

2018 Bill 26

Fourth Session, 29th Legislature, 67 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 26

**AN ACT TO COMBAT POVERTY AND FIGHT
FOR ALBERTANS WITH DISABILITIES**

THE MINISTER OF COMMUNITY AND SOCIAL SERVICES

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 26

2018

AN ACT TO COMBAT POVERTY AND FIGHT FOR ALBERTANS WITH DISABILITIES

(Assented to _____, 2018)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Alberta Housing Act

Amends RSA 2000 cA-25

1(1) The *Alberta Housing Act* is amended by this section.

(2) Section 1 is amended

(a) by renumbering clause (a) as clause (a.1) and adding the following before clause (a.1):

(a) “Alberta CPI” means the monthly All-items Consumer Price Index for Alberta, not seasonally adjusted, published by Statistics Canada;

(b) by adding the following after clause (a.1):

(a.2) “CPI adjustment date” means the CPI adjustment date specified in the regulations;

(a.3) “CPI adjustment year” means the period from the CPI adjustment date of the specified year to the last day of the 12th month after the CPI adjustment date;

(c) by adding the following after clause (g):

Explanatory Notes

Alberta Housing Act

- 1**(1) Amends chapter A-25 of the Revised Statutes of Alberta 2000.
- (2) Adds definitions.

(g.1) “monthly disposable income” means monthly disposable income as defined in the regulations;

(d) by adding the following after clause (h):

(i) “senior household” means a senior household as defined in the regulations;

(j) “standard lodge accommodation” means standard lodge accommodation as defined in the regulations.

(3) The following is added after section 33:

Standard lodge rate

33.1(1) At least annually, a management body shall determine and set monthly basic lodge rates to be charged for standard lodge accommodation in accordance with this section and the regulations.

(2) A management body shall review and adjust the monthly basic lodge rate for each senior household in standard lodge accommodation at the following times to ensure that each member of the senior household who is 65 years of age or older is left with the monthly disposable income amount under subsection (3):

(a) after setting the monthly basic lodge rates under subsection (1);

(b) annually on the CPI adjustment date.

(3) The monthly disposable income amount is

(a) effective January 1, 2019, the amount set out in the Schedule, and

(b) effective January 1, 2020, an amount adjusted annually on each CPI adjustment date in accordance with the Schedule.

(4) A new CPI adjustment date may be set under the regulations if the new date does not result in more than 12 months between adjustments of the monthly disposable income amount.

(3) Standard lodge rate.

(5) Despite subsection (3)(b), the monthly disposable income amount must not be adjusted under this section in a CPI adjustment year if the change in the Alberta CPI applicable to that year is a negative number.

(6) Despite subsections (3) and (5), the monthly disposable income amount may be increased at any time in accordance with the regulations.

(4) Section 34 is amended by adding the following after subsection (1)(i):

- (i.1) respecting increases to the monthly disposable income amount, including regulations
 - (i) respecting the amounts of increases or the manner in which the amounts of increases are to be determined, and
 - (ii) respecting the timing of increases;
- (i.2) respecting CPI adjustment dates;
- (i.3) respecting matters arising when a CPI adjustment date is changed, including the manner in which adjustments to the monthly disposable income amount are to be calculated;

(5) The following is added after section 35:

Schedule

Monthly disposable income amount

1 Subject to the regulations, the monthly disposable income amount under section 33.1 of this Act

- (a) for the 2019 CPI adjustment year, is \$322, and
- (b) for the 2020 CPI adjustment year and each subsequent CPI adjustment year, must be adjusted by an amount equal to
 - (i) the monthly disposable income amount for the previous CPI adjustment year, including any increase to that amount made under the regulations,

(4) Adds regulation-making powers.

(5) Schedule.

multiplied by

- (ii) the change in the Alberta CPI determined in accordance with section 2.

Change in Alberta CPI

2(1) For the 2020 CPI adjustment year and each subsequent adjustment year, the change in the Alberta CPI is the amount determined by the formula

$$X = \frac{A}{B} - 1$$

where

X is the change in the Alberta CPI, rounded to 3 decimal places;

A is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period ending on September 30 of the calendar year that ended before the commencement of the CPI adjustment year;

B is the sum of the 12 individual monthly Alberta CPI indexes for each month in the 12-month period immediately preceding the 12-month period referred to in A.

(2) The Minister, in consultation with the Minister responsible for the *Financial Administration Act*, shall determine the amount by which the monthly disposable income amount must be adjusted under section 1 if the Alberta CPI is not available for part or all of the CPI adjustment year for which the change in the Alberta CPI is being calculated.

**Assured Income for the
Severely Handicapped Act**

Amends SA 2006 cA-45.1

2(1) The *Assured Income for the Severely Handicapped Act* is amended by this section.

(2) Section 1 is amended

- (a) by renumbering clause (a) as clause (a.1) and adding the following before clause (a.1):

**Assured Income for the Severely
Handicapped Act**

2(1) Amends chapter A-45.1 of the Statutes of Alberta, 2006.

(2) Adds definitions.

(a) “Alberta CPI” means the monthly All-items Consumer Price Index for Alberta, not seasonally adjusted, published by Statistics Canada;

(b) in clause (b) by striking out “section 3(3)” and substituting “section 3.2”;

(c) by adding the following after clause (c):

(c.1) “CPI adjustment date” means the CPI adjustment date specified in the regulations;

(c.2) “CPI adjustment year” means the period from the CPI adjustment date of the specified year to the last day of the 12th month after the CPI adjustment date;

(3) Sections 3 and 3.1 are repealed and the following is substituted:

Benefits

3(1) A director may, subject to this Act and in accordance with the regulations, provide the following benefits:

- (a) a living allowance, a child benefit or a personal benefit to a person who is eligible under section 3.2;
- (b) a health benefit to a person who is eligible under section 3.2 and any cohabiting partner or dependent children of that person.

(2) A director may provide a modified amount of a living allowance in accordance with this Act and the regulations to a person who resides in a facility.

Benefit amounts and adjustment

3.1(1) This section applies to the following benefits or benefit components:

- (a) a living allowance;
- (b) the part of a modified living allowance that is not based on the accommodation charge set out in section 3(1) of the *Nursing Homes Operation Regulation* (AR 258/85);
- (c) a child benefit;

(3) Sections 3 and 3.1 presently read:

3(1) A director may, subject to this Act and in accordance with the regulations, provide the following benefits:

- (a) a living allowance, a child benefit or a personal benefit to a person who is eligible under subsection (3);*
- (b) a health benefit to a person who is eligible under subsection (3) and any cohabiting partner or dependent children of that person.*

(2) A director may provide a modified amount of a living allowance in accordance with the regulations to a person who resides in a facility.

(3) Subject to subsection (4), a person is eligible to receive a benefit if the person satisfies a director that

- (a) the person is a Canadian citizen or permanent resident within the meaning of the Immigration and Refugee Protection Act (Canada), is ordinarily resident in Alberta and is 18 years of age or older,*
- (b) the person has a severe handicap,*
- (c) the income of the person and the person's cohabiting partner as determined in accordance with the regulations is less than*

(d) subject to the Schedule, a personal benefit.

