

### **2.2.2 Application from Active SAP Recipients**

SAP recipients who meet the eligibility criteria for SAID in 2.1 above complete a Confirmation of Enrollment in order to receive SAID benefits.

### **2.3 Granting Benefits**

- Benefits may be granted when it is determined the applicant has a budget deficit and other eligibility criteria are met. SAP benefits may be provided to meet immediate needs, if required, until the level-of-care is determined. If no SAP or SAID benefits are provided for more than 60 days, pending determination of the level-of-care, a new application is required.
- If the required documentation is not submitted or the assessment determines that the applicant is not eligible for SAID the file may be kept open as a SAP involvement.

### **2.4 Persons Who Are Not Eligible**

- a) An applicant is not eligible for SAID if he or she:
- is a SAP recipient who does not meet the criteria in 2.1.
  - resides on a reserve, where the Government of Canada funds a similar or comparable program and where the individual is not living in a facility licensed by the Province of Saskatchewan (see 2.1 for a list of licensed facilities).

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Cases where the SAID applicant is residing on a Saskatchewan reserve in a facility licensed by the Province (as noted above) are referred to Income Assistance and Disability Services Division, central office, Regina.

- is eligible under Regulations 9(3)(f) for Health Services Only. Health Services Only cases are administered through the SAP (Chapter 4.3 – SAP Policy Manual).

b) Persons may not receive SAID benefits for the same month that they receive SAP benefits.

#### **2.5 Designated Assessment Instruments**

Three types of assessment instruments currently used by the Ministry of Social Services and the Ministry of Health have been designated by Minister's Order to determine the level-of-care required for eligibility for the SAID program:

- **Daily Living Support Assessment (DLSA)**, used by the Ministry of Social Services and the Ministry of Health to determine care needs for individuals in CLSD Approved private-service homes and Mental Health Services approved homes.
- **Medical Report (1093) – Assessment of Level of Care** used by the Ministry of Social Services to determine level-of-care needs for individuals in family homes and personal care homes.
- **Minimum Data Set (MDS) - Revised for Saskatchewan Supportive Care Facilities**, used by the Ministry of Health, to determine level-of-care needs for individuals in special care facilities (nursing homes & non-acute care hospitals). Regional Health Authorities administer the MDS – called the Resident Assessment Instrument (RAI) Long Term Care - for admission to special care facilities.

#### **2.6 Reassessment**

##### **SAP recipients living in family homes and personal care homes**

SAP recipients living in family homes and personal care homes who are not eligible because they are assessed as requiring less than level 2 care may request a new level-of-care assessment. These recipients are provided the Medical Report (1093) – Assessment of Level of Care to be completed by the recipient's physician.

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- If the medical report is returned indicating the recipient is assessed at level 2 or higher an adjustment is made to the level-of-care rate, effective the date of the change in assessment. Upon receipt of a Confirmation of Enrollment the client is enrolled in SAID effective the next benefit month. The recipient is notified in writing of the change in status.
- If the new assessment indicates that the recipient is assessed at less than level 2, the recipient will be notified in writing that he or she is not eligible for SAID, and advised of the right to appeal (see 7.1).

**SAP recipients living in CLSD Approved private-services homes and Mental Health Services approved homes**

SAP recipients living in these residential care facilities who indicate they wish to have their level-of-care reassessed are referred to CLSD or the Ministry of Health. CLSD or Health may consider reassessment according to their assessment protocols.

- If documentation (DLSA face sheet or memo from the CLSD/Mental Health Services worker) is received by the Ministry confirming that the recipient has been reassessed at level 2 or higher, an adjustment is made to the level-of-care rate effective the date of the change in assessment. Upon receipt of a Confirmation of Enrollment the recipient is enrolled in SAID effective the next benefit month. The recipient is notified in writing of the change in status.

If the reassessment indicates the recipient is assessed at less than level 2 the recipient is notified in writing that he or she is not eligible for SAID and advised of the right to appeal (see 7.1). Recipients should also be informed that CLSD and Health have appeal procedures that may be pursued, should he or she disagree with the assessed level-of-care.

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 15</b>	<b>Advising As To Eligibility For Benefits</b>	<b>CH 3</b>

**Intent**

When an application for benefits is approved or denied, the applicant must be informed in writing. If an application for a benefit is denied, the applicant must be advised of the reason and the right to appeal (Chapter 7 – SAP Policy Manual).

