

**Strengthening the Government of the
Northwest Territories' Medical Travel Policy**

WHEREAS section 35 of the *Constitution Act, 1982* recognizes and affirms existing Indigenous and Treaty rights, and the Government of the Northwest Territories, as an agent of the Crown, has a fiduciary obligation to respect these rights, including ensuring timely and equitable access to health services and treatment as recognized under constitutionally entrenched Treaties, including Treaty 8 and 11;

AND WHEREAS many residents of the Northwest Territories, including Treaty beneficiaries, experience limited access to timely appointments, diagnostics, and surgical services for services available in the territory, leading some to seek necessary care outside the territory;

AND WHEREAS residents, including Treaty beneficiaries, who travel outside the territory to receive necessary care on time do so without support from Medical Travel, creating financial barriers that may constitute discrimination in publicly-funded health services, contrary to the Treaties that affirm the right of Indigenous peoples to access care irrespective of territorial or provincial borders;

AND WHEREAS current Medical Travel policies, which administer Non-Insured Health Benefits (NIHB) to Status First Nations people, do not provide escorts for residents requiring medical evacuation outside the territory;

AND WHEREAS residents, including Treaty beneficiaries, are therefore required, in medical ambulance situations, to pay out-of-pocket to serve as escorts for patients being medically evacuated from the territory to receive care, incurring significant costs despite Treaty rights that extend irrespective of territorial boundaries;

AND WHEREAS Status First Nations who rely on Non-Insured Health Benefits for transportation benefits apply through Medical Travel, which must obtain federal approval before travel can be authorized, yet appeals of denials are not processed through Medical Travel;

AND WHEREAS the requirement for Medical Travel to obtain federal approval, combined with the fact that appeals of denials are not handled by Medical Travel, creates additional administrative barriers and slower response times for Status First Nations compared to other residents; and

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Date de l'avis : 3 mars 2026
Date of Introduction: March 5, 2026
Date de présentation : 5 mars 2026
Disposition: CARRIED RV
Disposition : ADOPTÉE VN
Carried: March 5, 2026
Adoptée : 5 mars 2026

Moved by: Mr. Edjericon
Proposée par : M. Edjericon
Seconded by: Mrs. Yakeleya
Appuyée par : M^{me}. Yakeleya

Ruled Out of Order:
Déclarée irrecevable :

WHEREAS the Truth and Reconciliation Commission of Canada Calls to Action 18–24 call upon governments to close gaps in health outcomes for Indigenous Peoples and recognize their distinct health rights, and the National Inquiry into Missing and Murdered Indigenous Women and Girls Calls for Justice identify equitable, barrier-free access to health services as essential to the safety, dignity, and human rights of Indigenous women and girls;

WHEREAS the United Nations Declaration on the Rights of Indigenous Peoples affirms the right of Indigenous peoples to the highest attainable standard of physical and mental health, and requires governments to take effective measures to ensure access to health services without discrimination;

WHEREAS the Government of the Northwest Territories *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act* requires territorial laws and policies, including health policies, to be developed in collaboration with Indigenous peoples and in a manner consistent with section 35 of the *Constitution Act, 1982*;

AND WHEREAS the Legislative Assembly adopted Motion 49-20(1) on March 6, 2025, calling on the Government of the Northwest Territories to establish compassionate support for patients transported via emergency ground or air ambulance;

NOW THEREFORE I MOVE, seconded by the Member for Monfwi, that the Legislative Assembly calls upon the Government of the Northwest Territories to strengthen the Medical Travel Policy by establishing a rapid-response emergency support mechanism, including a contingency fund, to provide interim approval and funding for medical travel escorts in extraordinary circumstances while awaiting federal NIHB decisions, where delays risk undermining patient safety, continuity of care, or the exercise of Indigenous Peoples' rights to access health services beyond territorial borders as per recognized Treaty obligations;

AND FURTHER, that the Government of the Northwest Territories build greater flexibility into Medical Travel determinations of whether in-territory care is “reasonably available,” explicitly considering significant diagnostic, surgical, and treatment wait times;

AND FURTHERMORE, that the Government of the Northwest Territories implement a Compassionate Medical Evacuation Policy with all reasonable speed so that medevac supports complement and integrate with the Medical Travel Policy, including guarantees for patient escorts where needed;

AND FURTHERMORE, that the Government of the Northwest Territories ensure that all amendments to the Medical Travel Policy are made in accordance with the *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act*, consistent with the United Nations Declaration on the Rights of Indigenous Peoples, and in a manner that respects and upholds Indigenous and Treaty rights recognized and affirmed under section 35 of the *Constitution Act, 1982*.

AND FURTHERMORE, that the Government of the Northwest Territories respond to this motion within 120 days.