(2) The amount of a benefit or a benefit component referred to in subsection (1) is

- (a) effective January 1, 2019, the amount set out in the Schedule or determined in accordance with the Schedule, and
- (b) subject to the Schedule, effective January 1, 2020, an amount adjusted annually on the CPI adjustment date in accordance with the Schedule.

(3) A new CPI adjustment date may be set under the regulations if the new date does not result in more than 12 months between adjustments of benefits or benefit components.

(4) Despite subsection (2)(b), a benefit or a benefit component referred to in subsection (1) must not be adjusted under this section in a CPI adjustment year if the change in the Alberta CPI applicable to that year is a negative number.

(5) Despite subsections (2) and (4), the amount of a benefit or a benefit component may be increased at any time in accordance with the regulations.

Eligibility for benefits

3.2(1) Subject to subsection (2), a person is eligible to receive a benefit if the person satisfies a director that

- (a) the person is a Canadian citizen or permanent resident within the meaning of the *Immigration and Refugee Protection Act* (Canada), is ordinarily resident in Alberta and is 18 years of age or older,
- (b) the person has a severe handicap,
- (c) the income of the person and the person's cohabiting partner as determined in accordance with the regulations is less than the maximum amount of the living allowance plus, if applicable, the child benefit,
- (d) the value of all assets of the person and the person's cohabiting partners as determined in accordance with the regulations is

the maximum amount of the living allowance plus, if applicable, the child benefit,

(d) the value of all assets of the person and the person's cohabiting partner as determined in accordance with the regulations is

(i) \$100 000 or less, or

(ii) in the case of eligibility for a child benefit or personal benefit, \$3000 or less,

and

(e) the person meets any other conditions set out in the regulations.

(4) Where the Minister determines that a person is in circumstances of financial hardship, the Minister may exempt that person from the requirement of

(a) subsection (3)(c), in the case of eligibility for a health benefit, and

(b) subsection (3)(d)(ii).

3.1 For the purposes of section 3(3)(d), the value of all assets of a person and the person's cohabiting partner must not include

(a) the value of any assets that are held in a trust in which the person or the person's cohabiting partner has a beneficial interest, or

(b) money received where that money is

(i) not income as determined in accordance with the regulations, and

(ii) invested within 365 days from the date of receipt of the money in an asset designated in the regulations for the purposes of this section.

- (i) \$100 000 or less, or
 - (ii) in the case of eligibility for a personal benefit, \$5000 or less,
- and
- (e) the person meets any other conditions set out in the regulations.

(2) Where the Minister determines that a person is in circumstances of financial hardship, the Minister may exempt that person from the requirement of

- (a) subsection (1)(c), in the case of eligibility for a health benefit, and
- (b) subsection (1)(d)(ii).

Exempt assets

3.3 For the purposes of section 3.2(1)(d), the value of all assets of a person and the person's cohabiting partner must not include

- (a) the value of any assets that are held in a trust in which the person or the person's cohabiting partner has a beneficial interest, or
- (b) money received where that money is
 - (i) not income as determined in accordance with the regulations, and
 - (ii) invested within 365 days from the date of receipt of the money in an asset designated in the regulations for the purposes of this section.

(4) Section 7 is repealed and the following is substituted:

Requirement to repay

7(1) Subject to subsection (4) and the regulations, a client must repay the amount or value of a benefit received if, in a director's opinion,

- (a) a benefit has been used for a purpose other than that for which it was provided, or

(4) Section 7 presently reads:

7(1) Subject to the regulations, a director must require a client to repay the amount or value of a benefit received if, in the director's opinion,

(a) a benefit has been used for a purpose other than that for which it was provided, or

(b) the client received a benefit to which the client was not entitled.

(2) A financial administrator or third party may be required by a director to repay the amount or value of a benefit received on behalf of a client if, in the director's opinion,

(a) the client received a benefit to which the client was not entitled due to the non-disclosure of a material fact or provision of false information by the financial administrator or third party, or

(b) a benefit administered by the financial administrator or third party has been used for a purpose other than that for which it was provided.

(3) A director must provide written notice of the following to a person who is required to repay an amount or value under this section:

(a) the amount or value to be repaid;

(b) any amount or value the director is exempting the person from repaying under subsection (4);

(c) the right to appeal under section 10.

(4) If a director determines there are appropriate circumstances, the director may exempt a person from the requirement to repay an amount or value unless

(a) the amount or value is a debt due under section 9(1), or

(b) in the director's opinion, the person received the benefit by wilful misrepresentation or fraud.

(5) Section 12(1) is amended

(a) by adding the following after clause (a):

(a.1) respecting increases to the amounts of benefits or benefit components, except personal benefits, including regulations

(b) the client received a benefit to which he or she was not entitled.

(2) A director may require a financial administrator or third party to repay the amount or value of a benefit received on behalf of a client if, in the director's opinion,

(a) the client received a benefit to which he or she was not entitled due to the non-disclosure of a material fact or provision of false information by the financial administrator or third party, or

(b) a benefit administered by the financial administrator or third party has been used for a purpose other than that for which it was provided.

(3) A director must provide a written notice to the person required to repay an amount under this section of the amount to be repaid and the right of appeal under section 10.

(4) Where an amount required to be repaid under this section is not yet a debt due under section 9(1) and the Minister determines that there are appropriate circumstances, the Minister may exempt a person from the requirement to repay.

(5) Section 12(1) presently reads in part:

12(1) The Lieutenant Governor in Council may make regulations

(a) respecting living allowances, child benefits, health benefits and personal benefits payable, including the retroactive provision of those benefits;

- (i) respecting the amounts of increases or the manner in which the amounts of increases are to be determined;
- (ii) respecting the timing of increases;
- (a.2) respecting increases to the value of assets for the purpose of section 3.2(1)(d)(i) and (ii);
- (a.3) respecting CPI adjustment dates;
- (a.4) respecting matters arising when a CPI adjustment date is changed, including the manner in which adjustments to benefits or benefit components are to be calculated;
- (b) in clause (d.1) by striking out “section 3.1(b)(ii)” and substituting “section 3.3(b)(ii)”;**
- (c) in clause (g) by adding “or must not” after “does not have to”.**

(6) The following is added after section 16:

Schedule

Calculation of adjusted amounts

1 Subject to the regulations, a benefit or a benefit component that is to be adjusted under section 3.1(2)(b) of this Act must be adjusted by an amount equal to

- (a) the amount of the benefit or the benefit component for the previous CPI adjustment year, including any increase to that amount made under the regulations,

multiplied by
- (b) the change in the Alberta CPI determined in accordance with section 2.

Change in Alberta CPI

2(1) The change in the Alberta CPI is the amount determined by the formula

(d.1) designating assets for the purposes of section 3.1(b)(ii);

(g) respecting requirements to repay under section 7, including the circumstances in which a director does not have to require repayment;

(6) Schedule.

$$X = \frac{A}{B} - 1$$

where

- X is the change in the Alberta CPI, rounded to 3 decimal places;
- A is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period ending on September 30 of the calendar year that ended before the commencement of the CPI adjustment year;
- B is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period immediately preceding the 12-month period referred to in A.

