

CANADIAN THALIDOMIDE SURVIVORS SUPPORT PROGRAM (“CTSSP”) RECONSIDERATION PROTOCOL

This reconsideration protocol is intended for use by Applicants to the CTSSP who wish to request reconsideration of an application determination issued by the CTSSP Administrator (“Administrator”) at any step of the CTSSP application process.

The protocol identifies the requirements to request reconsideration and the corresponding process that the Administrator will follow in reviewing each request.

Requests for Reconsideration must be postmarked by June 3, 2024 (the “Application Deadline”).

Applications still in progress at any stage of the CTSSP application process as of the Application Deadline will have one* (1) year post the Application Deadline to complete the Application process; after which time the application review process will end.

The Forms mentioned throughout this protocol can be downloaded via the CTSSP website (<https://tsspcanada.ca/>) or requested from the Administrator.

Defined Terms

Administrator and its role – means an entity with which the Minister has entered into an agreement for the purposes of administering the CTSSP. The Administrator shall review all information submitted for reconsideration and determine relevance. The Administrator is the final decision-maker in all reconsideration hearings.

Applicant – An individual who has submitted an application to the CTSSP and whose application has been received by the Administrator.

Application – Refers to any form throughout the application process which requires completion by the Applicant.

Application Deadline – For the purposes of this protocol, the postmark date by which a Request for Reconsideration Form must be sent to the CTSSP Administrator. The Application Deadline is postmarked by June 3, 2024.

Canadian Thalidomide Survivors Support Program (“CTSSP”) – Means the program established by the Governor in Council pursuant to the Canadian Thalidomide Survivors Support Program Order, P.C. 2019-0271.

Completed File – A claimant submission that the Administrator deems complete when all questions have been answered in an Application Form(s) and requested supporting documents have been provided or a response from the Applicant has been received advising the requested supporting documents will not be submitted.

Deficiency Letter – A letter from the CTSSP Administrator to the Applicant identifying what information is missing or needed from the Applicant to enable the completion of an Application review.

Determination Letter – A letter issued by the CTSSP Administrator to an Applicant providing an Applicant with the determination following the review of their application at any stage of the CTSSP application process.

*This timeframe may be extended if additional time is required by the Multi-disciplinary Committee to complete its mandate.

File – A term used to mean all of the Applications and supporting documents submitted by the Applicant in support of their application to the CTSSP which have been received by the Administrator at the point in time an application review and determination is undertaken.

Methodology – The process by which the Multi-disciplinary Committee of medical and legal experts reviews a File and makes a recommendation to the CTSSP Administrator.

Multi-disciplinary Committee– Means the committee comprised of medical and legal experts selected by the CTSSP Administrator to provide recommendations to the Administrator pursuant to section 3(5)(c) of the Order in Council, dated April 5, 2019, titled the Canadian Thalidomide Survivors Support Program Order, P.C. 2019-0271.

Oral Hearing – Is a form of reconsideration available to Applicants denied at Step 3 whereby an Applicant can request reconsideration of the Step 3 determination by providing Reconsideration Information to the Multi-disciplinary Committee via a combination of written and virtual or in-person submissions. An Oral Hearing is not a formal legal proceeding and is meant to be informal.

Oral Hearing Facilitator – Is the individual selected by the CTSSP Administrator who will facilitate the Oral Hearings. The Oral Hearing Facilitator will be present at each Oral Hearing. The role of the Oral Hearing Facilitator is to ensure that the Oral Hearings follow the pre-determined procedures outlined in this protocol at Step 3 “During the Oral Hearing”. The Oral Hearing Facilitator will not play any role in a recommendation on eligibility from the Multi-disciplinary Committee made in response to a Request for Reconsideration.

Order in Council – The Order, PC Number 2019-0271, dated April 5, 2019, issued by her Excellency the Governor General in Council, on the recommendation of the Minister of Health, that establishes the parameters of the Canadian Thalidomide Survivors Support Program.

