

The permanently incapable

The parliamentary committee of 1924 drew attention to the problem of certain classes of veterans who were in receipt of pension for partial disability and who were also more seriously disabled by other conditions not attributable to service. In many cases these veterans were in need of medical treatment and in some cases of permanent custodial care, as they were unemployable and incapable of providing for themselves.

In an order in council whose preamble recited a portion of the parliamentary committee's report the department was authorized to provide quarters, maintenance, and medical treatment in a departmental institution to any pensioner who was prevented permanently from working and would otherwise become a public charge. An important new feature of this legislation was that previously treatment could be given only for a condition attributable to service and, when such treatment was given, the patient was entitled to the full scale of hospital allowances. In the new type of case brought under the regulations by the order in council of 1924 the veteran's need for maintenance and treatment might arise from a combination of conditions not all caused by service. Accordingly it was decided that, in such cases the ordinary scale of hospital allowances would not apply.

Deduction from pension towards the cost of maintenance was permitted where such deduction could be made without personal hardship to the man or his dependants. The department was authorized to apply up to \$40 of the man's pension or other moneys towards maintenance, but was directed to repay \$3 a month for comforts and \$7 a month for clothing.

The 1928 Revision

In 1928 there was a further complete revision of treatment regulations and as from September 1 of that year a new principle was introduced.

Active treatment was authorized for pensioners with respect to non-pensionable disabilities if the pensioner was financially or otherwise unable to obtain treatment elsewhere. Such treatment was to be given only in Canada and only in departmental or contract hospitals. The regulations excluded from such treatment chronic, tubercular, mental, infectious and long treatment cases. The purpose of the regulation was clearly indicated to be the giving of remedial treatment for conditions which would respond to treatment with a view to enabling the pensioner to recover and resume a normal active career. The exclusion of certain chronic or permanent conditions was based on the proposition that treatment would not be effective, or was otherwise available under provincial law.

It should be borne in mind that this regulation relates to conditions not attributable to service and had no bearing upon the normal responsibility of the department to provide all the medical care that might be called for with relation to any condition caused by a man's military service.

P.C. 91

The consolidated treatment regulations of 1928 remained in effect until 1936 with the customary minor amendments from time to time. By 1936, however, these amendments and minor changes had reached the point where it was necessary again to make a complete consolidation resulting in the well-known P.C. 91.

The outstanding change effected by P.C. 91 was the abolition of the custom of paying hospital allowances identical with former military pay. My former colleague, the Honourable Mr. Power, in introducing this reform drew attention to the fact that certain high ranking officers whose rates of military pay ranged