

Ministerial Response Analysis — Addendum

What the April 28, 2026 letter from Minister Nixon reveals, confirms, and avoids.

Executive summary

On April 28, 2026, the Honourable Jason Nixon, Minister of Assisted Living and Social Services, responded by letter on Ministerial letterhead to the Formal Submission Addendum titled “The Government's Case Against Itself: An Eleven-Claim Analysis of ADAP's Internal Contradictions” submitted on April 15, 2026.

The Minister's response is the first substantive Ministerial engagement with the analysis received during this campaign. It is multi-page, addressed by name and file number, and copied to the Premier.

This addendum analyses the response in three parts: what was newly revealed, what was confirmed in writing, and what was not addressed. Each finding is sourced to the response letter directly.

Three findings follow:

- The Canada Disability Benefit (CDB) deduction has commenced. Effective April 2026, AISH recipients who have not notified the program of their CDB application status are receiving a \$200 monthly benefit reduction — regardless of whether the federal benefit has been approved or paid.
- Government coverage of the Disability Tax Credit (DTC) medical assessment fee is structured as a recoverable advance, not a grant. Recipients receive the assessment cost from AISH and are required to repay the full amount.
- The Minister confirmed in writing that AISH Medical Review Panel decisions to deny eligibility are final and not subject to appeal. The independent appeal mechanism is structurally limited to non-medical and non-AISH eligibility matters.

Seven specific requests for action were submitted in the original April 15 letter. None were addressed in the response.

Section 1: What the response newly revealed

1.1 The CDB benefit reduction is operational

The Minister's letter contains the following statement, quoted in full:

The deadline for updating the AISH program about eligibility for the CDB has now passed. This means that \$200 will be reduced from your monthly AISH benefits beginning in April if you have not notified the AISH program about your CDB approval or denial.

This statement establishes three facts that had not been published on the public-facing program page at the time of writing:

1. The benefit reduction is contingent on a procedural step (notification), not on a substantive determination (eligibility or receipt of the federal benefit).
2. The deduction commenced in April 2026 — the month of the letter.
3. Recipients who have applied for CDB and are awaiting a federal decision are not exempted. The deduction applies to all recipients who have not notified AISH of an approval or denial, including those whose federal application is in process.

This is a procedural-fairness finding. A statutory benefit is being reduced on the basis of an administrative act (notification) rather than an eligibility determination. Recipients who are unable to comply with the notification requirement — due to cognitive disability, lack of documentation, or delay in the federal process — are absorbing a \$200 monthly reduction without an underlying eligibility change.

1.2 The DTC assessment cost is a recoverable advance

The Minister's letter contains the following statement, quoted in full:

In the interim, the AISH program will cover the full cost of the DTC medical assessment for eligible clients to support their access to the CDB. Payment requests should be supported by an invoice or cost estimate from a medical professional. Upon approval, the AISH program will issue a supplemental benefit to the client, who will be responsible for paying the medical professional. AISH clients will be required to repay the full amount provided by the AISH program.

This statement clarifies that the program's coverage of the DTC medical assessment is structured as an advance against future benefits, not as a grant. The recipient receives the assessment cost as a supplemental benefit and is required to repay the full amount.

The federal government has announced a one-time \$150 supplemental CDB payment by March 2027 “to offset the cost of the DTC medical assessment.” AISH-charged DTC assessment fees in Alberta have been documented at \$150 to \$400 per assessment, with \$250 to \$300 the most commonly reported range. Where the assessment cost exceeds \$150, the recipient absorbs the difference. Where AISH advances the assessment cost, the recipient repays the full amount, including any portion that exceeds the federal supplemental payment.

The previously published characterization that the program will “cover the cost” of the DTC medical assessment is, on the face of the Minister's letter, not an accurate description of the financial structure.

1.3 The CDB clawback policy and the federal floor

The Minister's letter cites the 2024 federal budget statement that the CDB is intended “to see the combined amount of federal and provincial or territorial income supports for persons with disabilities grow to the level of Old Age Security and the Guaranteed Income Supplement,” which the letter calculates at \$1,925 per month as of January 2026.

The letter argues that because the AISH core benefit (\$1,940) exceeds this combined-support benchmark by \$15, Alberta is meeting and exceeding the federal floor and the dollar-for-dollar clawback is consistent with the program's intent.

This argument has not previously been made in this form. It warrants its own response. The federal benefit was designed as a top-up. Alberta's interpretation transforms it into a substitution. The province is asserting that because its existing benefit happens to exceed the combined-support floor, the federal top-up is no longer necessary for Alberta recipients. This interpretation is not shared by the federal government, by Inclusion Canada, or by any other province.

Section 2: What the response confirmed in writing

2.1 Confirmation: AISH Medical Review Panel denials are final

The Minister's letter contains the following statement, quoted in full:

Decisions by the AISH Medical Review Panel to deny eligibility for the AISH program will be final and not subject to appeal.

This confirms a finding documented in the campaign's prior reports — Caseworker, Appeal Rights & Human Rights and Charter Constitutional Analysis — and previously sourced to Bill 12 (passed December 9, 2025) and to coverage from Inclusion Alberta. The Minister has now confirmed it on Ministerial letterhead in correspondence directed to a constituent.

This statement is significant because it eliminates ambiguity. The Citizens Appeal Panel hears non-medical eligibility appeals. The new ADAP Medical Appeal Panel hears decisions not to refer to AISH and decisions of ADAP ineligibility. AISH Medical Review Panel decisions to deny eligibility are now confirmed, in writing, as having no appeal pathway.

