Hard of hearing individuals being unjustly denied the Disability Tax Credit

Ottawa, June, 2011 – The Canadian Hard of Hearing Association (CHHA), a national organization representing millions of Canadians who live with hearing loss, urges the Government of Canada to amend the words contained in the eligibility criteria under the Disability Tax Credit (DTC) as it applies to individuals who are hard of hearing. The present criteria, particularly the words “quiet setting”, have caused a great deal of uncertainty amongst physicians, audiologists and other qualified authorizers of the Disability Tax Credit Certificate. This uncertainty has led to many hard of hearing individuals being unjustly denied the Disability Tax Credit, and brought to the forefront its discriminatory nature.

The only direction on what a “quiet setting” might mean comes from case law. Barber v. The Queen (2001 CanLii 863), which is the only case where the court sets out the purposes of the Income Tax Act in relation to Disability Tax Credit, acknowledges that the question of the definition of “quiet setting” is squarely before it, and proceeds to give a definition [see paras. 52-55]. It is the law from Barber upon which we have based our recommendations.

In response to complaints about the uncertainty of the present criteria, the CHHA National Working Group on the Disability Tax Credit has developed a proposal to revise the criteria in an effort to give effect to the purpose of the Disability Tax Credit. In developing our position on this issue, we have consulted with our members across the country as well as key organizations such as the Canadian Association of Speech-Language Pathologists and Audiologists (CASLPA) which represents some 5,500 speech-language, and audiology professionals, the Canadian Academy of Audiology (CAA), and VOICE for Hearing Impaired Children which represents the interests of hearing impaired children in Canada.

CHHA thanks Peter Julian, NDP-Burnaby- New Westminster for reintroducing the Bill C-246 today (An Bill to amend the Income tax Act (hearing impairment)) to correct this discrimination. It was endorsed by Manon Perrault, NDP-Montcalm, critic for Persons with Disabilities, Human Resources and Skill Development.

Further information is available from our website at www.chha.ca/chha/dtc.php so please take the time to review it, download the petition, sign it and encourage others to sign it.

For more information, contact Michael Currie, Chair, National Working Group on The Disability Tax Credit, Canadian Hard of Hearing Association, at currie.ab@gmail.com or 1-604-626-5971.

The Canadian Hard of Hearing Association (CHHA) is the voice of hard of hearing Canadians, providing educational programs and advocating self-help. Its aim is full hearing accessibility in Canadian society. It is there to… Help to Hear Those Who Love to Listen.