



THE DISTRICT OF THUNDER BAY
SOCIAL SERVICES ADMINISTRATION BOARD

Social Assistance Benefits Eligibility for Clients Entering Residential Treatment Facilities

POSITION PAPER

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Prepared by:

The District of Thunder Bay Social Services Administration Board

Prepared for:

Hon. Michael Parsa, Minister of Children, Community and Social Services

Hon. Sylvia Jones, Minister of Health

Brief

The District of Thunder Bay Social Services Administration Board (TBDSSAB) requests that the Ministry of Children, Community and Social Services (MCCSS) and the Ministry of Health (MOH) consider amending the Ontario Regulation 261/06 directives section 47.1 regarding the budgetary entitlements for clients entering Residential Treatment Facilities (RTFs).

Summary

The current O. Reg. 216/06, 7., section 47.1 that relates to financial entitlements for persons admitted to programs for the treatment of substance use are often counterintuitive to successful outcomes. These directives have a negative impact on individuals who do not maintain housing in the community, outside of them receiving the Personal Needs Allowance (PNA).

For some Ontario Works (OW) recipients residing in a ministry funded RTF¹, this often leads to ineligibility, and in turn, a loss of benefits. In the District of Thunder Bay, we have found that a proportion of TBDSSAB's OW clients fall into this categorization. Many individuals admitted to RTFs in the City of Thunder Bay are experiencing homelessness or at risk of homelessness. In addition, many of these individuals are facing mental health conditions and substance use concerns. Therefore, the most at-risk clients may lose access to 'mandatory benefits', leaving them in a more vulnerable state than before admittance to the facility seeking treatment. Under the previous Addiction Services Initiative (ASI), OW clients who did not have housing in the community, would maintain eligibility and qualify for OW benefits while they were in treatment. With the end of this initiative, these clients were no longer eligible to maintain eligibility.

¹ These facilities are usually funded by the Ministry of Health and Long-Term Care (MOHLTC)

Background

Until July 2019, TBDSSAB managed an ASI site and provided ongoing supports for clients with substance issues. Operating under the respective Acts - Ministry of Community and Social Services Act and Ontario Works Act - all clients maintained OW eligibility while they attended treatment in an RTF. For OW clients who did not have housing in the community, and attended a MOHLTC funded facility, they were granted entitlement calculated based on subtracting Personal Needs Allowance (PNA) from the Basic Needs Allowance (BNA). In doing so, the OW client would maintain eligibility and qualify for mandatory and discretionary benefits including the Ontario Drug Benefit program. Since the ASI program ended in 2019, TBDSSAB adopted the current Ontario Work's legislation, which has left many clients without access to these benefits.

Under the OW Act, the amended O. Reg. 261/06, section 47.1 provides an administrator the ability to reduce the budgetary requirements for "members" who reside in a treatment facility. In addition, the current OW directive 6.1 outlines the budgetary entitlements for clients participating in an addiction treatment program within an RTF. Applicants for this program, who satisfy all eligibility requirements, may receive an amount for basic needs and shelter (to maintain an existing residence in community housing) where room and board are provided by the facility without additional charges².

Multiple conditions exist if a client maintains accommodation outside the facility or not. For instance, if a client is entering a treatment facility that is covered by the MOHLTC, and maintains housing in the community, they can receive the full amount of OW assistance for three months³. Additionally, clients with housing outside the facility, whose treatment is not covered, are eligible to receive the amount for board and lodging from OW to cover costs.

However, when a client enters an RTF, and does not have housing in the community, the total assistance they receive from OW is set at, or reduced to, the PNA amount of \$149. If the client enters a facility that is funded through the MOHLTC, the ministry automatically allocates the PNA⁴. In this case, since the client received PNA through the funded RTF, they cannot receive PNA funding from OW⁵.

² The other requirement includes the recipient receiving the Ontario Works board and lodging rate where room and board are charged by the facility. Government of Ontario (2024). 6.10 Persons in residential programs for the treatment of substance abuse. <https://www.ontario.ca/document/ontario-works-policy-directives/610-persons-residential-programs-treatment-substance-abuse>.

³ After three months, their budgetary requirements will be redetermined based on length of stay and plans to return to their principal residence.

⁴ The type of RTF that a client enters is based on space, referral, and supports available.

⁵ This means that they are no longer eligible for OW, and lose access to any mandatory or discretionary benefits (i.e. drug, dental, vision, medical transportation, etc.) they previously had.

In addition, the PNA allowance is not often issued directly to the client but issued to the facility that uses it to purchase items on behalf of the client. This arrangement is usually at the detriment of the client. For example, in October 2023, an OW client appealed directive 6.1 to the Social Benefits Tribunal (SBT)⁶ as they lost benefits upon admission into an MOHLTC facility. They argued that the regulation should be interpreted so that the client was eligible for assistance for the first three months in treatment, calculated as BNA-PNA. The client reported that the treatment facility did not provide for all their basic needs, and therefore, should not have influenced their eligibility. Their appeal was denied, as SBT deemed the individual ineligible because their board and lodging was funded, and received PNA. Despite the decision, this situation highlights clients' frustrations with the legislation, and clients' loss of agency as they reside in RTFs. Outside of this instance, a broader example of loss of benefits is evident in one of the ministry's funded RTFs.

Crossroads Centre is a recovery home for addictions in the District of Thunder Bay and is funded by the MOHLTC⁷. For clients who have no community housing and are temporarily residing in Crossroads, they are left with no OW assistance and cannot apply for OW benefits until they leave⁸.

The legislation perpetuates a lack of access to necessary benefits for people experiencing homelessness and are living with mental health conditions and/or addictions. In the District of Thunder Bay, the rate of homelessness continues to increase, as 887 individuals are reported as actively homeless⁹. Rates of mental health conditions and substance use are disproportionately high among homeless individuals as the 2024 Thunder Bay Community Point in Time Count¹⁰ reported that 80% of participants reported ongoing substance use and 61% reported having a mental health condition. This population needs ongoing access to support, without fear of being ineligible for OW benefits.

To address this growing situation, we request that the MCCSS and MOH revisit the legislation to ease the current constraints. We believe by addressing this concern, DSSABs and CMSMs are better enabled to support those most at-risk with benefits while they attend RTFs and transition out of treatment.

⁶ SBT Decision Case # 2206-02607 <https://www.canlii.org/en/>

⁷ They offer 24/7 support with 20 beds for clients whose treatment ranges from a few weeks to a few months.

⁸ The treatment facilities are not a long-term plan for clients, especially for clients who have no outside housing. Clients attending MOHTLC funded RTFs who have housing accommodation outside of treatment can receive full OW funding, however, clients who do not are being cut from OW and losing out on extra supports that they require.

⁹ Based on April 2025 TBDSSAB By-Name List. Data is not entirely accurate as reporting after October 2024 shifted from HIFIS to excel sheets.

¹⁰ Lakehead Social Planning Council, Thunder Bay Indigenous Friendship Centre, Lakehead University, and Thunder Bay District Health Unit (2024) <https://infograph.venngage.com/pl/jWe8WLXZHI?flipBook=1>

Therefore, TBDSSAB requests that the MCCSS and the MOH amends the O. Reg. 261/06, section 47.1 directive that relates to the budgetary entitlements for clients entering a MOHLTC funded facility with no community residence, so they can maintain their Ontario Works benefits.