(2) The Minister, in consultation with the Minister responsible for the *Financial Administration Act*, shall determine the amount by which benefits and benefit components must be adjusted under section 1 if the Alberta CPI is not available for part or all of the CPI adjustment year for which the change in the Alberta CPI is being calculated.

Modified living allowance

3(1) A modified monthly living allowance may be paid to an applicant or a client who resides in a facility.

(2) Subject to section 6, the amount of the monthly modified living allowance is the sum of

- (a) for the 2019 CPI adjustment year,
- (i) \$322, and
 - (ii) in accordance with subsection (3), the accommodation charge set in section 3(1) of the *Nursing Homes Operation Regulation* (AR 258/85),
- and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years,
- (i) an amount adjusted in accordance with section 1, and

- (ii) in accordance with subsection (3), the accommodation charge set in section 3(1) of the *Nursing Homes Operation Regulation* (AR 258/85).

(3) The applicable accommodation charge is

- (a) the private room rate, or
- (b) if the facility is funded under the Lodge Assistance program, the standard room rate.

Living allowance

4(1) A monthly living allowance may be paid to an applicant or a client who does not reside in a facility.

(2) Subject to section 6, the amount of the monthly living allowance is

- (a) for the 2019 CPI adjustment year, \$1685, and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years, an amount adjusted in accordance with section 1.

Child benefit

5(1) A monthly child benefit may be paid to one applicant or client per household per dependent child.

(2) Subject to section 6, the amount of the monthly child benefit is

- (a) for the 2019 CPI adjustment year, \$200 for the first child and \$100 for each additional child, and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years, amounts adjusted in accordance with section 1.

Deductions

6 The following must be deducted from a benefit paid under section 3, 4 or 5:

- (a) if the client resides in a group home owned and operated by the Government of Alberta that is designated by the Minister, the amount payable by the person for residence in that group home;

- (b) the client's income as determined in accordance with the regulations;
- (c) if the client's cohabiting partner is not a client, the cohabiting partner's income as determined in accordance with the regulations.

Personal benefit

7(1) The Minister may determine the amount of a personal benefit and the frequency with which a personal benefit may be provided.

(2) The amount of a personal benefit is

- (a) for the 2019 CPI adjustment year, the amount determined by the Minister, and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years, an amount adjusted in accordance with section 1, subject to subsection (3) of this section.

(3) Section 3.1(2)(b) of this Act does not apply to a personal benefit amount that is

- (a) a reimbursement of an actual cost,
- (b) an amount established in an agreement entered into by the Minister, or
- (c) based on an amount that is determined under another enactment or under a Government program.

Income and Employment Supports Act

Amends SA 2003 cl-0.5

3(1) The *Income and Employment Supports Act* is amended by this section.

(2) Section 1 is amended

(a) by renumbering clause (a) as clause (a.1) and adding the following before clause (a.1):

- (a) "Alberta CPI" means the monthly All-items Consumer Price Index for Alberta, not seasonally adjusted, published by Statistics Canada;

Income and Employment Supports Act

3(1) Amends chapter I-0.5 of the Statutes of Alberta, 2003.

(2) Adds definitions.

(b) by adding the following after clause (c):

- (c.1) “CPI adjustment date” means the CPI adjustment date specified in the regulations;
- (c.2) “CPI adjustment year” means the period from the CPI adjustment date of the specified year to the last day of the 12th month after the CPI adjustment date;

(3) Section 5(1) is amended

- (a) in clause (a) by adding “this Act and” before “the regulations”;**
- (b) in clause (b) by adding “this Act and” before “the regulations”.**

(4) The following is added after section 5:

Amount of income support payments

5.1(1) This section applies to the following income support payments:

- (a) the core essential payment portion of the core income support payment;
- (b) the core shelter payment portion of the core income support payment;
- (c) supplementary income support payments.

(2) The amount of an income support payment referred to in subsection (1) is

- (a) effective January 1, 2019, the amount set out in the Schedule or determined in accordance with the Schedule, and
- (b) subject to the Schedule, effective January 1, 2020, an amount adjusted annually on the CPI adjustment date in accordance with the Schedule.

(3) Section 5(1) presently reads in part:

5(1) A Director may, subject to the regulations, provide to a household unit eligible under section 6 for income support and benefits any one or more of the following income support payments and benefits:

(a) core income support payments determined in accordance with the regulations;

(b) supplementary income support payments determined in accordance with the regulations;

(4) Amount of income support payments.

(3) A new CPI adjustment date may be set under the regulations if the new date does not result in more than 12 months between adjustments of income support payments.

(4) Despite subsection (2)(b), an income support payment referred to in subsection (1) must not be adjusted under this section in a CPI adjustment year if the change in the Alberta CPI applicable to that year is a negative number.

(5) Despite subsections (2) and (4), the amount of an income support payment may be increased at any time in accordance with the regulations.

(5) Section 18 is amended by adding the following after clause (a):

- (a.1) respecting increases to the amounts of core income support payments, including regulations
 - (i) respecting the amounts of increases or the manner in which the amounts of increases are to be determined;
 - (ii) respecting the timing of increases;
- (a.2) respecting CPI adjustment dates;
- (a.3) respecting matters arising when a CPI adjustment date is changed, including the manner in which adjustments to income support payments are to be calculated;

(6) Section 35 is repealed and the following is substituted:

Repayment

35(1) Subject to subsection (5) and the regulations, a recipient must repay the amount or value of assistance received if, in the Director's opinion,

- (a) assistance that is specified in the regulations has been used for a purpose other than that for which it was provided, or
- (b) the recipient received assistance to which the recipient was not entitled.

(5) Adds regulation-making powers.

(6) Section 35 presently reads:

35(1) A recipient must repay the amount or value of assistance received if, in the Director's opinion,

(a) assistance that is specified in the regulations has been used for a purpose other than that for which it was provided, or

(b) the recipient received assistance to which the recipient was not entitled.

(1.1) A financial administrator or third party may be required by the Director to repay the amount or value of assistance received on behalf of a recipient if, in the Director's opinion,

(2) A financial administrator or third party may be required by the Director to repay the amount or value of assistance received on behalf of a recipient if, in the Director's opinion,

- (a) the recipient received assistance to which the recipient was not entitled due to the non-disclosure of a material fact or provision of false information by the financial administrator or third party, or
- (b) assistance administered by the financial administrator or third party has been used for a purpose other than that for which it was provided.

(3) Where an amount or value is repayable under subsection (1) in respect of a household unit and the recipient and the recipient's cohabiting partner at the time the debt was incurred are no longer in the same household unit, the Director shall, for the purposes of enforcing the payment of the debt, attribute the amount of the debt between the recipient and the recipient's former cohabiting partner as the Director considers appropriate.

(4) The Director must, in accordance with the regulations, provide notice of the following to a person who is required to repay an amount or value under this section:

- (a) the amount or value to be repaid;
- (b) any amount or value the Director is exempting the person from repaying under subsection (5);
- (c) the right to appeal under section 43.