**Policy**

**3.1 Alternate Format Correspondence**

During the application process the Assured Income Specialist must determine if the applicant requires correspondence in an alternate format (e.g. large print, Braille, etc.). For assistance with alternate or accessible formats contact Income Assistance and Disability Services Division, Program and Service Design.

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 9, Section 28 and Section 29</b>	<b>Income and Assets</b>	<b>CH 4</b>

**Intent**

The financial resources of the applicant include the income and the liquid and real assets of all eligible family members. Certain income and assets are exempt from the calculation of resources. All income and assets not exempt under Section 28 or 29 of *The Saskatchewan Assistance Regulations*, Chapter 18, 19 or 20 of the SAP Policy Manual or Chapter 4 of the SAID Policy Manual are deducted when assessing eligibility.

**Policy**

**4.1 Budget Deficit Defined**

All liquid and real assets and income are declared and a determination is made whether the assets and/or income are exempt or considered a resource.

A budget deficit occurs when the combined income and assets of a beneficiary and eligible family members are less than the total of the allowable needs.

**4.2 Determining Financial Resources**

Chapter 18 and 19 - SAP Policy Manual

**4.3 Income Assessment and Exemptions**

**4.3.1 Earned Income Exemptions**

The earned income exemption is based upon family size and the amount of income.

Families	\$200
Single	\$200 + 25% of next \$500 to Maximum of \$325
Childless Couple	\$250 + 25% of next \$700 to Maximum of \$425

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### **4.3.2 Inheritances Received During the Period of Eligibility**

Inheritances received after January 31, 2011 and during the period of eligibility, as a lump sum payment or in installments, are exempt up to a maximum of \$100,000 per family unit. See Regulation 28(2)(cc.11).

### **4.3.3 Inheritances Received Prior to Application**

Inheritance funds received prior to an application that is made after January 31, 2011, are exempt up to a maximum of \$100,000 if the funds are still held by the applicant at the time of application.

A review of the disposal of inheritance funds during the 2 years prior to application is required if the full amount of the inheritance exceeded \$100,000 when it was received. See Chapter 20.5 - SAP Policy Manual.

*Example 1:* A person received an inheritance of \$80,000 in January 2010. At the time of application in April 2011, the person has \$60,000 remaining from the inheritance that is invested in a Guaranteed Investment Certificate. The rest of the funds from the \$80,000 inheritance have been spent.

- Only the \$60,000 the applicant has on hand at the time of application is exempt.
- A review of the disposal of the \$20,000 is not required because the original inheritance amount received was less than \$100,000.

*Example 2:* A person received an inheritance of \$190,000 in January 2010. At the time of application in April 2011 the person has \$102,000 remaining from the inheritance held in a tax-free savings account.

- A review of the disposal of the \$88,000 is required because the original inheritance amount received within the 2 year period prior to application exceeded \$100,000.
- If the disposal is considered appropriate the maximum inheritance exemption of \$100,000 is provided.
- The applicant is given 6 months to contribute the additional \$2,000 to a Registered Disability Savings Plan (see 4.3.4).

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#### **4.3.4 Inheritances exceeding \$100,000**

- Inheritance amounts exceeding \$100,000 per family unit are exempt provided that the funds are contributed to a Registered Disability Savings Plan (RDSP) within 6 months from the date the inheritance is received.
- Amounts that cannot be contributed to a RDSP because the lifetime RDSP contribution limit of \$200,000 would be exceeded are considered a financial resource.

#### **4.3.5 Interest Income from Inheritances**

Interest that is earned from an inheritance is exempt provided that:

- the combined amount of the inheritance received plus the interest does not exceed \$100,000;
- the interest is contributed to a Registered Disability Savings Plan within 6 months; or
- with the approval of the unit administrator, it is used for an expense related to the beneficiary's disability (i.e. assistive technology). See Regulation 28(2)(cc.12).

#### **4.3.6 Inheritance Documentation**

The following information is required to verify inheritance income:

- A copy of the will and/or documents related to the settlement of the estate;
- financial records confirming the amount of the inheritance and the amount of interest earned on invested inheritance funds; and
- any other information the unit administrator requires.

If there were non-inheritance sources of funds as well as inheritance funds received prior to application (see 4.3.3) and it is not possible to determine which funds have been spent, the unit administrator may assume that the non-inheritance funds were spent first and the inherited funds are remaining.

