

ACCESSING

Jordan's Principle

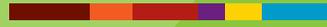


• A Resource for First Nations Parents, Caregivers, Families and Communities •



This Handbook is meant to honour Jordan River Anderson, his family, the Norway House Cree Nation, and all families who have advocated for Jordan's Principle to become a reality.

What is Jordan's Principle?



Jordan's Principle is a principle that ensures there is substantive equality and that there are no gaps in publicly-funded health, social and education programs, services and supports for First Nations children. According to the Canadian Human Rights Tribunal (Tribunal), Jordan's Principle:

- Applies to *all* First Nations children, regardless of whether they live on or off-reserve.
- Applies to *all* government services for First Nations children including mental health, special education, dental, early childhood services, physical therapy, speech therapy, medical equipment and more.
- Is not limited to children with disabilities.
- Can provide services to First Nations children even when the service is not available to other children.
- Ensures that Canada must make a decision on individual requests for supports and services for First Nations children within 12-48 hours of receiving a completed request, with special provisions for urgent cases where a child has a health or safety risk, which will be responded to within 12 hours of receiving a completed request.
- States that the government of first contact must pay for services – governments and departments will work together afterwards to figure out who pays.
- Applies to requests for an individual child's needs, or those for groups of children.

Under Indigenous Services Canada (ISC) policy, non-status children on-reserve are being considered eligible for coverage under Jordan's Principle.





What is Covered?

Jordan's Principle covers all public services such as mental health, special education, dental, physical therapy, medical equipment, physiotherapy and more. Jordan's Principle goes above and beyond the normative standard for non-Indigenous people in Canada in cases where doing so would ensure culturally appropriate service provision, support substantive equality or be in the best interest of the child.

The following list contains some examples of products and services that have been funded by Jordan's Principle. Each situation is different and all requests are evaluated on a case-by-case basis. You should reach out to your Service Coordinator (listed in the document attached to this booklet) to find out what is covered and how to access coverage.

Health:

- Mobility aids
- Wheelchair ramps
- Services from Elders
- Assessments and screenings
- Medical supplies and equipment
- Mental health services

Social:

- Social worker
- Land-based activities
- Respite care (individual or group)
- Specialized programs based on cultural beliefs and practices
- Personal support worker

Education:

- School supplies
- Tutoring services
- Teaching assistants
- Psycho-educational assessments
- Assistive technology and electronics

Where did Jordan's Principle Come From?



Jordan River Anderson (October 22, 1999 – February 2, 2005) is a First Nations child from Norway House Cree Nation in Manitoba. He was born with complex medical needs and because the province of Manitoba and the federal government could not agree on who would pay for his at-home care, he had to stay longer in the hospital unnecessarily. Jordan passed at the age of 5, never having had the chance to return to his family home, his First Nation, and his loved ones.

“Jordan’s death ignited a movement to uphold human rights for all First Nations children through the creation of the child first principle called ‘Jordan’s Principle.’”¹



The First Nations Child and Family Caring Society (Caring Society) has advocated alongside the Assembly of First Nations (AFN) for more than ten years to ensure that First Nations children do not face barriers to getting the services they need. Other groups joined in and together took Canada to the Canadian Human Rights Tribunal (Tribunal) to improve child and family services for First Nations children. In 2016, the Tribunal ordered Canada to fully implement Jordan’s Principle, resulting in a federal government announcement that it would comply with the Tribunal ruling so that First Nations children receive necessary care first and then the various levels of government or departments involved will figure out who pays for it.



Common Questions about Jordan's Principle

1

I don't live on a reserve, is my child eligible?

Yes. It does not matter whether you live on a reserve, in a city, a rural area or elsewhere. The only condition is the child must live in Canada.

2

My child doesn't have a status card, can they get services?

Your child does not need to have a valid status card, nor be currently registered for one. Additionally, under Indigenous Services Canada (ISC) policy, non-status children who live on-reserve are being considered eligible for coverage under Jordan's Principle.

3

I live in a fly-in First Nation, does Jordan's Principle apply to me?

Yes. If approved, your program/service/product will be arranged for you.

4

What kinds of products or services are covered under Jordan's Principle?

Every situation is unique so there is no comprehensive list. You can talk to your Jordan's Principle Service Coordinator (listed in the document attached to this booklet) to discuss your child's needs. Jordan's Principle covers a very wide range of services, programs and products, including: respite care; speech therapy; schooling supports; medical equipment; mental health supports; and more. It's important to remember that items not included in this Handbook may also be covered, and your Service Coordinator can provide more information on what can be covered.