(5) If the Director determines there are appropriate circumstances, the Director may exempt a person from the requirement to repay an amount or value unless

- (a) the amount or value is a debt due under section 36.1, or
- (b) in the Director's opinion, the person received the benefit by wilful misrepresentation or fraud.

(7) Section 42(1) is amended

- (a) in clause (b) by striking out "35(5)" and substituting "35(4)";**

(a) *the recipient received assistance to which the recipient was not entitled due to the non-disclosure of a material fact or provision of false information by the financial administrator or third party, or*

(b) *assistance administered by the financial administrator or third party has been used for a purpose other than that for which it was provided.*

(4) *Where an amount is repayable under subsection (1) in respect of a household unit and the recipient and the recipient's cohabiting partner at the time the debt was incurred are no longer in the same household unit, the Director shall, for the purposes of enforcing the payment of the debt, attribute the amount of the debt between the recipient and the recipient's former cohabiting partner as the Director considers appropriate.*

(5) *Where a repayment is required from a person under this section, the Director shall provide a notice to the person, in the form and manner provided by the regulations, indicating the amount owing and the right to appeal under section 43.*

(7) Section 42(1) presently reads:

42(1) The Lieutenant Governor in Council may make regulations

(b) by adding the following after clause (b):

- (b.1) respecting repayments under section 35, including the circumstances in which the Director does not have to or must not require repayment;

(8) Section 46(4) is repealed.

(9) Section 48(d) is repealed.

(10) The following is added after section 61:

Schedule

Definitions

1 In this Schedule,

- (a) “adult member” means an adult member as defined in the regulations;
- (b) “approved home” means an approved home as defined in the regulations;
- (c) “barriers to full employment household unit” means a barriers to full employment household unit as described in the regulations;
- (d) “expected to work or working household unit” means an expected to work or working household unit as described in the regulations;
- (e) “group home” means a group home as defined in the regulations;

- (a) *respecting an appeal relating to an amount payable under section 37(1);*
- (b) *respecting the form and manner of providing notice for the purposes of sections 35(5) and 37(2);*
- (c) *respecting the manner of serving a notice under section 38(5).*

(8) Section 46(4) presently reads:

(4) Despite subsection (1) and subject to the regulations, in an appeal under section 43(1)(b) an appeal panel may waive repayment, in whole or in part, of an amount that it determines would otherwise be required to be repaid under section 35.

(9) Section 48(d) presently reads:

48 The Lieutenant Governor in Council may make regulations

- (d) respecting the circumstances in which an appeal panel may waive repayment of an amount that would otherwise be required to be repaid under section 35;*

(10) Schedule.

- (f) “hospital” means a hospital as defined in the regulations;
- (g) “learner household unit” means a learner household unit as defined in the regulations;
- (h) “nursing home” means a nursing home as defined in the regulations;
- (i) “supplementary income support” means supplementary income support as defined in the regulations.

Calculation of adjusted amounts

2 Subject to the regulations, an income support payment that is to be adjusted under section 5.1(2)(b) of this Act must be adjusted by an amount equal to

- (a) the amount of the income support payment for the previous CPI adjustment year, including any increase to that amount made under the regulations,

multiplied by

- (b) the change in the Alberta CPI determined in accordance with section 3.

Change in Alberta CPI

3(1) The change in the Alberta CPI is the amount determined by the formula

$$X = \frac{A}{B} - 1$$

where

- X is the change in the Alberta CPI, rounded to 3 decimal places;
- A is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period ending on September 30 of the calendar year that ended before the commencement of the CPI adjustment year;
- B is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period immediately preceding the 12-month period referred to in A.

(2) The Minister, in consultation with the Minister responsible for the *Financial Administration Act*, shall determine the amount by which income support payments must be adjusted under section 2 if the Alberta CPI is not available for part or all of the CPI adjustment year for which the change in the Alberta CPI is being calculated.

Core income support — barriers to full employment/expected to work or working

4 The core income support that may be provided by the Director under section 5(1)(a) of this Act to a barriers to full employment household unit or an expected to work or working household unit is comprised of a core essential payment and a core shelter payment determined as follows:

- (a) the maximum core essential payment that may be provided to a barriers to full employment household unit or an expected to work or working household unit is the amount per month determined under section 6;
- (b) the maximum core shelter payment that may be provided to a barriers to full employment household unit or an expected to work or working household unit is the amount per month determined under section 8;
- (c) if the household unit has a dependent child member who is
 - (i) at least 16 years of age and under 20 years of age,
 - (ii) attending high school under the *School Act*, and
 - (iii) a parent of a dependent child living with the household unit,a high school incentive amount determined in accordance with the regulations.

Core income support — learner

5 The core income support that may be provided by the Director under section 5(1)(a) of this Act to a learner household unit is comprised of a core essential payment and a core shelter payment determined as follows:

- (a) the maximum core essential payment that may be provided to a learner household unit is the amount per month determined under section 7;
- (b) the maximum core shelter payment that may be provided to a learner household unit is the amount per month determined under section 9;
- (c) if the household unit has a dependent child member who is
 - (i) at least 16 years of age and under 20 years of age,
 - (ii) attending high school under the *School Act*, and
 - (iii) a parent of a dependent child living with the household unit,
 a high school incentive amount determined in accordance with the regulations.

Core essential payment — barriers to full employment/expected to work or working

6 The maximum monthly core essential payment that may be provided to a barriers to full employment household unit or an expected to work or working household unit is

- (a) for the 2019 CPI adjustment year,
 - (i) if subclauses (ii) to (iv) do not apply, the amount determined under Table 1,
 - (ii) if subclause (iii) or (iv) does not apply and the Director determines that a household unit's need for the core essential payment is limited to food, an amount determined by the Minister,
 - (iii) if an adult member of the household unit is living in one of the following, \$322 for each adult member:
 - (A) a hospital or nursing home;
 - (B) the McCullough Centre;
 - (C) a recognized emergency shelter for persons escaping abuse;

- (D) an institution similar to the institutions in paragraphs (A) to (C) that is designated by the Minister under the regulations, and
 - (iv) if an adult member of the household unit is living in an approved home or a group home, the amount for each adult member as determined by the Minister,
- and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years,
 - (i) if subclauses (ii) to (iv) do not apply, an amount adjusted in accordance with section 2,
 - (ii) if subclause (iii) or (iv) does not apply and the Director determines that a household unit's need for the core essential payment is limited to food, an amount determined by the Minister, adjusted in accordance with section 2,
 - (iii) if an adult member of the household unit is living in one of the following, an amount for each adult member, adjusted in accordance with section 2:
 - (A) a hospital or nursing home;
 - (B) the McCullough Centre;
 - (C) a recognized emergency shelter for persons escaping abuse;
 - (D) an institution similar to the institutions in paragraphs (A) to (C) that is designated by the Minister, and
 - (iv) if an adult member of the household unit is living in an approved home or a group home, an amount for each adult member determined by the Minister, adjusted in accordance with section 2.