#### **4.3.7 Gifts Exceeding \$200**

Casual gifts up to \$200 per year are exempt. See Regulation 28(2)(b).

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Gifts exceeding \$200 per year that are received after January 31, 2011 and during the period of eligibility are exempt up to a maximum of \$100,000 provided that the funds are contributed to a Registered Disability Savings Plan within 6 months of the date the gift is received.

**4.3.8 Registered Disability Savings Plan Contribution -Time Limit Extension**

In exceptional circumstances the 6 month time period for making contributions to a Registered Disability Savings Plan noted in 4.3.4, 4.3.5 and 4.3.7 may be extended with the unit administrator's approval.

**4.4 Assets, Disposal of Assets, Period of Self Support**

Chapter 20 – SAP Policy Manual

**4.4.1 Inherited Home**

The value of a home that was acquired by inheritance is exempt for the period of time that the beneficiary resides in the home. See Regulation 28(5).

**4.4.2 Sale of an Inherited Home – Non-Resident**

The net income, after legal and real estate fees, from the sale of a home acquired by inheritance is exempt up to a maximum of \$100,000 if the beneficiary does not reside in the home. For example, a beneficiary may choose not to reside in a home acquired by inheritance due to the location of the home, inaccessibility, or inadequate disability-related services or supports.

In the case of an inherited home the beneficiary has not lived in that was sold prior to an application made after January 31, 2011, only the funds the applicant has on hand at the time of application are considered exempt.

- Income from the sale of the home exceeding \$100,000 are exempt provided that the funds are contributed to a Registered Disability Savings Plan within 6 months from the date of the sale.
- In exceptional circumstances the 6 month time limit may be extended with the unit administrator's approval.
- Any remaining funds are considered a financial resource, including income from the sale of the home that exceed the maximum available Registered Disability Savings Plan contribution.

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 25</b>	<b>Assured Income Benefits</b>	<b>CH 5</b>

**Intent**

SAID benefits are provided to meet the living expenses of eligible persons.

**Policy**

**5.1 Initial Enrollee Benefits**

A SAID beneficiary residing in a group home, family home, personal care home, CLSD Approved private-service home, Mental Health Services approved home, special care home and a non-acute care hospital or non-acute care health centre receives an allowance to meet personal, clothing and basic travel requirements.

Accommodation costs such as board and room and level-of-care are also provided in family homes and residential facilities if no other funding source is available.

**5.2 Ongoing SAID Benefits**

A SAID beneficiary who moves from a residential facility or family home into independent or supportive living arrangements, continues to be eligible for SAID benefits. Depending upon the person's individual circumstances, the beneficiary may be eligible for other benefits provided through the SAP (e.g. rent, utilities, clothing and household advances). See Chapter 15 – SAP Policy Manual.

Special needs may also be provided (see 6.1).

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 27</b>	<b>Special Needs Including Health Benefits</b>	<b>CH 6</b>

**Intent**

An allowance may be provided for certain items to address the special needs of a beneficiary. When eligibility for financial benefits is established, the beneficiary is nominated for Supplementary Health benefits. The Supplementary Health Program is administered by the Ministry of Health.

**Policy**

**6.1 Special Needs Benefits**

Chapter 16 – SAP Policy Manual

SAID beneficiaries, other than Registered Indians and those who do not require financial benefits, are eligible for Supplementary Health benefits.

- Registered Indians receive health benefits through Health Canada.
- For Health Services Only, see 2.4(a).

For other special needs such as special diets, special clothing, transportation and funeral expenses, see Regulation 27(4).

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 41 and Section 43</b>	<b>Appeals</b>	<b>CH 7</b>

**Intent**

Applicants and beneficiaries have the right to appeal decisions made by Ministry employees, including the denial of SAID benefits.

**Policy**

**7.1 Appeal Procedures**

Appeal procedures and practices for SAID are the same as those established for the SAP pursuant to *Section 41 and Section 43 of The Saskatchewan Assistance Regulations* and Chapter 21 and Chapter 22 of the SAP Policy Manual.

**7.2 Closed Hearings**

SAID appeal hearings may be held in person or by teleconference.

