



Involuntary Separation

The challenges faced by many senior citizens today to secure adequate financial resources in their retirement years are growing. This is likely due, in part, to our living longer lives and, in part, to the increasing cost of health care.

Almost all of today's seniors receive income from Canada's Public Pensions, in the form of Old Age Security (OAS), the OAS Guaranteed Income Supplement (GIS) and Canada Pension Plan (CPP). For many seniors, these provisions are their only sources of income after age 65.

When care for an infirm spouse can no longer be provided at home by the capable spouse, couples may be forced to live separately, as where one spouse must transfer to a long-term care facility. It may even be the case that both spouses cannot care for themselves and both must transfer to a long-term care facility.

In the first instance, the spouse who remains at home may be placed in a difficult financial situation because the cost of long-term care for the infirm spouse uses a disproportionate amount of the couple's income, especially where the couple's income is made up only of OAS, GIS and CPP.

In the second instance, the income of both spouses may not be adequate at all to meet long term care costs of both spouses.

In either case, if both spouses are receiving OAS (and GIS), one or both may make a written application for "**Involuntary Separation**" under the provisions of the *Old Age Security Act* (Federal Government) to request that both spouses be treated as single persons for the purposes of OAS & GIS. If both spouses are considered single for the purposes of the *Old Age Security Act*, both spouses may then qualify for higher OAS and GIS payments.

The term "**Involuntary Separation**" then does not mean getting a legal separation or divorce. The term means only that the spouses are considered single for purposes of the calculation of their OAS & GIS benefits.

To qualify for this "**Involuntary Separation**" status, the separation must not be voluntary in the sense of a legal separation. The separation must be caused by circumstances beyond the control of either spouse. The fact that one spouse must live in a long-term care facility apart from his or her capable spouse, or, that both spouses must live in a long-term care facility (it does not matter if each spouse shares a long-term care room with his or her spouse) is evidence of separation due to circumstances not attributable to either spouse.

More information on this topic can be found by contacting Social Development Canada or online at <http://www.seniors.gc.ca>.

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