

## **According to the Court of Audit, creativity is needed in granting subsidies for the provision of aids to disabled persons**

*The Court of Audit examined the issue of individual material assistance (IMA) i.e. subsidies for the provision of aids to disabled persons. It turns out that the numerous actors in the decision-making process have to deal creatively with their task and the directives if the applicants are to be provided the necessary assistance. This stems mainly from the conflicting views expressed in the regulation. For the multidisciplinary teams (MDT), responsible for making the diagnosis and framing the application, minimal quality requirements are still missing. Their reports sometimes contain inadequate comment and motivation and this in turn is reflected in the opinions and decisions of the other actors, the motivation of which also leaves to be desired.*

### **Aid and reference list**

Aids eligible for subsidy are part of a reference list with function limitations. The hierarchically superior regulation, however, is based on social inclusion and participation needs. In practice, this dichotomy has led to the creation of all sorts of ways to make it possible to award the necessary aid to the applicants. A case in point is that disabled persons could not be awarded a subsidy for the electrification of their roll-down shutters unless categorized with the – if necessary fictitious – limitation replacement of upper limbs, since in the reference list only this limitation entitled them to get a subsidy for the electrification of roll-down shutters. Since 1st January 2009, the Flemish Government has adjusted the reference list, which has at least provided a partial solution: thanks to additional categories of function limitations some aides are now eligible for subsidy.

### **MDTs' diagnosis**

The MDTs inform and provide guidance to disabled persons. The minister has still to lay down minimal quality requirements for MDTs and their working activity has not yet been evaluated. Some evidence seems to suggest that the time interval elapsed between the first contact with the applicant and the filing of the report can be rather long. The applications are sometimes without any necessary or useful information or supporting evidence. Occasionally, the administration notes that proposed adjustments to a dwelling are impossible to carry out or inappropriate. It appears, in particular from inspection visits, that in many instances aids are eventually neither acquired nor used.

### **Application process**

The provincial evaluation commission (PEC) determines the reality, the nature and the seriousness of the disability on the ground of the MDTs' report. Based on this, the provincial section of the Flemish Agency for disabled persons (FADP) sets the subsidy for aids. In practice, this strict separation of tasks is not tenable: the provincial evaluation commission's decisions are often made in view of the requested aid. Negative decisions by the PEC and the provincial section are rarely sufficiently motivated. In spite of several initiatives taken by the FADP to render the decision-making process within the PECs and SPs as uniform as possible, disparities between the provinces clearly remain. Furthermore, with regard to on-site control and the attention paid to a possible combination with other subsidies, the practice varies strongly from one province to the other. When the SP rejects (partially) the application, the applicant can turn to the

reexamination commission. For aids which are not included in the reference list and for subsidies in excess of the reference amount, the responsibility lies with the special assistance commission. Usually, both commissions hardly motivate their opinions and decisions.

#### **Minister's reply**

In her reply the minister notes that the problem of the time intervals with the MDTs should be remedied thanks to the updating of the minimal quality requirements, as part of a strategic project for quality improvement. She also stresses that, by agreement with the VAPH, the Flemish Government has removed a number of recognized obstacles, in particular by simplifying the application process and making interpretations and practices clearer and more uniform. The replacement of the reference list by aids cards, which should bridge the gap between the regulation and its practical implementation, still has to be carried out.

**The audit report *The subsidizing of the provision of aids to disabled persons* was sent to the Flemish Parliament. The full report and the press release are available on the Court's website ([www.rekenhof.be](http://www.rekenhof.be)).**

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