

ASSEMBLY, No. 1108

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

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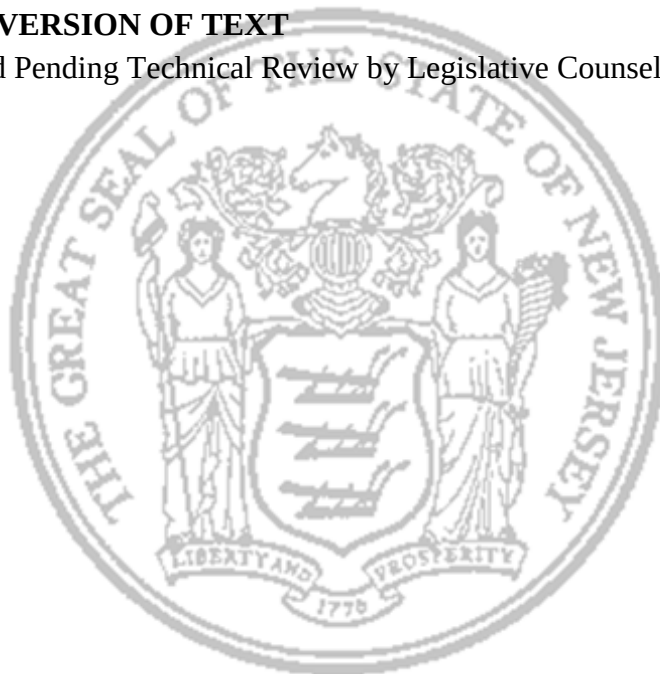
**Assemblywoman Chaparro, Assemblymen Spearman, Johnson, Calabrese,
Mazzeo, Armato and Assemblywoman McKnight**

SYNOPSIS

“Mary’s Law”; requires Catastrophic Illness in Children Relief Fund to provide direct payments for purchases of specialized, modified motor vehicles.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/25/2021)

1 AN ACT concerning the purchase of certain motor vehicles through
2 the Catastrophic Illness in Children Relief Fund and amending
3 P.L.1987, c.370, and designated as “Mary’s Law.”
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 9 of P.L.1987, c.370 (C.26:2-156) is amended to
9 read as follows:

10 9. a. Whenever a child has a catastrophic illness and is
11 eligible for **the program** financial assistance through the fund, the
12 child, through **his** the child’s parent or legal guardian, shall
13 receive financial assistance from monies in the fund subject to the
14 rules and regulations established by the commission and the
15 availability of monies in the fund. The financial assistance shall
16 include, but is not limited to, payments or reimbursements, as
17 appropriate, for the cost of **medical treatment, hospital care, drugs,**
18 **nursing care and physician services**:

19 (1) physician-authorized ancillaries;

20 (2) specialized pediatric ambulatory care, including physician-
21 authorized rehabilitative therapies, physician-authorized care for
22 treatment of substance use disorders and behavioral health care
23 conditions, dental care, eye care, and chiropractic care;

24 (3) care in an acute care hospital, whether located in New Jersey
25 or in another state;

26 (4) physician and nursing services, including immunization
27 services, in all settings;

28 (5) care in specialty hospitals, including, but not limited to,
29 rehabilitative and psychiatric hospitals;

30 (6) long term care;

31 (7) home health care;

32 (8) pharmaceutical products;

33 (9) disposable medical supplies;

34 (10) durable medical equipment, including, but not limited to,
35 physician-authorized ventilators and prostheses;

36 (11) home modification that is related to the medical condition
37 of the child at the time the expenses were incurred;

38 (12) purchase of a specialized, modified motor vehicle and any
39 subsequent modifications that are related to the medical condition
40 of the child at the time the expenses were incurred;

41 (13) experimental medical treatment or experimental drugs used
42 in connection with a Food and Drug Administration-approved
43 clinical trial, which are provided by licensed health care providers;

44 (14) reasonable funeral expenses, including professional
45 services, arrangement and supervision, facility charges,
46 transportation, casket costs, and a vault or a cremation urn, but not

EXPLANATION – Matter enclosed in bold-faced brackets **thus** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 including flowers, prayer cards, books, headstones, name plates,
2 and a soloist or organist;

3 (15) family transportation and travel-related expenses
4 including, but not limited to, mileage allowance, tolls, parking
5 receipts, and temporary shelter costs related to the medical
6 condition; and

7 (16) any other expenses which shall be deemed by the
8 commission to be appropriate and eligible for payment or
9 reimbursement by the fund.