Core essential payment — learners

7 The maximum monthly core essential payment that may be provided to a learner household unit is

- (a) for the 2019 CPI adjustment year, the amount determined under Table 1, and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years, an amount adjusted in accordance with section 2.

Table 1
Maximum Monthly Core
Essential Payment Table for
the 2019 CPI Adjustment Year

Number of persons in household unit	Amount for expected to work or working household unit	Amount for barriers to full employment household unit	Amount for learner (full time) household unit: EI learner, non-EI learner and apprentice learner
1 adult	\$ 415	\$ 536	\$ 536
2 adults	\$ 670	\$ 851	\$ 851
1 adult and children			
1	\$ 615	\$ 736	\$ 920
2	\$ 715	\$ 836	\$ 990
3	\$ 815	\$ 936	\$ 1060
4	\$ 915	\$ 1036	\$ 1130
5	\$ 1015	\$ 1136	\$ 1200
6	\$ 1115	\$ 1236	\$ 1270
each additional child	\$ 100	\$ 100	\$ 100
2 adults and children			
1	\$ 870	\$ 1051	\$ 1235
2	\$ 970	\$ 1151	\$ 1305
3	\$ 1070	\$ 1251	\$ 1375
4	\$ 1170	\$ 1351	\$ 1445
5	\$ 1270	\$ 1451	\$ 1515
6	\$ 1370	\$ 1551	\$ 1585
each additional child	\$ 100	\$ 100	\$ 100

Core shelter payment — barriers to full employment/expected to work or working

8 The maximum monthly core shelter payment that may be provided to a barriers to full employment household unit or an expected to work or working household unit is

- (a) for the 2019 CPI adjustment year,
 - (i) if subclauses (iii) to (vi) do not apply, and the household unit lives in private housing, the amount determined under Table 2,
 - (ii) if subclauses (iii) to (vi) do not apply, and the household unit lives in social housing, the amount determined under Table 3,
 - (iii) if the household unit lives in an approved home, \$511,
 - (iv) if the household unit lives in a hospital or nursing home, the monthly accommodation charge for that facility under the *Hospitals Act* or the *Nursing Homes Act*,
 - (v) if the household unit lives in a shared family residence that is not owned by an adult member of the unit or in which an adult member of the unit is not a party to a residential tenancy agreement with a third party, \$103, and
 - (vi) if the household unit lives in a group home, \$435 for each adult member,and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years,
 - (i) if subclauses (iii) to (vi) do not apply, and the household unit lives in private housing, an amount adjusted in accordance with section 2,
 - (ii) if subclauses (iii) to (vi) do not apply, and the household unit lives in social housing, the amount determined under Table 3,
 - (iii) if the household unit lives in an approved home, an amount adjusted in accordance with section 2,

- (iv) if the household unit lives in a hospital or nursing home, the monthly accommodation charge for that facility under the *Hospitals Act* or the *Nursing Homes Act*,
- (v) if the household unit lives in a shared family residence that is not owned by an adult member of the unit or in which an adult member of the unit is not a party to a residential tenancy agreement with a third party, an amount adjusted in accordance with section 2, and
- (vi) if the household unit lives in a group home, an amount adjusted in accordance with section 2.

Core shelter payment — learner

9 The maximum monthly core shelter payment that may be provided to a learner household is

- (a) for the 2019 CPI adjustment year,
 - (i) if the household unit lives in private housing, the amount determined under Table 2,
 - (ii) if the household unit lives in social housing, the amount determined under Table 3, and
 - (iii) if the household unit lives in a shared family residence that is not owned by an adult member of the unit or in which an adult member of the unit is not a party to a residential tenancy agreement with a third party, \$103,and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years,
 - (i) if the household unit lives in private housing, an amount adjusted in accordance with section 2,
 - (ii) if the household unit lives in social housing, an amount determined under Table 3, and
 - (iii) if the household unit lives in a shared family residence that is not owned by an adult member of the unit or in which an adult member of the unit is not a party to a residential tenancy agreement with a third party, an amount adjusted in accordance with section 2.

Table 2
Maximum Monthly Core Shelter
Payment Table for the 2019
CPI Adjustment Year
(Private Housing)

Number of persons in household unit	Amount
1 adult	\$ 330
2 adults	\$ 446
1 adult and children	
1	\$ 558
2	\$ 578
3	\$ 599
4	\$ 619
5	\$ 640
6	\$ 660
each additional child	\$ 21
2 adults and children	
1	\$ 588
2	\$ 608
3	\$ 618
4	\$ 639
5	\$ 659
6	\$ 679
each additional child	\$ 21
Exception: 1 If the Director is satisfied that a child will become a member of the household unit, the Director may consider that child a member of the household unit.	

**Table 3
Maximum Monthly Core Shelter
Payment Table (Social Housing)**

Number of persons in household unit	Amount
1 adult	\$ 120
2 adults	\$ 193
1 adult and children	
1	\$ 212
2	\$ 260
3	\$ 317
4	\$ 377
5	\$ 437
6	\$ 496
each additional child	\$ N/A
2 adults and children	
1	\$ 262
2	\$ 317
3	\$ 377
4	\$ 437
5	\$ 496
6	\$ 555
each additional child	\$ N/A
<p>Exception:</p> <p>1 A household unit living in social housing with more than 6 children does not receive an additional amount.</p> <p>2 If a household unit is living in social housing, the amount set out in this Table must be increased by the household unit's actual cost of electricity up to the maximum amount payable for private housing.</p> <p>3 If the Director is satisfied that a child will become a member of the household unit, the Director may consider that child a member of the household unit.</p>	

Supplementary income support

10(1) The Minister may determine the amount or value of a supplementary income support payment or allowance and the frequency with which the payment or allowance may be provided.

(2) The amount of a supplementary income support payment or allowance is

- (a) for the 2019 CPI adjustment year, the amount determined by the Minister, and
- (b) for the 2020 CPI adjustment year and subsequent CPI adjustment years, an amount adjusted in accordance with section 2, subject to subsection (3) of this section.

(3) Section 5.1(2)(b) of this Act does not apply to a supplementary income support payment or allowance that is

- (a) a reimbursement of an actual cost,
- (b) an amount established in an agreement entered into by the Minister, or
- (c) based on an amount that is determined under another enactment or under a Government program.

Seniors Benefit Act

Amends RSA 2000 cS-7

4(1) The *Seniors Benefit Act* is amended by this section.

(2) Section 1 is amended

(a) by renumbering clause (a) as clause (a.3) and adding the following before clause (a.3):

- (a) “accommodation adjustment date” means the accommodation adjustment date specified in the regulations;
- (a.1) “accommodation adjustment year” means the period from the accommodation adjustment date of the specified year to the last day of the 12th month after the accommodation adjustment date;

Seniors Benefits Act

4(1) Amends chapter S-7 of the Revised Statutes of Alberta 2000.

(2) Adds definitions.

