

written applications on forms provided by the State Office. Applications also may be submitted online through the State website: [www.njcatastrophicfund.org](http://www.njcatastrophicfund.org).

10:155-1.5 State Office and Commission review process

(a) Upon receipt of the paper application from the local agency, or the web application from the family, the State Office shall consider the providers' and vendors' charges submitted.

(b)-(d) (No change.)

10:155-1.7 Limits on Fund disbursements

(a) (No change.)

(b) A one-time vehicle allowance will be capped at \$15,000 for the purchase **\*or lease\*** of a specialized vehicle. The allowance does not include modifications, which can be considered separately. The one-time vehicle allowance of \$15,000 shall be included in the total disbursement cap, in the year the vehicle allowance was disbursed.

(c)-(e) (No change.)

10:155-1.11 State Office responsibilities

(a) The State Office shall:

1. Screen applications to determine whether a child's eligible medical expenses meet the eligibility standard.

2.-6. (No change.)

7. Oversee payments to providers, vendors, and, in some cases, families; and

8. (No change.)

10:155-1.13 Time period for measuring expenses and income

In screening a child/family for eligibility for the Fund, expenses and income shall be measured by any prior consecutive 12-month time period. The income will be reported for the same prior consecutive 12-month time period back to January 1988. Applications may be accepted any time throughout the year.

10:155-1.14 Eligible health services

(a) Categories of incurred expenses, which are related to the medical care of a child with an illness or condition eligible for consideration in assessing whether a family has reached its eligibility standard include, but are not limited to, the following:

1. (No change.)

2. Specialized pediatric ambulatory care, including physician-authorized rehabilitative therapies (for example, speech, occupational, and physical), physician-authorized care for treatment of substance use disorders and behavioral health care, dental care, eye care, and chiropractic care;

3. Care in an acute hospital in New Jersey (treatment for acute and chronic conditions and treatment of substance use disorders and behavioral health conditions);

4. Care in acute hospitals in other states (treatment for acute and chronic conditions and treatment of behavioral health conditions, including substance use disorders);

5. Physicians and nursing services, including immunization services, in all settings;

6.-12. (No change.)

13. Purchase of a specialized, modified vehicle and any subsequent modifications that are related to the medical condition of the child at the time the expenses were incurred;

14.-15. (No change.)

16. Family transportation and travel-related expenses including, but not limited to, mileage allowance, tolls, parking receipts, and temporary shelter costs related to the medical condition.

(b) (No change.)

10:155-1.18 Special cases

(a) Special cases shall be referred to the Commission for its review and consideration. Special cases shall include, but are not limited to, the following:

1. (No change.)

2. For special hardship cases that come before the Commission during a batch cycle, after the standard disbursement guidelines have been applied to each case in the batch and sufficient monies remain in the

Fund, consideration shall be given to waiving the standard disbursement guidelines (that is, the family responsibility and the caps as outlined in N.J.A.C. 10:155-1.2 and 1.7).

## INSURANCE

### (a)

#### DEPARTMENT OF BANKING AND INSURANCE OFFICE OF PROPERTY AND CASUALTY

#### Homeowners Insurance: Standard Hurricane Deductibles and Expedited Process for Homeowners Insurance Rate Changes Notice of Administrative Correction

#### N.J.A.C. 11:2-42 Appendix Exhibits D and E

**Take notice** that the Department of Banking and Insurance (Department) discovered an error in the Appendix Exhibits of N.J.A.C. 11:2-42. Effective February 20, 2018, the Department adopted the repeal and replacement of N.J.A.C. 11:2-42.4 and 11:2-42 Appendices A, B, and C, along with amendments to N.J.A.C. 11:2-42.1, 42.2, and 42.3 (see 49 N.J.R. 624(a); 50 N.J.R. 899(b)). However, due to an inadvertent error in the notice of proposal, N.J.A.C. 11:2-42 Appendix Exhibits D and E were also proposed for repeal and that inadvertent error was adopted in the notice of adoption. The intention of the Department was to only affect N.J.A.C. 11:2-42 Appendix Exhibits A, B, C, as they were the only exhibits of this appendix discussed in the Summary; there is no discussion of the repeal of N.J.A.C. 11:2-42 Appendix Exhibits D and E.

This notice of administrative correction is published pursuant to N.J.A.C. 1:30-2.7.

**Full text** of the corrected rule follows (additions indicated in boldface **thus**):

#### SUBCHAPTER 42. HOMEOWNERS INSURANCE: STANDARD HURRICANE DEDUCTIBLES AND EXPEDITED PROCESS FOR HOMEOWNERS INSURANCE RATE CHANGES

#### APPENDIX

Exhibits A, B, and C (No change.)

#### EXHIBIT D

#### HURRICANE DEDUCTIBLE

**For the premium charged, we will pay only that part of the total of the loss for all Section I Property Coverages that exceeds the Hurricane Deductible noted below:**

**This deductible applies, as described below, in the event of direct physical loss to property covered under this policy, caused directly or indirectly in the event of a hurricane named by the National Weather Service or its successor from which sustained hurricane force winds of 74 miles per hour or greater have been measured in New Jersey by the National Weather Service (regardless of whether the sustained hurricane force winds reach the risk insured under the policy) and shall replace any other applicable deductible in that event. In no case will this deductible be less than the Section I deductible amount shown in the Declarations.**

**The duration of the hurricane includes the time period:**

**1. Beginning 12 hours prior to the first time that sustained hurricane force winds of 74 miles per hour or greater have been measured in New Jersey by the National Weather Service (regardless of whether the sustained hurricane force winds reach the risk insured under the policy).**

**2. Continuing for the time period during which the hurricane conditions exist anywhere in New Jersey.**

**3. Ending 12 hours after the last time the hurricane force winds of 74 miles per hour or greater have been measured in New Jersey**

by the National Weather Service (regardless of whether the sustained hurricane force winds reach the risk insured under the policy).