Reconsideration Information – Reconsideration Information is a) any additional medical information, X-rays, pictures or records of the Applicant not previously identified that speaks to their Thalidomide related birth differences, or b) identification of a specific consideration document, medical record or submission not addressed in the Determination Letter that the Applicant believes has the potential to change the determination regarding the person’s eligibility under the CTSSP previously made.

Request for Reconsideration – The form and process used by an applicant to request reconsideration of the determination at any stage of the CTSSP application process.

Written Submission Deadline – The postmark deadline by which an Applicant at Step 3 must provide additional written Reconsideration Information submissions in regard to their Step 3 Request for Reconsideration.

Any reference to days in this protocol refers to calendar days unless otherwise specified. In the event that a date pertaining to a deadline referred to herein falls on a Canadian holiday or a weekend, then the deadline date will be the next business day thereafter.

The following pages outline the steps and requirements regarding reconsideration at each stage of the CTSSP.

STEP 1 Reconsideration – Preliminary Screening

1. Applicants who receive a Determination Letter that indicates they did not meet one (1) or more of the three (3) Step 1 eligibility criteria identified in the Order in Council may request reconsideration by completing and submitting a Request for Reconsideration Form to the Administrator postmarked by the Application Deadline. The Administrator will consider any Request for Reconsideration that contains Reconsideration Information regarding the eligibility criteria that was not met as identified in the Determination Letter sent to the Applicant.
2. Within two (2) business days of receipt of the Request for Reconsideration Form, the Administrator will send the Applicant an acknowledgement letter confirming receipt of the Request for Reconsideration Form.
3. The Administrator will review the Request for Reconsideration Form for completeness and to confirm if Reconsideration Information has been provided:

Incomplete Reconsideration Request:

- i. If the Administrator determines that the Request for Reconsideration Form has not been completed in full, the Administrator will send the Applicant a Deficiency Letter explaining what information is missing.
- ii. The Applicant's Request for Reconsideration will then be placed on hold pending receipt of the missing information by the Administrator or confirmation from the Applicant that they will not be submitting the missing information.
- iii. The Administrator will follow-up with the Applicant in writing, using existing contact information on file, every 60 days until the Application Deadline if a response to the Deficiency Letter has not been received.
- iv. Upon receipt of the requested missing information or receipt of the Applicant's response that all or some of the missing information will not be provided, the Administrator will complete its review and issue a Determination Letter to the Applicant based on the File information received as of that time. In the event, that a response to the Deficiency Letter is not postmarked by the Application Deadline, then the Administrator will base its review and issue the Determination Letter based on the File information received as of the Application Deadline.

Reconsideration Information **Not** Submitted:

- i. If the Administrator determines that the information submitted with the Applicant's Request for Reconsideration Form is not Reconsideration Information, the Request for Reconsideration Form will be rejected, and the Applicant will be notified in writing that their Application will not proceed any further. The Applicant may request reconsideration again if they so wish before the Application Deadline. There is no limit to how many Requests for Reconsideration an Applicant may submit prior to the Application Deadline.

Reconsideration Information Submitted:

- i. A Request for Reconsideration Form that the Administrator determines is complete and contains Reconsideration Information will be reassessed at Step 1 to determine if the Reconsideration Information changes the Administrator's previous determination regarding the Applicant's eligibility to advance to Step 2 under the CTSSP. The Applicant will receive the Administrator's Determination Letter in writing within 30 calendar days of the Applicant's Request for Reconsideration Form being deemed completed in full and containing Reconsideration Information by the Administrator.
- ii. Should the determination results indicate that the Applicant meets the Step 1 eligibility criteria, the Determination Letter will provide the Applicant with information on how to proceed through Step 2 of the CTSSP application process.
- iii. Should the determination results indicate the Applicant does not meet the Step 1 eligibility criteria, the Determination Letter will explain why the Applicant does not meet the criteria. The Applicant will then have the right to request reconsideration again by completing and submitting a new Request for Reconsideration by the Application Deadline. There is no limit to how many Requests for Reconsideration an Applicant may submit prior to the Application Deadline.