2.2 Confirmation: Four automatic-AISH categories

The Minister's letter confirms the four categories that will be automatically approved for AISH and will not be transitioned to ADAP:

- Individuals with a severe and profound developmental disability, and/or who are deemed eligible for or are receiving Persons with Developmental Disabilities services.
- Individuals with palliative or terminal medical conditions.
- Individuals living in continuing care homes.
- Individuals 60 years of age or older.

This list matches the criteria documented previously and confirms the operational scope of the automatic-approval pathway.

2.3 Confirmation: Transition benefit and end date

The Minister's letter confirms that AISH clients who transition to ADAP in July 2026 will receive a monthly transition benefit keeping their financial benefit amount at the AISH rate until December 31, 2027, and that as of January 1, 2028, those clients will be considered transitioned and the transition benefit will end. This was previously sourced to the program page; it is now confirmed by the Minister on letterhead.

2.4 Confirmation: Employment income exemption ceiling

The Minister's letter confirms that the ADAP employment income exemption will be set at \$700 per month for single clients. The original AISH exemption was \$1,072. The reduction in monthly exemption is approximately \$372 per month. This confirms a finding from the campaign's Income Crossover Analysis and the University of Calgary case-study analysis previously cited.

Section 3: What the response did not address

The April 15 submission to the Premier and the Minister included seven specific requests for action. None were addressed in the April 28 response. Each is reproduced below for the public record:

4. Immediate publication of full ADAP medical assessment criteria in plain language.
5. Individual reassessment of all current AISH recipients prior to automatic transition.
6. Restoration of the independent Citizens Appeal Panel removed by Bill 12.
7. Immediate cessation of the Canada Disability Benefit dollar-for-dollar clawback.
8. An independent downstream cost analysis before implementation.
9. A published, binding review timeline with income protection at current AISH rates during the review period.
10. An independent Auditor General value-for-money audit of the ADAP transition.

The April 15 submission also presented eleven specific contradictions sourced to the Government of Alberta's own published legislation, open data, budget documents, and ministerial correspondence. The April 28 response did not engage the substance of any of the following:

- The 37% overturn rate across 3,218 panel hearings cited in support of the appeals removal (Claim 5).
- The University of Calgary case-study finding that the government's own Case Study 1 leaves recipients \$164 per month worse off (Claim 2).
- The 89% increase in program administration costs in year one of the transition (Claim 3).
- The reversal of 79,290 formal disability findings without new evidence and the procedural fairness obligation under *Baker v Canada* [1999] 2 SCR 817 (Claim 9).
- The simultaneous \$1.2 billion per year income tax cut that reduced the revenue base cited to justify disability cuts (Claim 7).
- The 24% federal DTC completion rate and the 28.3% cognitive disorder rate in the affected population (Claim 10).
- The characterization of the April 3, 2026 ministerial letter's reassessment pathway as a regression requirement (Claim 11).

These claims were submitted on the public record on April 15, 2026. They remain on the public record, unaddressed, as of April 28, 2026 — sixty-four days before the July 1, 2026 transition date.

Section 4: What follows from this response

The Ministerial response is now itself a primary source. It can be cited directly in subsequent submissions, in reports, and in any future complaint or proceeding before the Alberta Ombudsman, the Alberta Human Rights Commission, the Canadian Human Rights Commission, the federal Standing Committee on Human Resources, Skills and Social Development of Persons with Disabilities, and the United Nations Special Rapporteur on the Rights of Persons with Disabilities.

The campaign's next-stage actions will include:

11. Submission of a follow-up letter to Minister Nixon and Premier Smith requesting written responses to each of the seven specific demands itemized above. A response template will be made available so other recipients can submit the same demands using the same form.
12. Filing of an Alberta Ombudsman complaint at the point a final administrative decision is rendered (a precondition the Ombudsman office has confirmed). The April 28 letter contributes to the documentation showing that procedural fairness concerns have been raised, in writing, and have not been addressed.

13. Inclusion of the April 28 letter in the formal submission to the United Nations Special Rapporteur on the Rights of Persons with Disabilities, the Canadian Human Rights Commission, and the federal Standing Committee on Human Resources, Skills and Social Development of Persons with Disabilities.
 14. Public release of plain-language community-facing summaries of the response's three new findings — the operational CDB deduction, the DTC assessment loan structure, and the confirmed appeal limitation — for distribution through the campaign's documents, flyers, and group materials.
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Sources

- Letter from the Honourable Jason Nixon, Minister of Assisted Living and Social Services, Government of Alberta, dated April 28, 2026, in response to a Formal Submission Addendum filed April 15, 2026. Copied to the Honourable Danielle Smith, Premier of Alberta. Held on file.
 - Letter from the Honourable Jason Nixon, dated April 3, 2026, on AISH-to-ADAP transition criteria. Held on file.
 - Government of Alberta, Bill 12: Disability Programs Statutes Amendment Act. Passed December 9, 2025.
 - Government of Alberta, AISH program page. www.alberta.ca/aish. Accessed April 28, 2026.
 - Government of Alberta, Alberta Disability Assistance Program page. www.alberta.ca/alberta-disability-assistance-program. Accessed April 28, 2026.
 - Government of Canada, Budget 2024. Canada Disability Benefit framework.
 - Inclusion Alberta, news release on Bill 12 passage and appeal-rights removal, November 26, 2025.
 - Petit, Gillian, et al. University of Calgary, School of Public Policy. Income crossover analysis of AISH-to-ADAP transition. 2026.
 - Baker v Canada (Minister of Citizenship and Immigration), [1999] 2 SCR 817.
 - The Alberta Disability System Breakdown — Report Series, April 2026. Available at albertadisabilitysystembreakdown.netlify.app.
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