5

Does Jordan's Principle impact my Treaty rights?

No. Jordan's Principle is a separate process that has been mandated by the Canadian Human Rights Tribunal to make sure First Nations children have access to timely and necessary programs and services regardless of their residence. It does not affect Treaty rights.

6

What About Non-Insured Health Benefits?

Jordan's Principle does not replace the products and services that you may receive under the Non-Insured Health Benefits (NIHB) program, such as prescriptions, eyewear and dental services. However, Jordan's Principle may apply to products and services that are not covered through NIHB.

If you require further information about how to access the NIHB program, contact: 1-866-225-0709.

7

How does Jordan's Principle protect my privacy if I share sensitive information?

The federal government has privacy legislation. Any personal information you share through Jordan's Principle is subject to this privacy legislation. You have the right of access to, correction and protection of your personal information. You also have the right to file a complaint with the Privacy Commissioner of Canada if you think your personal information has been handled improperly.



Who Is Eligible?



Who Can Apply for Jordan's Principle?

- First Nations children aged 0-18 or 19, depending on your province's rules, are eligible for products, services and supports, no matter where they live.
- Under Indigenous Services Canada (ISC) policy, non-status children on-reserve are being considered eligible for coverage under Jordan's Principle.
- Who can apply?
 - Parents or guardians caring for a First Nations child as defined above.
 - A First Nations child above 16 years of age can apply for themselves.
 - An authorized representative of the child, parent or guardian.

A request for a group of children from multiple families or parents can be submitted by:

- Any of the above.
- A community or service provider.
- A Service Coordinator, Case Manager or Navigator.

Some examples of group requests include: respite care; after-school support programs; educational assistants; transportation to school; and local therapeutic specialists.





What Do I Need to Fill Out an Application?

You will need:

- Child's name, date of birth, address and Indian Status Card number (if registered)
- Parent/guardian name and contact information
- Reason for Request
 - What is your child's unmet need?
- Description of the requested product and services
 - You can list more than one: for instance, you may require training as well as travel to the training.
 - Identify the duration – how long do you require the service or product? Is it a one-time event/product? Will the product need to be replaced at some point?
- History of the request
 - Has this been previously submitted to another program or service, for instance Non-Insured Health Benefits (NIHB) or another private insurance company? What was the outcome? Is the request partially covered?
- Any supporting documents from educational, social or health professionals
 - For example:
 - » Did your doctor or another professional prescribe or refer this for your child? Some examples could be massage or speech therapy, or even ergonomic equipment.
 - » Supporting document from a teacher, or others. For example, a teacher may recommend a special type of electronic device that will assist in your child's learning.

If you have any questions, you can contact your Service Coordinator (listed in the document attached to this booklet). Additionally, you can also call Canada's Jordan's Principle Call Centre 24 hours a day, 7 days a week at **1-855-JP-CHILD.**





**My child
needs help,
now.**



**Find out who can help
(Service Coordinator contact
information is included with this
booklet. You can also
call Canada's Jordan's
Principle Call Centre at
1-855-JP-CHILD).**



**Complete your
Jordan's Principle
application with
a Service
Coordinator.**



**If needed, get
all relevant
documents.**



Your Service Coordinator will submit your application.



If approved, receive your child's product, support or service.



After your application is complete, wait up to 48 hours for a decision. In urgent cases, you will hear within 12 hours.



What Happens After I Apply?

Before you apply, it is important to reach out to your local Service Coordinator (listed in the document attached to this booklet) or call Canada's Jordan's Principle Call Centre at 1-855-JP-CHILD at any time. They will help you determine whether an application to Jordan's Principle is necessary, and if so, will assist you in getting your application started and submitted. Once it is submitted to the Government of Canada, the following timelines apply:

- You will receive a decision within 48 hours of Canada receiving all necessary information (depending on the urgency of the application):
 - Urgent requests are when the child's health and safety is a concern, which will be answered within 12 hours.
 - Group requests will be responded to within one week of receiving a complete application, or within 48 hours for urgent group requests.
- If approved, your products and services will be arranged directly through the vendor or service provider, meaning you do not have to pay out of pocket and then wait to be reimbursed.
 - Or, if you have already paid for the service or product, you can get your money back by filling out a Reimbursement Form. If you are looking to be reimbursed:
 - » Please have receipts, invoices, proof of payment ready.
 - » You can also request assistance to fill these out. Your Focal Point can help, or call 1-855-JP-CHILD.