Whether held in person or by teleconference, hearings are closed (*in camera*) to anyone except those participating in the hearing including: appeal committee and appeal board members; Ministry officials; the beneficiary and beneficiary's dependants; the beneficiary's representative or advocate; and witnesses called by either party or the appeal committee or the appeal board. See Regulation 41(2.1) and 43(6).

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Act Section 29.3 and 29.5</b>	<b>Overpayments</b>	<b>CH 8</b>

**Intent**

An overpayment is any allowance provided to which a beneficiary is not entitled according to the applicable Act and regulations. An overpayment is recovered from the beneficiary's future entitlement or by other means.

**Policy**

**8.1 Overpayments and Recoveries**

Policy regarding assessment and recovery of overpayments is the same as in Chapter 14 – SAP Policy Manual.

**8.1.1 Transferring Overpayments**

- An overpayment balance on a SAP file at the time a case is converted to SAID will be recovered from future SAID benefits or by other means.
- Should a SAID case be converted to the SAP, or closed and reopened as a SAP case, any SAID overpayment balance will be transferred to the SAP for recovery.

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 18</b>	<b>Trusteeship</b>	<b>CH 9</b>

**Intent**

A trustee may be appointed to handle a beneficiary's funds when the Ministry is satisfied that he or she is incapable of managing the allowance.

All trustees must notify the Ministry of any changes in the beneficiary's circumstances, keep records of and account for funds, and submit an accounting upon the request of the Ministry.

**Policy**

**9.1 Trustee Agreements**

Trustee agreements in place for SAP recipients transferred to SAID continue unchanged. SAP policy with regard to the appointment of trustees, responsibilities of trustees, management of trustee arrangements, payment for trustee services and accounting from trustees applies to SAID as in Chapter 10 – SAP Policy Manual.

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 20</b>	<b>Determining Continuing Eligibility</b>	<b>CH 10</b>

## **Intent**

A beneficiary's eligibility shall be reviewed every time there is a change in circumstances, but not less than once every 3 years (e.g., application date in January, 2010 – review month is January, 2013).

## **Policy**

### **10.1 Scheduling Reviews**

Active SAP recipients who are enrolled in SAID will automatically have their next review month scheduled for 3 years from the month the most recent review was completed while the recipient was receiving SAP benefits. For example, a SAP recipient who had a review completed in January 2009, and is enrolled in SAID for the December 2009 benefit month, will have the next review automatically scheduled for January 2012.

#### **10.1.1 Overdue Reviews**

Benefits may be provided with the supervisor's approval if the review is overdue.

### **10.2 Review Form**

Reviews are completed using the SAID Eligibility Review form (1254).

Reviews may be completed using one or a combination of the following procedures:

- The review form may be mailed to the beneficiary or trustee for completion and signing.
- The review form may be completed by the Assured Income Specialist while interviewing the beneficiary or trustee by telephone; the completed form is then mailed to the beneficiary or trustee for signature.

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- Reviews may be completed in a personal interview at the beneficiary's request.

### **10.3 Reviewing Circumstances**

The reviews include a complete review of the beneficiary's circumstances as described in Chapter 11 – SAP Policy Manual.

- A medical report or other documentation is not required to reconfirm the beneficiary's disability or the level-of-care required unless, in the opinion of the unit administrator, there has been a significant change in the beneficiary's level-of-care.
- If the beneficiary or the beneficiary's advocate requests a reassessment of the level-of-care due to a worsening of the disabling condition, a referral will be made to the appropriate resource. Follow-up is made to ensure the reassessment is completed in a reasonable time.

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<b>Legislative Authority</b>	<b>Subject</b>	
<b>The Saskatchewan Assistance Regulations Section 21, 22, 23 &amp; 24</b>	<b>Changes in Benefit Amounts</b>	<b>CH 11</b>

**Intent**

The amount of benefits received by a beneficiary depends upon the beneficiary's needs and resources. Any changes in needs and/or resources will cause an increase, decrease or cancellation of the amount of the SAID benefits.

**Policy**

**11.1 Changes in Circumstances**

For changes in circumstances such as family composition, absence from accommodation and relocation refer to Chapter 13 – SAP Policy Manual.

**11.2 Cancellation**

For cancellation of SAID benefits refer to Chapter 13.6 – SAP Policy Manual.

**11.2.1 Reapplication for SAP Benefits**

A SAID beneficiary who discontinues from SAID, must complete a new application in order to receive benefits through the SAP.