

CHAPTER 155

CATASTROPHIC ILLNESS IN CHILDREN RELIEF FUND PROGRAM

Authority

N.J.S.A. 26:2-148 et seq., specifically 26:2-159.

Source and Effective Date

R.2010 d.032, effective January 5, 2010.
See: 41 N.J.R. 3360(a), 42 N.J.R. 937(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 155, Catastrophic Illness in Children Relief Fund Program, expires on January 5, 2017.
See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 155, Catastrophic Illness in Children Relief Fund Program, originally codified in Title 8 as Chapter 18, Catastrophic Illness in Children Relief Fund Program, was adopted and became effective prior to September 1, 1969.

Chapter 18, Catastrophic Illness in Children Relief Fund Program, was repealed by R.1983 d.101, effective April 4, 1983. See: 14 N.J.R. 1436(b), 15 N.J.R. 544(a).

Chapter 18, Catastrophic Illness in Children Relief Fund Program, was adopted as new rules by R.1989 d.557, effective November 7, 1989. See: 21 N.J.R. 1781(a), 21 N.J.R. 3501(a).

Pursuant to Executive Order No. 66(1978), Chapter 18, Catastrophic Illness in Children Relief Fund Program, was readopted as R.1994 d.572, effective October 21, 1994. See: 26 N.J.R. 3573(a), 26 N.J.R. 4380(a).

Chapter 18, Catastrophic Illness in Children Relief Fund Program, was recodified as N.J.A.C. 10:155 by R.1995 d.608, effective December 4, 1995. See: 27 N.J.R. 3554(a), 27 N.J.R. 4890(b).

Pursuant to Executive Order No. 66 (1978), Chapter 155, Catastrophic Illness in Children Relief Fund Program, was readopted as R.1999 d.354, effective September 17, 1999. See: 31 N.J.R. 2164(a), 31 N.J.R. 3090(a).

Chapter 155, Catastrophic Illness in Children Relief Fund Program, was readopted as R.2004 d.352, effective August 23, 2004. See: 36 N.J.R. 2974(a), 36 N.J.R. 4314(a).

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 155, Catastrophic Illness in Children Relief Fund Program, was scheduled to expire on February 19, 2010. See: 41 N.J.R. 3360(a).

Pursuant to Executive Order No. 1(2010), the chapter expiration date is extended from February 19, 2010 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule is readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

Chapter 155, Catastrophic Illness in Children Relief Fund Program, was readopted as R.2010 d.032, effective January 5, 2010. See: Source and Effective Date. See, also, section annotations.

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APPENDIX I. EXAMPLES OF CATASTROPHIC ILLNESS IN CHILDREN RELIEF FUND PROGRAM

SUBCHAPTER 1. CATASTROPHIC ILLNESS IN CHILDREN RELIEF FUND PROGRAM

10:155-1.1 Purpose and scope

(a) The purpose of this subchapter is to implement the provisions of P.L. 1987, c. 370 and to:

1. Establish criteria for eligibility;
2. Establish a standard methodology for determining the amount of financial assistance to be allocated for services of a child's health providers and vendors for families in the State of New Jersey whose child experiences uncovered medical expenses for services required to treat or manage a catastrophic illness; and
3. Specify the procedures that shall be followed by the Catastrophic Illness in Children Relief Fund Commission.

Amended by R.2010 d.032, effective May 17, 2010.
See: 41 N.J.R. 3360(a), 42 N.J.R. 937(a).
Rewrote the section.

10:155-1.2 Definitions

The following words and terms, as used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Act" means P.L. 1987, Chapter 370, codified at N.J.S.A. 26:2-148 et seq., which establishes the Catastrophic Illness in Children Relief Fund.

"Batch" means a grouping of applications for the purpose of applying the provisions of N.J.A.C. 10:155-1.6, 1.7 and 1.8.

"Catastrophic Fund" or "Fund" means the Catastrophic Illness in Children Relief Fund.

“Catastrophic illness” means any illness or condition for which the incurred medical expenses not covered by any other source, which allows funds to provide for the medically related needs of a child, as defined in N.J.A.C. 10:155-1.14, including, but not limited to, insurance contracts, trusts, proceeds from fundraising or settlements relative to the medical condition of a child, exceed 10 percent of the first \$100,000 of annual income of a family plus 15 percent of the excess income over \$100,000.

“Chairperson” means the chief executive officer of the Commission who is elected by the Commission membership from the public members for a term of one year.

“Child” means a person 21 years of age and under.

“Commission” means the 12 member Catastrophic Illness in Children Relief Fund Commission created by the Act and appointed by the Governor to administer the Fund. The Commission, chaired by a public member, is in the Executive Branch of the State government. For purposes of complying with the provisions of Article V, section IV, paragraph 1 of the New Jersey Constitution, the Commission is allocated within the Department of Human Services, but notwithstanding that allocation, the Commission shall be independent of any supervision or control by the Department of Human Services or by any board or officer thereof.

“Days” means calendar days.

“Eligibility standard” means that dollar amount greater than 10 percent of the first \$100,000 of annual income of a family plus 15 percent of the excess income over \$100,000.

“Executive director” means the professional employed by the Commission, in accordance with NJ Department of Personnel’s procedures, to administer the Fund on a day-to-day basis on behalf of the Commission.

“Family” means a child and the child’s parent, parents, or legal guardian, as the case may be, who is legally responsible for the child’s medical expenses.

“Family responsibility” means the amount equal to 10 percent of the eligibility standard.

“Health coverage premium” means a premium for contracts, excluding automobile insurance contracts, whereby an insurer is obligated to pay or allow a benefit for the child who is covered under the policy or contract, due to bodily injury, disablement, sickness or because of any expense relating thereto or because of expense incurred in the prevention of sickness to include limited scope plans, such as hospital, medical and prescription.

“Income” means the following:

1. Wages before deductions;
2. Public Assistance;

3. Social Security Benefits;
4. Supplemental Security Income;
5. Unemployment and Workers’ Compensation;
6. Strike Benefits from Union Funds;
7. Veteran’s Benefits;
8. Training Stipends;
9. Alimony;
10. Child Support;
11. Military Family Allotment;
12. Regular Support from Absent Family Member;
13. Pension Payments;
14. Insurance or Annuity Payments;
15. Income from Estates and Trusts;
16. Dividends;
17. Interest Income;
18. Rental Income;
19. Royalties; and

20. Other sources of income not mentioned above. However, income does not include the following money receipts: withdrawals from a bank; sale of property, house or car; tax refunds; gifts; one-time insurance payments; or compensation from injury, unless the injury directly relates to a child’s condition, which is the basis for an application being made to the Fund. Also disregarded is non-cash income and any money raised by fundraising.

“Local agency” means the agency responsible for assisting families in the application process, forwarding applications to the State Office, and making appropriate referrals to other state programs and benefits.

“State Office of Catastrophic Illness in Children Relief Fund” or “State Office” means the Office of the Executive Director of the Fund, which has responsibility for administering the Fund on a day-to-day basis on behalf of the Commission.

“Threshold” means the point at which a child’s out-of-pocket medical expenses exceed 10 percent of the first \$100,000 of annual income of a family plus 15 percent of the excess income over \$100,000. After the child’s medical expenses reach this threshold, a child has passed the initial screen for eligibility for assistance from the Fund.

Amended by R.1990 d.619, effective December 17, 1990.

See: 22 N.J.R. 2669(b), 22 N.J.R. 3754(a).

Definition for deductible deleted; definitions of eligibility standard and family responsibility added.