- (a.2) “Alberta CPI” means the monthly All-items Consumer Price Index for Alberta, not seasonally adjusted, published by Statistics Canada;

(b) by adding the following after clause (b):

- (b.1) “benefit adjustment date” means the benefit adjustment date specified in the regulations;
- (b.2) “benefit adjustment year” means the period from the benefit adjustment date of the specified year to the last day of the 12th month after the benefit adjustment date;
- (b.3) “CPI adjustment date” means the CPI adjustment date specified in the regulations;
- (b.4) “CPI adjustment year” means the period from the CPI adjustment date of the specified year to the last day of the 12th month after the CPI adjustment date;

(3) Section 2 is repealed and the following is substituted:

Eligibility for benefits

2 In accordance with this Act and the regulations, the Minister may pay a benefit in the amount determined in accordance with this Act and the regulations to every person who is eligible under this Act and the regulations.

(4) The following is added after section 2:

Annual cash benefit

2.1(1) A benefit under section 2 may be an annual cash benefit.

(2) An annual cash benefit may consist of one or more of the following:

- (a) an income supplement component;
- (b) an accommodation assistance component;
- (c) a supplementary accommodation assistance component.

(3) Section 2 presently reads:

2 In accordance with the regulations, the Minister may pay a benefit in the amount determined in accordance with the regulations to every person who is eligible under the regulations.

(4) Annual cash benefit; special needs component; new CPI adjustment date.

(3) The maximum annual cash benefit referred to in section 4 of the Schedule and the maximum annual supplementary accommodation assistance component referred to in section 5 of the Schedule are

- (a) effective January 1, 2019, the amounts set out in the Schedule, and
- (b) effective January 1, 2020, the amounts adjusted annually on the CPI adjustment date in accordance with the Schedule.

(4) The amount of a supplementary accommodation assistance component under section 5 of the Schedule is determined in accordance with the Schedule and is

- (a) effective January 1, 2019, the amount set out in the Schedule, and
- (b) effective the 2019 accommodation adjustment date, an amount adjusted each accommodation adjustment year in accordance with the Schedule.

(5) The amount of a supplementary accommodation assistance component under section 7 of the Schedule is determined in accordance with the Schedule and includes

- (a) a monthly disposable income amount, which is
 - (i) effective January 1, 2019, the amount set out in the Schedule, and
 - (ii) effective January 1, 2020, an amount adjusted annually on the CPI adjustment date in accordance with the Schedule,

and

- (b) an accommodation charge portion, which is
 - (i) effective January 1, 2019, the amount set out in the Schedule, and

- (ii) effective the 2019 accommodation adjustment date, an amount adjusted each accommodation adjustment year in accordance with the Schedule.

(6) Despite subsections (3)(b), (4)(b) and (5)(a)(ii) and (b), a benefit or an amount used to calculate a benefit or eligibility for a benefit must not be adjusted based on the Alberta CPI in a CPI adjustment year if the change in the Alberta CPI applicable to that year, calculated in accordance with the Schedule, is a negative number.

(7) Despite subsections (3), (4) and (5), the amounts referred to in those subsections may be increased at any time in accordance with the regulations.

Special needs component

2.2(1) A benefit under section 2 may contain a discontinuous special needs component.

(2) The non-deductible income amount used to calculate eligibility for the discontinuous special needs component of a benefit is

- (a) effective the 2018 benefit adjustment date, the amount set out in the Schedule, and
- (b) effective the 2019 benefit adjustment date, an amount adjusted annually on the benefit adjustment date in accordance with the Schedule.

(3) The maximum amount of a discontinuous special needs component of a benefit is

- (a) effective January 1, 2019, the amount set out in the Schedule, and
- (b) effective January 1, 2020, an amount adjusted annually on the CPI adjustment date in accordance with the Schedule.

(4) A discontinuous special needs component of a benefit may be classified into primary and secondary funded items in accordance with the regulations.

(5) Subject to the Schedule and the regulations, the maximum amount that may be paid for a primary or secondary funded item under the discontinuous special needs component of a benefit is

- (a) effective January 1, 2019, an amount adjusted in accordance with the Schedule based on the change in the Alberta CPI, and
- (b) effective January 1, 2020, an amount adjusted annually on the CPI adjustment date in accordance with the Schedule.

(6) Despite subsections (3)(b) and (5), a benefit or an amount used to calculate a benefit or eligibility for a benefit must not be adjusted based on the Alberta CPI in a CPI adjustment year if the change in the Alberta CPI applicable to that year, calculated in accordance with the Schedule, is a negative number.

(7) Despite subsections (3) and (5), the maximum amount of a discontinuous special needs component of a benefit or the maximum amount that may be paid for a primary or secondary funded item may be increased at any time in accordance with the regulations.

New CPI adjustment date

2.3 A new CPI adjustment date may be set under the regulations if the new date does not result in more than 12 months between adjustments of benefits or amounts used to calculate benefits or eligibility for benefits.

(5) Section 6 is amended

(a) by adding the following after clause (b):

- (b.1) respecting increases to the amounts of benefits or amounts used to calculate benefits or eligibility for benefits, including regulations
 - (i) respecting the amounts of increases or the manner in which the amounts of increases are to be determined;
 - (ii) respecting the timing of increases;

(5) Adds regulation-making powers.

- (b.2) respecting accommodation adjustment dates, benefit adjustment dates and CPI adjustment dates;
- (b.3) respecting matters arising when an accommodation adjustment date, a benefit adjustment date or a CPI adjustment date is changed, including the manner in which adjustments to benefits or amounts used to calculate benefits or eligibility for benefits are to be calculated;

(b) by adding the following after clause (g):

- (h) respecting the types of accommodation whose residents may be eligible for a benefit;
- (i) classifying primary and secondary funded items for the purpose of the special needs component of a benefit;
- (j) respecting the maximum amount that may be paid for primary or secondary funded items;
- (k) defining a word or expression that is used in this Act but not defined.

(6) The following is added after section 6:

Schedule

Definitions

1 In this Schedule,

- (a) “adult interdependent partner” means an adult interdependent partner as defined in the regulations;
- (b) “designated assisted living unit” means a designated assisted living unit as defined in the regulations;
- (c) “income for calculating benefits” means income for calculating benefits as defined in the regulations;
- (d) “long-term care centre” means a long-term care centre as defined in the regulations;
- (e) “senior” means a senior as defined in the regulations;

(6) Schedule.

- (f) “senior couple” means a senior couple as defined in the regulations;
- (g) “single senior” means a single senior as defined in the regulations;
- (h) “spouse” means a spouse as defined in the regulations;
- (i) “total income” means total income as defined in the regulations.

CPI Adjustment

Calculation of CPI adjusted benefit amounts

2(1) A benefit or an amount used to calculate a benefit or eligibility for a benefit that is to be adjusted for the 2019 CPI adjustment year under section 2.2 of this Act must be adjusted by an amount equal to

- (a) the benefit amount or amount for December 2018,
multiplied by
- (b) the change in the Alberta CPI determined in accordance with section 3.

