Nova Scotia Public Service
Long Term Disability Plan Trust Fund

APPEAL GUIDELINES

***The Chief Executive Office (CEO) may delegate to an employee of the LTD Plan office any task, set out herein, that is to be carried out by the CEO.**

1. A claimant whose claim for LTD benefits has been denied, or terminated, on the basis that they do not meet the definition of disability will be advised of the right to appeal and the appeal process, including the right to request a copy of the LTD file.

2. If the Claimant chooses to submit new information:

(a) They must submit an intent to appeal, by mail or email, to the Board of Trustees, care of the Claims Administrator, within 30 calendar days of the date of the original decline or termination letter,

(b) Set out specific grounds (reason) for the appeal.

3. To appeal the Claims Administrator's decision, the Claimant may:

(a) Make a maximum of (2) submissions of new information (such as medical reports, job information, etc.), intended to support their appeal, to the Claims Administrator, prior to requesting an Appeal Hearing, or,

(b) Waive the submission(s) of new information and request an Appeal Hearing.

(c) Be prepared to submit all documentation, or proceed to an Appeal Hearing, within 6 months of the date of the original decline or termination letter.

4. The Claims Administrator shall review any new information submitted by the Claimant and provide a written response. If the response is negative and the Claimant wishes to proceed, they must within (15) fifteen calendar days:

(a) Advise that further information will be submitted (their second submission) or,

(b) Request an Appeal Hearing.

A request for an Appeal Hearing must be made to the CEO, LTD Plan Office. Once an Appeal Hearing is requested, no new information can be submitted.

5. Upon receipt of a request for an Appeal Hearing, the CEO may review the issue in dispute and may ask the Claims Administrator to review its decision.

6. If the CEO does not initiate a request for further review, or upon further review the decision remains unchanged, the CEO will schedule an Appeal Hearing.

7. The CEO in consultation with the Claimant and the Appeal Board will determine the date, time and location for the Appeal Hearing.

8. The Appeal Board may consist of one or more qualified medical doctors as determined by the Board of Trustees.

9. The parties before the Appeal Board are the Claimant and the Board of Trustees (represented by the CEO and the Claims Administrator).

10. (a) The Claimant shall be notified of the date, time and location of the Appeal Hearing, by mail or email, no later than (14) fourteen calendar days prior to the Appeal Hearing date.

(b) The Employer shall be advised, by email, of the Appeal Hearing date.

(c) The CEO shall send a reminder, to all parties, (7) seven calendar days prior to the Appeal Hearing date.

11. (a) The CEO shall request the Claims Administrator prepare a copy of the LTD file and forward all information in respect to the appeal to the LTD Plan Office.

(b) The CEO shall forward a copy of the LTD file to the Claimant or their authorized representative and the Appeal Board at least (14) fourteen calendar days prior to the date of the Appeal Hearing.

(c) The appointment of an authorized representative and/or authorization to release information to an authorized representative must be in writing. The appended Authorization of Representative and Release of File Information form is to be used for this purpose.

12. The Claimant, or their representative, may only present evidence, in support of their appeal, that has been previously submitted to the Claims Administrator.

13. Appeal Hearings are not to be recorded by video, audio or automated transcription, and any unauthorized recording of the hearing will not be part of the hearing record.

14. The Appeal Board may request the presence of any persons as may be determined by it to have evidence relevant to the issues in dispute in the appeal.

15. If satisfied that there will be no prejudice to any party, the Appeal Board may proceed with an Appeal Hearing in the absence of any of the Claimant, Claims Administrator, or the CEO.

16. (a) The Appeal Board shall render a written decision, with a copy to the CEO and the Claims Administrator, within (15) fifteen business days after the Appeal Board has heard or received all evidence.

(b) The CEO will forward a copy of the written decision to the Claimant and/or representative.

(c) The CEO will notify the Employer of the outcome, by email, without disclosing confidential information.

17. The Appeal Board is required to give reasons for its decision.

18. If prescribed time frames are not met at any time during the review and appeal process the CEO may close the appeal or grant extensions, as they may deem appropriate.

19. The Appeal Board's decision is final and binding, and not open to judicial review.

20. In all circumstances, the NSPS LTD Plan Trust Fund will be responsible for its costs, including, but not limited to the Claims Administrator and Appeal Board costs.

If the Claimant's appeal goes to an Appeal Hearing and is upheld by the Appeal Board, the Claimant shall be reimbursed for reasonable personal expenses incurred in travelling to the Appeal Hearing and for reasonable costs of the medical reports/evidence submitted by the Claimant pursuant to section 3 (a), to a maximum of $6000.00.

For greater certainty, costs incurred by the Claimant for legal counsel, testimony at the Appeal Hearing, or other professional services are the responsibility of the Claimant.

The CEO shall be the final arbiter of the reasonableness of the costs and expenses claimed by a Claimant, which decision is final and binding, and not open to judicial review.

APPROVED BY MOTION OCTOBER 23, 2026, Board meeting