



**FEBRUARY 1, 2018**

## **FREQUENTLY ASKED QUESTIONS:**

### **THE CHRT ORDER TO FUND MENTAL HEALTH SERVICES IN ONTARIO**

On February 1, 2018, the Canadian Human Rights Tribunal released an important decision about Canada's discrimination against First Nations children and young people in the child welfare system. This decision was about short-term remedies that Canada has to provide to help fix discrimination now while it works with First Nations and others towards broader reform of child welfare services.

Chiefs of Ontario (COO) asked the Tribunal to order Canada to fund mental health services for First Nations children and youth in Ontario. The Tribunal agreed. **Canada has been ordered to:**

- 1) fully fund mental health services for First Nations children and youth from Ontario going forward; and,**
- 2) reimburse First Nations, Tribal Councils, First Nations Child and Family Service agencies, parents/guardians and others that have been providing or paying for these services back to January 26, 2016, which was the date of the Tribunal's first decision.**

Under the direction of the Chiefs Committee on Social, the Social Services Coordination Unit is working hard on getting these orders properly implemented. Here is what you need to know about how the orders will work.

#### **Who can get reimbursed for mental health services?**

Anyone (including First Nations, Tribal Councils, First Nations Child and Family Service Agencies, or parents, guardians or caregivers) who provided or paid for mental health services between January 26, 2016 and February 1, 2018 will be able to get back what they spent on those services.

#### **What kinds of mental health services are eligible for reimbursement?**

The order is very broad. Any kind of mental health services, from therapy and counselling to treatment programs to services from elders should be eligible for reimbursement. Children and families can also get reimbursed for the cost of travelling to receive mental health services.

#### **What do I need to do to get my reimbursement money?**

Health Canada is preparing a form for organizations, governments and individuals to fill out. This form will be available on COO's website at <http://www.chiefs-of-ontario.org>. To get your reimbursement, you will need to complete the form, and send it along with supporting documentation to Canada. There is

lots of flexibility about what kind of documents you can submit. It could be anything from receipts or invoices, to a direct deposit enrollment request form, to a signed statement that explains what services were provided and their costs.

Under the direction of the Chiefs Committee on Social, the Social Services Coordination Unit is working on the implementation of this order to ensure that there are no barriers to reimbursement for those who may have difficulty receipts or other documentation of the expenses incurred.

The completed form and supporting documentation will be submitted to:

- **By Mail:**

Jordan's Principle  
Sir Charles Tupper Building  
2720 Riverside Drive, 4<sup>th</sup> Floor  
Address Locator: 6604E  
Ottawa, Ontario, K1A 0K9

- **Electronically:** [Ontariojordansprinciple-principlejordanlontario@hc-sc.gc.ca](mailto:Ontariojordansprinciple-principlejordanlontario@hc-sc.gc.ca)

### **When will reimbursement happen?**

Canada has been ordered to provide reimbursement by February 15, 2018. However, if you provide your form and document after that date, you will still be reimbursed. Canada has committed to providing reimbursement within 15 business days of receiving your form and documentation.

### **Is there a deadline?**

Only for Canada. **The order does not set any deadlines on First Nations, parents/guardians/caregivers, tribal councils, First Nations Child and Family Service Agencies.** That means it is ok if it takes you some time to gather your documents.

Canada has asked that all organizations and people seeking reimbursement fill out their form and send in their documents by February 15, 2018. *If this isn't possible for you, once again there is no deadline in the order and you will still get reimbursed even if you provide your documents after that date.*

### **My First Nation/Tribal Council/family/agency did not provide or pay for any mental health services because there was no funding. Can we get reimbursement money anyway?**

No. Only those First Nations, Tribal Councils, Agencies, parents/guardians/caregivers etc. that provided or paid for mental health services between January 26, 2016 and February 1, 2018 will be able to get reimbursed for those services. However, Canada has been ordered to fund mental health services going forward and you should be able to access funding for these services starting very soon.

## **Who should I contact if I need help getting reimbursed or if I have problems during the process?**

If you need more information or run into any problems with the process, please contact Social Service Coordination Unit members:

### **Six Nations of the Grand River**

Arliss Skye, Director of Social Services

[askye@sixnations.ca](mailto:askye@sixnations.ca)

519-445-2071

### **Anishnabek Nation**

Adrienne Pelletier, Director of Social Services.

[Adrienne.pelletier@anishinabek.ca](mailto:Adrienne.pelletier@anishinabek.ca)

Office - 705-497-9127

### **Nishnawbe Aski Nation**

Bobby Narcisse, Director of Social Services.

[bnarcisse@nan.on.ca](mailto:bnarcisse@nan.on.ca)

Office - 807-623-8228

### **Grand Council Treaty #3**

Debbie Lipscombe, Social Policy Analyst

[debbie.lipscombe@treaty3.ca](mailto:debbie.lipscombe@treaty3.ca)

Office - 807-548-4214

### **Independent First Nations**

Lyndia Jones, IFN Health Coordinator

[lyndia@ifnc.ca](mailto:lyndia@ifnc.ca)

Office - 905-765-2222

### **Association of Iroquois and Allied Indians**

Trina McGahey, Social Development Policy Analyst

[TMcGahey@aiai.on.ca](mailto:TMcGahey@aiai.on.ca)

Office - 519-434-2761

### **Chiefs of Ontario**

Linda Sandy, Director of Social Services

[Linda.sandy@coo.org](mailto:Linda.sandy@coo.org)

416-597-1266

You can also contact the Department of Indigenous Services Canada's Ontario Regional Focal Point for Jordan's Principle, at:

Email: [Ontariojordansprinciple-principlejordanlontario@hc-sc.gc.ca](mailto:Ontariojordansprinciple-principlejordanlontario@hc-sc.gc.ca)

Phone: Vanessa Follen (613) 613-862-5418 or Amanda Mitchell (613) 864-7666

### **What will happen with funding for mental health services going forward?**

Starting now, First Nations are entitled to be funded to provide mental health services to their children and young people at the *actual costs* of providing those services.

This does *not* mean that First Nations are limited to providing the same kind of services they have been providing in the past. Instead, First Nations can decide what mental health services they need for their children and young people, cost out those services, and submit a proposal to Canada for those services. First Nations can decide to provide those services on their own, or through their Tribal Council or Provincial-Territorial Organization. *It's up to you to decide what your children and young people need.*

### **Will funding for mental health services come out of other funding for prevention going forward?**

No. The Tribunal said that Canada may not divert other funds, including funds earmarked for prevention, to provide mental health services.