10 b. (1) A family eligible for financial assistance through the
11 fund for the purchase of a specialized, modified motor vehicle and
12 any subsequent modifications pursuant to paragraph (12) of
13 subsection a. of this section shall first identify the motor vehicle to
14 be purchased, or if that vehicle is unavailable, identify the same or
15 similar model of the vehicle for substitution, and any subsequent
16 modifications that are needed to accommodate their child's medical
17 condition, and obtain from the seller and, as necessary, from any
18 business entities making subsequent modifications to the vehicle,
19 all purchase information, and other relevant information the
20 commission deems necessary.

21 (2) The purchase information obtained from the seller pursuant
22 to paragraph (1) of this subsection shall be submitted to the
23 commission as part of an application to receive financial assistance
24 through the fund. Once the application has been submitted to the
25 commission, the commission shall render a decision on the
26 application within 60 days from the date of receipt of the
27 application. If the application is approved by the commission,
28 payment shall be remitted directly to the seller and, as necessary,
29 any business entities making subsequent modifications to the
30 vehicle within 30 days after the :

31 (a) application to receive financial assistance is approved; and

32 (b) delivery of and any subsequent modifications needed to
33 accommodate the child are made to the motor vehicle purchased
34 pursuant to paragraph (12) of subsection a. of this section.

35 (3) As used in this section, "seller" means a motor vehicle
36 dealer licensed pursuant to R.S.39:10-19 et seq., or any other motor
37 vehicle mobility dealer that exclusively engages in the selling of
38 specialized, modified motor vehicles specifically designed to
39 facilitate use or operation by an aging individual or an individual
40 with disabilities.

41 (cf: P.L.2003, c.260, s.3)

42
43 2. Section 10 of P.L.1987, c.370 (C.26:2-157) is amended to
44 read as follows:

45 10. For the purpose of providing the moneys necessary to
46 establish and meet the purposes of the fund, the commission shall
47 establish a **[\$1.50]** \$3 annual surcharge per employee for all
48 employers who are subject to the New Jersey "Unemployment

1 Compensation Law [L.], R.S. 43:21-1 et seq. The surcharge shall be
2 collected by the controller for the New Jersey Unemployment
3 Compensation Fund and paid over to the State Treasurer for deposit
4 in the fund annually as provided by the commission.
5 (cf: P.L.2007, c.342, s.2)

6
7 3. This act shall take effect 60 days after enactment.

8
9 STATEMENT

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11 This bill, designated as “Mary’s Law,” requires that financial
12 assistance given through monies from the Catastrophic Illness in
13 Children Relief Fund, for the purposes of purchasing a specialized,
14 modified motor vehicle, be provided through direct payments to the
15 seller of that vehicle and, as necessary, to a business entity that may
16 perform subsequent modifications to the vehicle to make it
17 accessible to a child with a catastrophic illness within 30 days after
18 the application to receive financial assistance is approved and the
19 delivery of, and any subsequent modifications needed to
20 accommodate the child are made to, the motor vehicle.

21 Currently, purchases for these vehicles are reimbursed through
22 the fund to families after the expenses have already been incurred.
23 It is often the case, however, that a family does not have the money
24 upfront to purchase the vehicle and pay for the subsequent
25 modifications for disabled transport. It is the view of the sponsor
26 that direct payments as specified in the bill will allow more families
27 to purchase these vehicles.

28 The bill also specifies the services which are eligible for
29 payment or reimbursement through the fund. Currently, the type of
30 financial assistance from the fund includes, but is not limited to,
31 payments or reimbursements for medical treatment, hospital care,
32 drugs, nursing care and physician services. The bill mandates that
33 financial assistance through the fund includes payments or
34 reimbursement, as appropriate, for the cost of the services specified
35 under the bill’s provisions.

36 Additionally, the bill provides that the current funding
37 mechanism for the program, which is a \$1.50 annual surcharge per
38 employee for all employers who are subject to the New Jersey
39 “Unemployment Compensation Law,” is increased to \$3 per
40 employee.

41 The Catastrophic Illness in Children Relief Fund is a financial
42 assistance program for New Jersey families whose children have an
43 illness or condition that is otherwise uncovered by insurance, State
44 or federal programs, or other source, and that exceeds 10 percent of
45 the first \$100,000 of annual family income plus 15 percent of the
46 excess income over \$100,000. The fund is intended to assist in
47 preserving a family’s ability to cope with the responsibilities which
48 accompany a child’s significant health problems.