This deductible applies regardless of any other cause or event contributing concurrently or in any sequence.

The Hurricane Deductible (% or Stated Amount Deductible) shown in the Declarations applies only for loss or damage to covered property caused by wind, wind gusts, hail, rain, tornadoes, or cyclones caused by or resulting from a hurricane. The Hurricane Deductible also applies to any loss or damage to covered property caused by objects driven by wind, if your covered loss occurs during the time period.

The deductible for loss caused by each hurricane occurrence is the amount determined by applying the deductible percentage or Stated Amount Deductible shown in the Declarations to the applicable Coverage A—Dwelling limit shown in the Declarations.

This deductible amount does not apply to loss under Coverage D, Loss of Use. Instead the deductible amount that applies to loss under Coverage D will be the same as the deductible amount that would have been applied to the peril of fire.

Exhibit E  
ZIP CODES

07002	07719	08006	08247	08734
07008	07720	08008	08248	08735
07036	07721	08050	08251	08736
07064	07723	08087	08260	08738
07077	07724	08092	08270	08739
07201	07730	08201	08311	08740
07202	07732	08202	08324	08741
07206	07734	08203	08327	08742
07302	07735	08204	08332	08750
07304	07737	08205	08345	08751
07305	07739	08210	08349	08752
07306	07740	08212	08401	08753
07701	07748	08221	08402	08754
07702	07750	08223	08403	08755
07704	07753	08225	08404	08756
07709	07755	08226	08406	08757
07711	07756	08230	08721	08758
07712	07757	08232	08722	08832
07715	07758	08234	08723	08861
07716	07760	08241	08724	08862
07717	07762	08242	08730	08879
07718	07764	08243	08731	
08005	08244	08732		

LABOR AND WORKFORCE DEVELOPMENT

(a)

DIVISION OF WORKERS' COMPENSATION

Electronic Medical Bills for Workers' Compensation Claims

Adopted New Rule: N.J.A.C. 12:235-1.9

Proposed: October 16, 2017, at 49 N.J.R. 3419(a).

Adopted: April 19, 2018, by Robert Asaro-Angelo, Acting Commissioner, Department of Labor and Workforce Development.

Filed: April 19, 2018, as R.2018 d.112, with non-substantial changes not requiring additional public notice or comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 34:15-144.

Effective Date: May 21, 2018.

Expiration Date: June 26, 2020.

Summary of Hearing Officer's Recommendations and Agency's Response:

A public hearing regarding the proposed new rule was held on November 14, 2017, at the Department of Labor and Workforce Development. David Fish, Executive Director, Legal and Regulatory Services, was available to preside at the public hearing and to receive testimony. No one testified at the public hearing. Written comments were submitted directly to the Office of Legal and Regulatory Services. After reviewing the written comments, the hearing officer recommended that the Department proceed with the new rules with non-substantial changes not requiring additional public notice or comment (see N.J.A.C. 1:30-6.3).

Summary of Public Comments and Agency Responses:

Written comments were submitted by the following individuals. The number(s) in parentheses after each comment identifies the respective commenter(s) listed below.

1. Mishael Azam, COO and Senior Manager, Legislative Affairs, Medical Society of New Jersey, Lawrenceville, NJ.
2. Adam Fowler, Sr. Legislative & Regulatory Specialist, Optum Workers' Compensation and Auto No-Fault (no address provided).
3. Lee Ann C. Stembler, President & CEO, National Council for Prescription Drug Programs, Scottsdale, AZ.
4. Deborah A. Wean, Esq., CPCU, Secretary, New Jersey Manufacturers Insurance Company, West Trenton, NJ.
5. Tina Greene, Mitchell International, Inc., San Diego, CA.

1. COMMENT: The commenter seeks an amendment to the proposed new rule that would reflect the statutory exemptions from the electronic medical bill submission mandate at N.J.S.A. 34:15-143 et seq. (Act). Specifically, N.J.S.A. 34:15-146 (P.L. 2016, c. 64, Section 4), states that the requirements of the Act shall not apply to any provider that: (a) submits less than 25 medical bills per month to employers, workers' compensation insurance carriers, or the workers' compensation third-party administrators; (b) furnishes services only outside of the United States; (c) experiences a disruption in electricity and communication connections that are beyond its control; or (d) demonstrates that a specific and unusual circumstance exists that precludes submission of electronic bills. (1)

RESPONSE: Notwithstanding that the new rule as proposed, specifically at N.J.A.C. 12:235-1.9(a), already states that the requirements set forth therein apply to all workers' compensation healthcare providers, their billing representative, or any company that has purchased the rights to pursue their bill, "with the exception of those set forth at N.J.S.A. 34:15-146," the Department will, on adoption, as suggested by the commenter, eliminate the cross-reference to the statute and replace it with a cross-reference to a new subsection (g), which will list verbatim the exceptions set forth at N.J.S.A. 34:15-146.