Reconsideration Determinations made at Step 1 are made by the CTSSP Administrator. The Multi-disciplinary Committee is not involved in the rendering of determinations at Step 1, or at any stage.

STEP 2 Reconsideration – Probability Assessment

1. Applicants who receive a Step 2 Determination Letter with a valiDATE result of "Unlikely" or "Uncertain" will automatically receive a Selection Form, which provides the Applicant with four (4) options:
 - Option 1: The Applicant may choose to have their File reviewed by the Multi-disciplinary Committee of medical and legal experts.
 - Option 2: The Applicant may choose to do nothing at this time but reserve their choice to request that their File be sent to the Committee at a later date by submitting a new Selection Form to the Administrator prior to the Application Deadline.
 - Option 3: The Applicant may choose to do nothing and to not have their File proceed through the CTSSP process any further.
 - Option 4: The Applicant may request reconsideration at Step 2 by completing and submitting a Request for Reconsideration Form to the Administrator by the Application Deadline.
2. Applicants who want their Application to continue through the CTSSP Application process must complete and submit the Selection Form to the Administrator postmarked by the Application Deadline. The Administrator will follow-up with Applicants in writing, using existing

contact information on file, every 60 days until the Application Deadline if a Selection Form has not been returned to the Administrator.

3. Within two (2) business days of receipt of the Selection Form, the Administrator will send the Applicant an acknowledgement letter confirming receipt of the Form.
4. The Administrator will then review the Selection Form for completeness and to verify the Applicant's choice.

Incomplete Selection Form Submission:

- i. If the Administrator determines that the Selection Form was not completed in full, the Administrator will send the Applicant a Deficiency Letter explaining what information is missing.
- ii. The Applicant's Selection Form will then be placed on hold pending receipt of the missing information by the Administrator.
- iii. The Administrator will follow-up with the Applicant in writing, using existing contact information on file, every 60 days until the Application Deadline if a response to the Deficiency Letter has not been received.
- iv. In the event that a response to the Deficiency Letter is not postmarked by the Application Deadline, then the Administrator will issue a Determination Letter informing the Applicant that their application will proceed no further.

Fully Completed Selection Form:

Option 1: The Applicant chooses to have their application reviewed by the Multi-disciplinary Committee.

- i. The Administrator will send an Attestation Form to the Applicant's health care practitioner identified in the Applicant's Step 2 Application Form to request that they verify that the responses to the questions in the valiDATE report are an accurate account of the Applicant's Thalidomide related birth differences. They will have a space in the Form to note any additional information if applicable. The completed Attestation must then be submitted to the Administrator postmarked by the Application Deadline.
- ii. Within two (2) business days of receipt of the completed Attestation Form, the Administrator will send the Applicant an acknowledgement letter confirming receipt of the Form.
- iii. The Administrator will then review the Attestation Form for completeness.

Incomplete Attestation Form Submission:

- a. If the Administrator determines that Attestation Form was not completed in full, the Administrator will send the health care practitioner a Deficiency Letter explaining what is missing with a copy to the Applicant.
- b. The Applicant's Application will then be placed on hold pending receipt of the missing information by the Administrator.
- c. The Administrator will follow-up with the healthcare practitioner and the Applicant in writing, using existing contact information on file, every 60 days until the Application Deadline if a response to the Deficiency Letter has not been received.

- d. If a response to the Deficiency Letter is not postmarked by the Application Deadline, then the Attestation Form will be rejected, and the Applicant will be notified in writing that their Application will not be proceeding any further.

