

CATASTROPHIC ILLNESS IN CHILDREN RELIEF FUND COMMISSION

POLICY/ ADMINISTRATIVE PROCEDURE

SUBJECT: Guardianship and Financial Responsibility
EFFECTIVE DATE: September 21, 2005
REVISED:
AUTHORITY: N.J.S.A. 26:2-149(2)(d) Commission Meeting: September 21, 2005

I. POLICY STATEMENTS:

The Commission provides financial support to families who can demonstrate that they are legally responsible for the child's medical expenses.

Family means the child's parent, parents or legal guardians, as the case may be. While the Commission does not want to exclude a particular class of families, eligibility criteria must be satisfied first. Only families who can demonstrate that they have been acting in the capacity of the child's natural parent(s) may be eligible for financial assistance. This concept applies particularly when any other family member assumes not only the physical custody but also the financial responsibility of a child.

II. PROCEDURE:

If individuals other than the natural parent(s) apply for financial assistance, a set of criteria must be satisfied to ensure that these individuals have satisfied the concept of "in loco parentis." Guardians may include, but are not limited to, grandparents or other family members.

In screening an application, the following must be satisfied to determine:

- Whether or not the individual has assumed physical custody of the child for a designated period of time (e.g., since birth, since natural parents deceased)

Since custody orders are always temporary in nature, this does not indicate that the guardian has a temporary relationship with the child. Appropriate documents from the county family court are sufficient as long as the individual can show that the custody arrangement is not intended to access the Fund. It is not often that parental rights would be terminated in the State of New Jersey. The court would presumably act in the best interest of the child and would support maintaining a stable relationship between the guardian and child.

- Whether or not the individual has maintained responsibility for basic daily needs for the raising and supporting a child
- The individual has not received any financial assistance from the child's natural parents such as child support
- Whether or not the individual is financially responsible for expenses that she/he is seeking reimbursement for, e.g., if the individual is the sole obligor of a loan to ensure that the Fund is payer of last resort

The Eligibility Coordinator will be responsible for obtaining requisite documents to support the financial responsibility of the family who is applying on behalf of a child for financial assistance to the Fund.

All information will be reviewed on a case by case basis to determine whether or not the information meets the standards.

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DATE: September 21, 2005