(2) Subject to the regulations, a benefit or an amount used to calculate a benefit or eligibility for a benefit that is to be adjusted for the 2020 CPI adjustment year and subsequent CPI adjustment years under sections 2.1 or 2.2 of this Act must be adjusted by an amount equal to

- (a) the benefit amount or amount for the previous CPI adjustment year, including any increase to that amount made under this Act or the regulations,
multiplied by
- (b) the change in the Alberta CPI determined in accordance with section 3.

Change in Alberta CPI

3(1) For the 2019 CPI adjustment year, the change in the Alberta CPI is the amount determined by the formula

$$X = \frac{A}{B} - 1$$

where

X is the change in the Alberta CPI, rounded to 3 decimal places;

A is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period ending July 31, 2018;

B is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period ending July 31, 2017.

(2) For the 2020 CPI adjustment year and subsequent CPI adjustment years, the change in the Alberta CPI is the amount determined by the formula

$$X = \frac{A}{B} - 1$$

where

X is the change in the Alberta CPI, rounded to 3 decimal places;

A is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period ending on September 30 of the calendar year that ended before the commencement of the CPI adjustment year;

B is the sum of the 12 individual Alberta CPI indexes for each month in the 12-month period immediately preceding the 12-month period referred to in A.

(3) The Minister, in consultation with the Minister responsible for the *Financial Administration Act*, shall determine the amount by which benefits and amounts used to calculate benefits or eligibility for benefits must be adjusted under section 2 if the Alberta CPI is not available for part or all of the CPI adjustment year for which the change in the Alberta CPI is being calculated.

Calculation of Benefit Amounts

Income supplement and accommodation assistance components

4(1) The income supplement component and accommodation assistance component of an annual cash benefit are based on

- (a) the applicant's relationship status,
- (b) the applicant's accommodation status, and
- (c) subject to subsections (2) and (3), the income for calculating benefits of the applicant or the individuals in a senior couple, as the case may be, reduced by the applicable percentage set out in Column 2 of Table 1 and the maximum annual cash benefit set out in Column 3 of Table 1, for the 2019 CPI adjustment year.

(2) For the 2020 CPI adjustment year and each subsequent CPI adjustment year, the maximum annual cash benefit referred to in subsection (1)(c) must be adjusted in accordance with section 2(2).

(3) Each time adjustments are made to the maximum annual cash benefit under subsection (2) or to the non-deductible income amount under section 8, the applicable percentage referred to in subsection (1)(c) must be adjusted in accordance with the following formula:

$$P = \frac{M}{I}$$

where

P is the percentage referred to in subsection (1)(c), rounded to 2 decimal places as adjusted;

M is the adjusted maximum annual cash benefit;

I is the non-deductible income amount under section 8 for a single senior or a senior couple, as applicable.

(4) The income supplement component and accommodation assistance component are calculated by reducing the maximum annual cash benefit by the income for calculating benefits as reduced under subsection (1).

(5) A senior who is not eligible for Old Age Security may receive the supplementary accommodation assistance component of the benefit under section 5 or 7.

Table 1

Accommodation and Relationship Category	Percentage	Maximum Annual Cash Benefit
Homeowner		
Single senior	16.52%	\$3431
Senior couple	16.56%	\$5146
Renter		
Single senior	16.52%	\$3431
Senior couple	16.56%	\$5146
Lodge Resident		
Single senior	16.52%	\$3431
Senior couple	16.56%	\$5146
Long-term Care Centre		
Single senior	16.52%	\$3431
Senior couple	16.56%	\$5146
Designated Assisted Living Unit		
Single senior	16.52%	\$3431
Senior couple	16.56%	\$5146
All other Accommodation		
Single senior	11.52%	\$2390
Senior couple	15.38%	\$4779

Supplementary accommodation assistance — recipients before October 1, 2007

5(1) Subject to section 6, this section applies to an individual who entered a long-term care centre or designated assisted living unit before October 1, 2007.

(2) The annual supplementary accommodation assistance component of an annual cash benefit is based on

- (a) the applicant's accommodation status and, if applicable, the accommodation status of the applicant's spouse or adult interdependent partner, and

(b) subject to subsections (3), (4) and (5), the income for calculating benefits of the applicant, or one half of the combined incomes of the individuals in a senior couple, as the case may be, reduced by the applicable percentage set out in Column 2 of Table 2 and the maximum annual supplementary accommodation assistance component of the benefit set out in Column 3 of Table 2 for the 2019 CPI adjustment year.

(3) For the 2019 accommodation adjustment year and each subsequent accommodation adjustment year, the maximum annual supplementary accommodation assistance component of the benefit referred to in subsection (2)(b) must be adjusted by the amount of the increase in the daily accommodation charge for a private room as determined under section 3(1.1) of the *Nursing Homes Operation Regulation* (AR 258/85) that is in effect on the first day of the month after the accommodation adjustment date multiplied by 365.

(4) For the 2020 CPI adjustment year and each subsequent CPI adjustment year, the maximum annual supplementary accommodation assistance component of the benefit referred to in subsection (2)(b) must be adjusted in accordance with section 2(2).

(5) Each time the maximum annual supplementary accommodation assistance component of the benefit is adjusted under subsection (3) or (4), the applicable percentage referred to in subsection (2)(b) must be adjusted in accordance with the following formula:

$$P = \frac{M}{I}$$

where

P is the percentage referred to in subsection (2)(b), rounded to 2 decimal places as adjusted;

M is the adjusted maximum annual supplementary accommodation assistance;

I is the non-deductible income amount under section 8 for a single senior.

(6) The annual supplementary accommodation assistance component of the benefit is calculated by reducing the maximum annual supplementary accommodation assistance component of the

benefit by the income for calculating benefits as reduced under subsection (2)(b).

Table 2

Accommodation and Relationship Category	Percentage	Maximum Annual Supplementary Accommodation Assistance Component
Long-term Care Centre	66.98%	\$13 875
Designated Assisted Living Unit	66.98%	\$13 875

Individuals in long-term care or designated assisted living

6(1) An individual who is living in a long-term care centre or a designated assisted living unit immediately prior to October 1, 2007 may receive the supplementary accommodation assistance component of the benefit calculated in accordance with section 7 instead of in accordance with section 5 if the calculation in accordance with section 7 results in a higher benefit for that individual.

(2) Where an individual referred to in subsection (1) receives the supplementary accommodation assistance component of the benefit as calculated in accordance with section 7, that individual's payment must continue to be calculated in accordance with section 7 and must not thereafter be calculated in accordance with section 5.

(3) If one or both individuals in a senior couple is in a long-term care centre or designated assisted living unit, the couple may choose for the purpose of calculating eligibility for a benefit under this Act to have their income totalled and divided by 2 and the couple treated as 2 single seniors occupying separate dwellings.

Calculation of supplementary accommodation assistance

7(1) Subject to section 6, this section applies to an individual who enters a long-term care centre or a designated assisted living unit on or after October 1, 2007.