Complete Attestation Form Submission:

- a. The Administrator will review the Applicant's entire File for completeness. If information is missing, the Administrator will contact the Applicant to obtain the same.
- b. Once the Administrator determines the File is complete, the File will then be forwarded to the Multi-disciplinary Committee for review and recommendation to the Administrator as to whether the Applicant should be found eligible under the CTSSP.
- c. Once an Applicant's complete file is received from the Administrator, the Multi-disciplinary Committee will look at the totality of the information provided by the Applicant and anything else it might find relevant to make its recommendation to the Administrator. The Multi-disciplinary Committee may also request additional information and/or tests it deems necessary in order to make its recommendation. The Multi-disciplinary Committee will have a **maximum of 90 days** to provide its written recommendation to the Administrator unless there is a delay in receiving the additional information or tests requested by the Multi-disciplinary Committee from the Applicant which makes that timeline impossible. If there is a delay for that reason, the Applicant will be notified in writing.
- d. Upon receipt of the recommendation from the Committee, the Administrator will review the recommendation and issue a Determination Letter to the Applicant within 5 days of receipt.
- e. An Applicant who receives a Determination Letter containing an eligible determination will be provided with additional information as to next steps.
- f. An Applicant who receives a Determination Letter containing an ineligible determination may request reconsideration of the Administrator's determination following the process outlined in the section labeled "Step 3 Reconsideration – Multi-disciplinary Committee Review".

Option 2: Selecting to do nothing at this time:

- i. Should the Applicant select that they are undecided at this time if they want their File to be reviewed by the Multi-disciplinary Committee, no further action will be taken on the part of the Administrator regarding the Applicant's CTSSP Application or Selection Form until such time that the Applicant submits a new Selection Form to the Administrator postmarked by the Application Deadline.

Option 3: Selecting to stop the application process and not proceed any further through the CTSSP process:

- i. Should the Applicant select that they do not wish their File to proceed any further through the CTSSP process, no further action will be taken on the part of the

Administrator regarding the Applicant's CTSSP Application or Selection Form, and the Applicant will be notified in writing that their Application will not proceed any further.

Option 4: Selecting to Request Reconsideration at Step 2 by submitting a Request for Reconsideration Form:

- i. Applicants who choose to request reconsideration at Step 2 must complete and submit a Request for Reconsideration Form to the Administrator postmarked by the Application Deadline. The Administrator will consider any reconsideration request that contains Reconsideration Information.
- ii. Within two (2) business days of receipt of the Request for Reconsideration Form, the Administrator will send the Applicant an acknowledgement letter confirming receipt of the Form.
- iii. The Administrator will then review the Applicant's Request for Reconsideration Form for completeness and to confirm if Reconsideration Information has been provided.

Incomplete Request for Reconsideration Form Submission:

- a. If the Administrator determines that the Request for Reconsideration Form was not completed in full, the Administrator will send the Applicant a Deficiency Letter explaining what is missing.
- b. The Applicant's Request for Reconsideration will then be placed on hold pending receipt of the missing information by the Administrator or confirmation from the Applicant that they will not be submitting the missing information.
- c. The Administrator will follow-up with the Applicant in writing, using existing contact information on file, every 60 days until the Application Deadline if a response to the Deficiency Letter has not been received.
- d. If a response to the Deficiency Letter is not postmarked by the Application Deadline, then the Request for Reconsideration Form will be rejected, and the Applicant will be notified in writing that their Application will not proceed any further.

Reconsideration Information **Not** submitted:

- a. If the Administrator determines that the information submitted with the Applicant's Request for Reconsideration Form is not Reconsideration Information, the Request for Reconsideration Form will be rejected, and the Applicant will be notified in writing that their Application will not proceed any further. The Applicant may request reconsideration again if they so wish before the Application Deadline in response. There is no limit to how many Step 2 Requests for Reconsideration an Applicant may submit prior to the Application Deadline.