What if I am Denied?

- You may appeal a decision within one (1) year of the date of denial by:
 - Sending a written request to the Jordan's Principle Focal Point in your region.
 - Your appeal request will be reviewed.
 - You will receive a decision within 30 days of your request for an appeal.

Due to instances of improper implementation of Jordan's Principle in the past, Canada has been ordered to correctly implement the Principle going forward. If you have been denied a Jordan's Principle application between 2007 and May 2017, you could have your case reviewed by contacting: 1-855-JP-CHILD (1-855-572-4453), TTY 1-866-553-0554, or visit www.canada.gc.ca/jordans-principle.



Some Examples of How Jordan's Principle Can Be Used



- » You notice that your nine-year old daughter does not seem to read at the same pace that her friends do and after working with teachers and the school principal, there are no additional supports. You may want to reach out to your Service Coordinator to find out whether Jordan's Principle could offer services and supports to help.

- » Sometimes, you could really use some extra help caring for your fifteen-year-old grandson's special needs. Jordan's Principle may offer respite care and other supports for you.

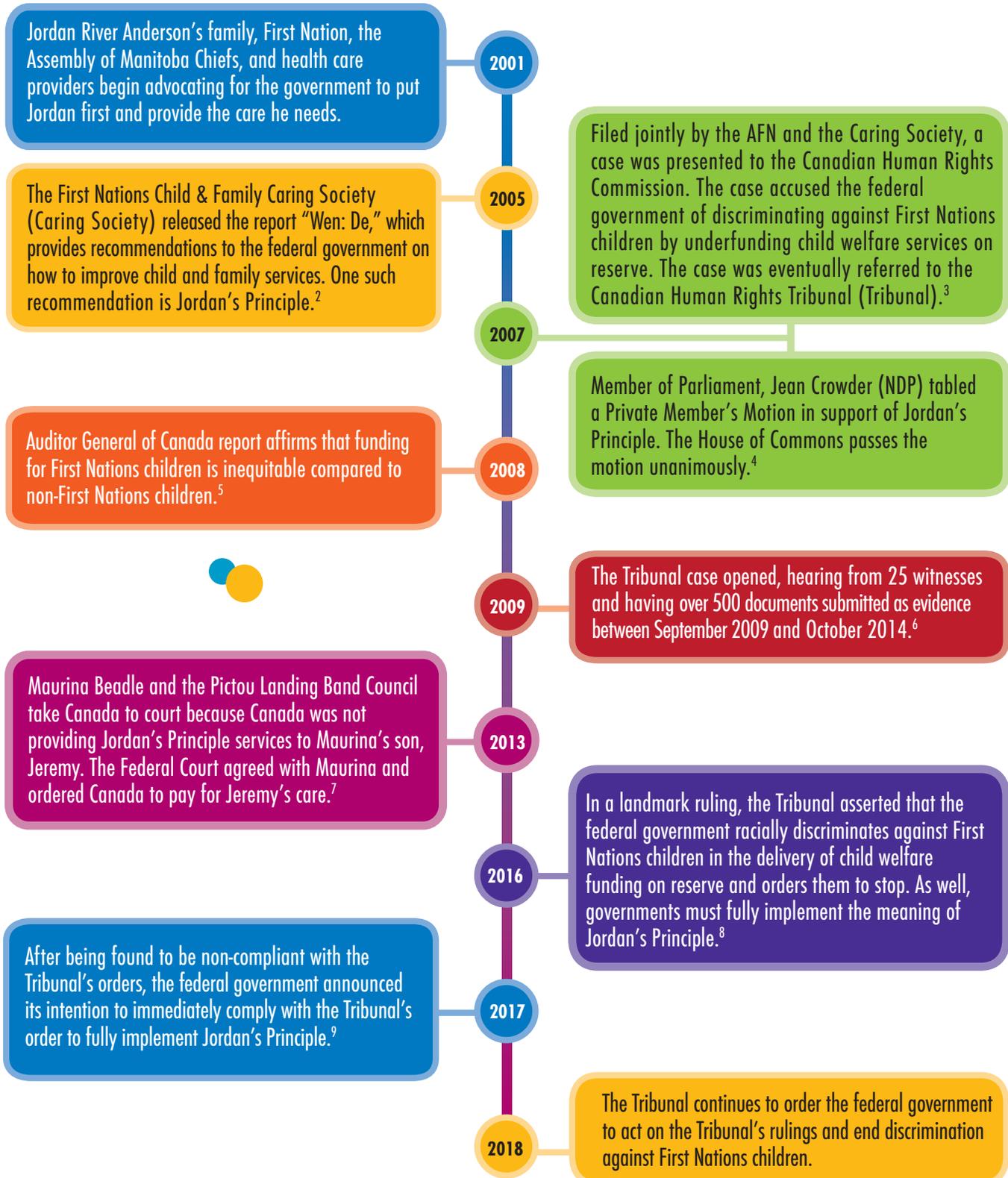
- » You are seventeen years old and are finding it difficult to get to your mental health appointments after school. You feel like you are always late to your appointments because the walk is very far. Jordan's Principle may be able to help you with transportation to get there.