(2) The supplementary accommodation assistance component of the benefit is calculated monthly

- (a) by adding to the monthly accommodation charge for a private room as determined under section 3(1.1) of the *Nursing Homes Operation Regulation* (AR 258/85), a monthly disposable income amount of
 - (i) for 2019, \$322,
 - (ii) for the 2020 CPI adjustment year and each subsequent CPI adjustment year, an amount adjusted in accordance with section 2(2),

and

- (b) by subtracting from the amount calculated under clause (a) the monthly average of the previous year's total income, not including any supplementary accommodation assistance component of the benefit received in the previous year, of the applicant and, if applicable, the applicant's spouse or adult interdependent partner.

(3) Subject to subsections (4), (5) and (6), the maximum amount of the supplementary accommodation assistance component of the benefit calculated under this section must not exceed \$695.

(4) Effective the 2019 accommodation adjustment date, the maximum amount of the supplementary accommodation assistance component under subsection (3) must be adjusted each year on the accommodation adjustment date, as required, by an amount determined by the formula

$$X = A + B - \left(\frac{C}{12}\right)$$

where

- X is the maximum amount of the supplementary accommodation assistance component under subsection (3);
- A is the monthly accommodation charge for a private room as determined under section 3(1.1) of the *Nursing Homes Operation Regulation* (AR 258/85) that is in effect on the first day of the month after the accommodation adjustment date;

- B is the monthly disposable income amount added to the monthly accommodation charge under subsection (2)(a);
- C is the combined maximum annual amount, not including retroactive payments, of Old Age Security, not adjusted for deferral, and Guaranteed Income Supplement payable to a single senior and the maximum benefit payable to a single senior under section 4, in the year immediately preceding the previous calendar year.

(5) The amount of the maximum supplementary accommodation assistance component under subsection (3) must be adjusted on the CPI adjustment date when the monthly disposable income amount under subsection (2)(a) is adjusted under section 2(2) using the formula in subsection (4).

(6) If the adjusted amount of the supplementary accommodation assistance component as determined under subsection (4) or (5) is less than the amount of the supplementary accommodation assistance component at the time the adjusted amount is calculated, the amount of the supplementary accommodation assistance component must not be adjusted.

Non-deductible income amount

8(1) For the 2018 benefit adjustment year, the non-deductible income amount is

- (a) \$20 715 for single seniors, and
- (b) \$31 010 for senior couples.

(2) For the 2019 benefit adjustment year and each subsequent benefit adjustment year, the non-deductible income amount is the non-deductible income amount in the previous benefit adjustment year increased by a percentage equivalent to the Pension Index under the *Canada Pension Plan* (Canada) that was applicable for the calendar year that ended before the commencement of the benefit adjustment year.

(3) The Minister, in consultation with the Minister responsible for the *Financial Administration Act*, shall determine the amount by which the non-deductible income amount is to be adjusted for a benefit adjustment year if

- (a) the method of calculating the Pension Index is modified by the Government of Canada, or
- (b) the change in the Pension Index cannot be determined for any reason.

Special needs component

9(1) In this section, “primary funded items” and “secondary funded items” mean the items classified as such under the regulations.

(2) An applicant is eligible for a discontinuous special needs component of a benefit if

- (a) the applicant is eligible under the regulations, and
- (b) in the case of primary funded items and an applicant who is a single senior, the applicant’s total income, after deducting the supplementary accommodation assistance benefit and Canada Pension Death benefit paid to the applicant in the calendar year immediately preceding the benefit adjustment year, is less than
 - (i) for the 2018 benefit adjustment year, \$27 690, and
 - (ii) for the 2019 benefit adjustment year and each subsequent benefit adjustment year, the sum of
 - (A) the single senior non-deductible income amount under section 8 for the benefit adjustment year,
plus
 - (B) an amount equal to the maximum annual amount, not including retroactive payments and not adjusted for deferral, of the monthly pension payable to a single senior under the *Old Age Security Act* (Canada) in the calendar year that ended before the commencement of the benefit adjustment year,
- (c) in the case of primary funded items and an applicant who is part of a senior couple, the senior couple’s total income, after deducting the supplementary accommodation assistance benefit and Canada Pension Death benefit paid to

the senior couple in the calendar year immediately preceding the benefit adjustment year, is less than

- (i) for the 2018 benefit adjustment year, \$44 965, and
 - (ii) for the 2019 benefit adjustment year and each subsequent benefit adjustment year, the sum of
 - (A) the senior couple non-deductible income amount under section 8 for the benefit adjustment year,
plus
 - (B) an amount equal to double the maximum annual amount, not including retroactive payments and not adjusted for deferral, of the monthly pension payable to a single senior under the *Old Age Security Act* (Canada) in the calendar year that ended before the commencement of the benefit adjustment year,
- (d) in the case of secondary funded items and an applicant who is a single senior, the applicant's total income, after deducting the supplementary accommodation assistance benefit and Canada Pension Death benefit paid to the applicant in the calendar year immediately preceding the benefit adjustment year, is less than
- (i) for the 2018 benefit adjustment year, \$23 290, and
 - (ii) for the 2019 benefit adjustment year and each subsequent benefit adjustment year, the sum of
 - (A) the single senior non-deductible income amount under section 8 for the benefit adjustment year,
plus
 - (B) an amount equal to the maximum annual amount, not including retroactive payments and not adjusted for deferral, of the monthly pension payable to a single senior under the *Old Age Security Act* (Canada) in the calendar year that ended before the commencement of the benefit adjustment year,

and

- (e) in the case of secondary funded items and an applicant who is part of a senior couple, the senior couple's total income, after deducting the supplementary accommodation assistance benefit and Canada Pension Death benefit paid to the senior couple in the calendar year immediately preceding the benefit adjustment year, is less than
 - (i) for the 2018 benefit adjustment year, \$36 765, and
 - (ii) for the 2019 benefit adjustment year and each subsequent benefit adjustment year, the sum of
 - (A) the senior couple non-deductible income amount under section 8 for the benefit adjustment year, plus
 - (B) an amount equal to double the maximum annual amount, not including retroactive payments and not adjusted for deferral, of the monthly pension payable to a single senior under the *Old Age Security Act* (Canada) in the year that ended before the commencement of the benefit adjustment year.
- (3) The maximum amount that an applicant is eligible to receive under subsection (2) in a benefit adjustment year, regardless of the number of claims made in the benefit adjustment year, is
- (a) for the 2019 CPI adjustment year, \$5105, and
 - (b) for the 2020 CPI adjustment year and each subsequent CPI adjustment year, an amount adjusted in accordance with section 2(2).

Maximum amounts of primary and secondary funded items

10(1) If a maximum amount that may be paid for a primary or secondary funded item has been designated under the regulations, the maximum amount that may be paid for that funded item must be adjusted, subject to the regulations and subsection (2),

- (a) for the 2019 CPI adjustment year, in accordance with section 2(1), and

(b) for the 2020 CPI adjustment year and each subsequent CPI adjustment year, in accordance with section 2(2).

(2) Subsection (1) does not apply to the maximum amount that may be paid for a funded item that is

- (a) a reimbursement of an actual cost,
- (b) an amount established in an agreement entered into by the Minister, or
- (c) based on an amount that is determined under another enactment or under a Government program.

Coming into Force

5 This Act comes into force on January 1, 2019.

Coming into force

- 5** Coming into force.