Reconsideration Information Submitted:

- a. If the Administrator determines that a Request for Reconsideration Form is complete and contains Reconsideration Information, the Administrator will forward the Applicant's File to qualified medical staff who will use the information provided by the Applicant to re-answer the questions in the valiDATE diagnostic algorithm and generate a new valiDATE report.
- b. Upon receipt of the new valiDATE report, the Administrator will issue a new Determination letter to the Applicant. An Applicant who receives a Determination Letter with a valiDATE result of "probable" will advance to Step 3 of the CTSSP process: see next section, "Step 3 Reconsideration – Multi-disciplinary Committee Review". An Applicant who receives a Determination Letter with a valiDATE result of "unlikely" or "uncertain" will receive a new Selection Form: see "STEP 2 Reconsideration – Probability Assessment" above.

STEP 3 Reconsideration – Administrator and Multi-disciplinary Committee Review

The Request for Reconsideration process at Step 3, either in writing or by an informal Oral Hearing, is **not** a formal legal proceeding. Its sole purpose is to provide a forum for an Applicant to present Reconsideration Information to the Multi-disciplinary Committee members and the Administrator because the Applicant believes the Reconsideration Information has the potential to change the determination regarding the person's eligibility under the CTSSP previously made. It is not a forum for challenging the Methodology by which the Multi-disciplinary Committee rendered its recommendation.

A maximum of one (1) Step 3 Request for Reconsideration per Applicant is permitted, whether in writing or by informal Oral Hearing, that results in the Multi-disciplinary Committee reviewing the Request for Reconsideration and making a recommendation regarding the eligibility of the Applicant under the CTSSP.

An Applicant who receives a Step 3 Determination Letter containing an ineligible determination may request reconsideration in one of two (2) ways:

- Option 1: Request reconsideration conducted entirely in **writing** on the basis of the information the Applicant provides with the Request for Reconsideration Form and any written submissions an Applicant submits to the Administrator by the Written Submission Deadline; or;
- Option 2: Request reconsideration conducted in the form of an informal **Oral Hearing** on the basis of the information the Applicant provides in the Request for Reconsideration Form and any written submissions an Applicant submits to the Administrator by the Written Submission Deadline.

An informal Oral Hearing will take place as:

- (i) a **Virtual Hearing** via "Zoom" or other virtual meeting format,
- or,

- (ii) an **In-Person Hearing** at the Administrator's premises located in Ottawa, Ontario. Applicants are responsible for any and all of their costs associated with attending the In-Person Hearing, including travel and accommodation costs where applicable. Please note that due to the geographic diversity of the Multi-disciplinary Committee members, their physical presence at an In-Person Hearing will not be feasible.

All Oral Hearings will be recorded, and the recording will be transcribed.

1. To submit a Request for Reconsideration at Step 3, an Applicant who was found ineligible at Step 3 must:
 - i. Complete and submit a Request for Reconsideration Form to the Administrator postmarked by the Application Deadline. In the Request for Reconsideration, the Applicant shall elect to proceed with either reconsideration in writing or reconsideration by Oral Hearing (which can include written submissions).
 - ii. The Applicant must provide Reconsideration Information in order for their reconsideration request to be considered.
 - iii. Any Applicant who is requesting reconsideration at Step 3 must indicate if they intend to provide additional Reconsideration Information, beyond what was provided in their initial Request for Reconsideration Form submitted. Providing additional Reconsideration Information, after submitting the Request for Reconsideration Form, is voluntary but the decision of whether or not additional information will be forthcoming must be communicated at the time the Request for Reconsideration Form is submitted. Applicants intending to provide additional Reconsideration Information will have an additional sixty (60) days from the date the Reconsideration Form is received by the Administrator ("Written Submission Deadline") to provide additional Reconsideration Information in support of the Request for Reconsideration. The following requirements must be met when submitting additional Reconsideration Information after submitting the Request for Reconsideration Form:
 - a. Additional Reconsideration Information may be a maximum of 30 pages in length, exclusive of medical records and reports.
 - b. The reasons relied upon as the basis for reconsideration must be clearly specified and that any elements to be considered for review by the Multi-disciplinary Committee are clearly stated.
 - c. No further written submission will be accepted once the 60-day Written Submission deadline passes.
2. Within two (2) business days of receipt of the Request for Reconsideration Form, the Administrator will send the Applicant an acknowledgement letter confirming receipt of the form.
3. The Administrator will then review the Applicant's Request for Reconsideration Form for completeness and to confirm if Reconsideration Information has been provided. The Administrator may consult the Multi-disciplinary Committee in determining if the information provided is Reconsideration Information.