- » Your three-year-old foster child has been diagnosed with fetal alcohol spectrum disorder (FASD). If you need more support than your foster care agency can provide, Jordan's Principle may help you access additional special education programs for him to be assessed and support and training for you as the caregiver.

- » Your niece has been diagnosed with attention deficit hyperactivity disorder (ADHD) and now needs extra help at her school. If she is not getting the support she needs through the school, find out how Jordan's Principle may be able to help.



Jordan's Principle Has Been a Long Time Coming





Substantive Equality:

Jordan's Principle understands that every First Nations child is unique. Jordan's Principle also recognizes the complex social, economic, physical, mental and spiritual needs that First Nations people may have because of previous and ongoing discrimination and injustice in Canada. Applying Jordan's Principle means considering each First Nations child's unique cultural, social and economic need and circumstance. This is known as "substantive equality," and for First Nations children this idea reflects the key values identified in the Touchstones of Hope:¹⁰

1. Self-Determination

- First Nations are in the best position to make decisions for themselves and their First Nations.

2. Culture and Language

- Culture and language is the foundation for First Nations health and wellbeing, therefore, programs, products and services must be culturally-appropriate and responsive.

3. Holistic Approaches

- Holistic needs of children must be met and historical and cultural factors, such as Indian Residential Schools and colonization, must be understood as continuing to impact the wellbeing of First Nations.

4. Structural Interventions

- Barriers within all systems must be challenged so the needs of First Nations children are met.

5. Non-Discrimination

- Regardless of where a First Nations child lives, they must have equal access to health, social, and educational services.



Regional Service Coordinator contacts for requests under Jordan's Principle



This booklet should include an inserted document that details the Service Coordinators for your region. If there is no such document, please contact a Government of Canada Focal Point who will help you get in touch with your regional Service Coordinator by calling 1-855-JP-CHILD.



Focal Points

If you do not have a regional Service Coordinator or are unable to reach one, the Department of Indigenous Services Canada (ISC) has created Jordan's Principle regional contacts called Focal Points. These employees are committed to helping you find out more about Jordan's Principle and to help you apply.

Find out who your Focal Point is by:

- Calling the Jordan's Principle Call Centre: **1-855-JP-CHILD (1-855-572-4453)**
- Emailing **aadnc.infopubs.aandc@canada.ca**
- Going to the website: **www.canada.ca/jordans-principle**



- ¹ <https://fncaringsociety.com/sites/default/files/jordans-principle/docs/JPbrochure2011-en.pdf>
- ² <https://fncaringsociety.com/node/1827>
- ³ <https://fncaringsociety.com/tribunal-timeline-and-documents#2007>
- ⁴ <https://fncaringsociety.com/jordans-timeline#2007>
- ⁵ <https://fncaringsociety.com/tribunal-timeline-and-documents#2007>
- ⁶ <http://www.firstnationsdrum.com/2009/10/historic-human-rights-tribunal-on-first-nations-children-launched/>
<https://fncaringsociety.com/sites/default/files/CHRT%20info%20sheet%2014-07%20v3f.pdf>
- ⁷ <https://fncaringsociety.com/sites/default/files/Ruling-%20Fed%20Court%20Beadle%20and%20Pictou%20Landing%20FN.pdf>
- ⁸ <https://fncaringsociety.com/sites/default/files/Kids%20information%20sheet%20re%20CHRT%20Decision.pdf>
- ⁹ <https://www.ctvnews.ca/politics/tribunal-again-tells-feds-to-fund-indigenous-child-welfare-minister-agrees-1.3785170>
- ¹⁰ <https://www.canada.ca/en/indigenous-services-canada/services/jordans-principle/jordans-principle-substantive-equality-principles.html>

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CONTACT INFORMATION

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