Incomplete Request for Reconsideration Form Submission:

- i. If the Administrator determines that the Request for Reconsideration Form was not completed in full, the Administrator will send the Applicant a Deficiency Letter explaining what is missing.
- ii. The Applicant's Request for Reconsideration will then be placed on hold pending receipt of the missing information by the Administrator or confirmation from the Applicant that they will not be submitting the missing information.
- iii. The Administrator will follow-up with the Applicant in writing, using existing contact information on file, every 60 days until the Application Deadline if a response to the Deficiency Letter has not been received.
- iv. If a response to the Deficiency Letter is not postmarked by the Application Deadline, then the Request for Reconsideration Form will be rejected, and the Applicant will be notified in writing that their Application will not proceed any further.

Reconsideration Information not submitted:

- i. If the Administrator determines that the information submitted with the Applicant's Request for Reconsideration Form is not Reconsideration Information, the Request for Reconsideration Form will be rejected, and the Applicant will be notified in writing that their Application will not proceed any further. The Applicant may request reconsideration again if they so wish before the Application Deadline in response. There is no limit to how many Requests for Reconsideration an Applicant may submit prior to the Application Deadline **when** their Request for Reconsideration is rejected for not providing Reconsideration Information.

Reconsideration Information Submitted:

- i. Once it has been determined that the Request for Reconsideration contains Reconsideration Information, if the Applicant indicates that they would like to submit additional information beyond what was submitted with their Reconsideration Form, the Applicant's Request for Reconsideration will be placed on hold pending receipt of the additional Reconsideration Information by the Administrator.
- ii. The Administrator will follow-up with the Applicant in writing, using existing contact information on file, 30 days before the Written Submission deadline if no response is received beforehand.
- iii. If the Applicant indicates that they will not be submitting further Reconsideration Information, the Request for Reconsideration will directly advance to the next step of the Reconsideration.

Requests for Reconsideration in Writing:

- i. If the Administrator determines that the Request for Reconsideration Form is complete and contains Reconsideration Information, the File will then be

- forwarded to the Multi-disciplinary Committee for review and recommendation to the Administrator as to whether the Applicant should be found eligible under the CTSSP.
- ii. The Multi-disciplinary Committee will look at the totality of the information, including the Reconsideration Information provided by the Applicant along with their Request for Reconsideration and anything else it might find relevant to make its new recommendation to the Administrator. The Multi-disciplinary Committee may also request additional information and/or tests it deems necessary in response to the Reconsideration Information received in order to make its recommendation. The Multi-disciplinary Committee will have a **maximum of 90 days** to provide its written recommendation to the Administrator unless there is a delay in receiving the additional information or tests requested by the Multi-disciplinary Committee from the Applicant which makes that timeline impossible. If there is a delay for that reason, the Applicant will be notified in writing.
 - iii. Upon receipt of the recommendation from the Multi-disciplinary Committee, the Administrator will review same and issue a Determination Letter to the Applicant within 5 days of receipt.
 - iv. An Applicant who receives a Determination Letter containing an eligible determination will be provided with additional information as to next steps.
 - v. An Applicant who receives a Determination letter containing an ineligible determination will be advised that the determination is **final, and the application process has concluded.**

Requests for Reconsideration by Informal Oral Hearing before the Administrator:

- i. An Applicant who requests reconsideration via an informal Oral Hearing before the Administrator will be provided in writing with a selection of meeting dates to choose from. Generally, there will be bimonthly fixed dates upon which the Oral Hearings will take place and the Applicant will be presented with dates to choose from.
- ii. Upon confirmation of the meeting date and time, the Administrator will send the Applicant the meeting details (e.g., Zoom invite if virtual or physical address if in person) in writing.
- iii. The Administrator will provide the File to the Multi-disciplinary Committee and the Oral Hearing Facilitator a minimum of 15 business days in advance of the hearing to assist in streamlining the informal Oral Hearing so that issues can be identified ahead of time and allow all parties to better prepare for the informal Oral Hearing.
- iv. In the event of an unforeseen event, or if a request for rescheduling or an extension of the time for submission of documents is received from the Applicant, the Oral Hearing Facilitator will make a determination regarding the same on a case-by-case basis.

During the Informal Oral Hearing:

- a. The Oral Hearing Facilitator administers the informal Oral Hearing and will ensure that the oral hearing procedures set out in this protocol are adhered to and enforce the time limits provided.
- b. The Administrator (1-2 representatives) shall attend each Oral Hearing and hear the submissions of the Applicant.
- c. At its discretion, the Multi-disciplinary Committee will assign one or more of its members to attend each Oral Hearing.
- d. The Oral Hearing will be informal. Legal representatives for the Applicant are permitted but are not required. In addition, the Applicant may choose to have one additional support person present (e.g., family member, guardian). Both the Applicant and their accompaniment(s) may speak on behalf of the Applicant at the informal Oral Hearing if that is the Applicant's choosing.
- e. The Oral Hearing Facilitator will introduce all parties and provide explanatory information about the hearing process.
- f. The Applicant will then have the opportunity to present their Reconsideration Information as identified in their Request for Reconsideration. They are not permitted to present additional Reconsideration Information not previously disclosed.
- g. The Multi-disciplinary Committee representatives will then have an opportunity to ask any questions that the representatives may have for the Applicant if they so choose.
- h. The Applicant will then have an opportunity to respond to any questions posed by the Multi-disciplinary Committee representatives.
- i. The informal Oral Hearing will be scheduled for a maximum of one hour.
- j. As noted above, a recording/transcript of the informal Oral Hearing will be made available to for the Multi-disciplinary Committee for review. The Multi-disciplinary Committee may, but is not required to, review the recording/transcript in arriving at their recommendation.
- k. The Multi-disciplinary Committee will look at the totality of the information, including the Reconsideration Information provided by the Applicant along with their Request for Reconsideration and anything else it might find relevant to make its new recommendation to the Administrator. The Multi-disciplinary Committee may also request additional information and/or tests it deems necessary in response to the Reconsideration Information received in order to make its recommendation. The Applicant will have the option to provide the requested additional information and/or tests or decline to do so. In the event the Applicant declines, then the Multi-disciplinary Committee will make its recommendation based on the information available to them as of that point in time. If the Applicant chooses to provide the requested information and/or tests, they must do so within 45 days or notify the Administrator of extenuating circumstances whereby meeting that deadline will be impossible. In such situations, the case will be reviewed on a case-by-case basis as to whether an extension will be granted past the 45 days to provide the requested information and/or

tests. Such a deadline extension will not exceed two years post Application Deadline. The Multi-disciplinary Committee will have a **maximum of 90 days** to provide its written recommendation to the Administrator unless there is a delay in receiving the additional information or tests requested by the Multi-disciplinary Committee from the Applicant which makes that timeline impossible. If there is a delay for that reason, the Applicant will be notified in writing.

- l. Upon receipt of the recommendation from the Multi-disciplinary Committee, the Administrator will review same and issue a Determination Letter to the Applicant within 5 days of receipt.
- m. An Applicant who receives a Determination Letter containing an eligible determination will be provided with additional information as to next steps.
- n. An Applicant who receives a Determination letter containing an ineligible determination will be advised that the determination is **final, and the application process has concluded.**

The Multi-disciplinary Committee will provide its recommendation on all Requests for Reconsideration in writing only (regardless of whether the Reconsideration proceeded in writing or by way of Oral Hearing).