

What is a Caregiver's Authorization Affidavit?

A Caregiver's Authorization Affidavit is a form you fill out and give to a child's school or health care provider. You can use the form to enroll the child in school or get medical care for the child. California law says what exactly should be in the form. California law also says who can use this form.

Some Helpful Terms

An **affidavit** is a written statement where the person who signs it swears that the information on the form is true and correct to the best of their knowledge. An affidavit usually has to be **notarized** (you have to bring the statement to a notary public to do this).

A **custody order** is a court order that says who a child will live with and who should make decisions about health care, education, and other important things.

A **guardian** is a person who isn't the parent, but has a court order giving them legal custody of a child.

Does a Caregiver's Authorization Affidavit affect the custody rights of the parents?

No. A Caregiver's Authorization Affidavit does not affect the rights of the child's parents. The parents still have custody and control of the child.

TIP: A Caregiver's Authorization Affidavit does not give you legal custody of the child. If you need to get legal custody of a child, consider seeking a guardianship in state probate court.

School Enrollment

Can I use a Caregiver's Authorization Affidavit to enroll a child in school?

You can use the Caregiver's Authorization Affidavit to enroll a child in school if:

- you are over the age of 18, **and**
 - you take care of a child who lives in your home, **but**
 - you do not have a court order that gives you custody of the child.
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What if the child needs medical care related to school?

If you meet the conditions above, then you can also approve "school-related medical care."

What is school-related medical care?

School-related medical care is medical care that is required for a child to enroll in school. State or local governments set these requirements. Examples include:

- immunizations
 - physical examinations
 - medical examinations conducted in school
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How do I fill out the Caregiver's Authorization Affidavit to enroll a child in school and approve school-related medical care?

Fill in the blanks for Questions 1- 4. These are easy questions:

1. The child's name
2. The child's birth date.
3. Your name.
4. Your home address.

TIP: You do not need to answer Questions 5 - 8 if you are using the form only to enroll the child in school and to approve school-related medical care.

Sign and date the Caregiver's Authorization Affidavit form at the bottom **only if everything is correct**. You are signing the form **under penalty of perjury**. This means if the information isn't correct, you might have to pay a fine or go to jail.

!! STOP: Don't sign the form yet if it has to be notarized. You need to sign it in front of the notary.

TIP: Ask the child's school if the Affidavit has to be **notarized**.

If the Affidavit has to be notarized, how do I do that?

You'll need to take the Affidavit to a **notary public** and sign it in front of them. They will notarize the form. You can find a notary public in the yellow pages.

- Bring the "Jurat Form" with you to the notary public.
- Also, bring your driver's license with you. The notary public will need it to fill out the Jurat

Form.

What if I don't have a driver's license?

The notary may accept other kinds of photo identification.

You can contact the notary you are going to sign the form in front of, and ask what other forms of identification they will take.

Do I need to do anything else to enroll the child in school?

Some school districts require proof that the child lives in the school district. There may be other documents that the school requires to enroll the child. Check with the child's school district to see what it requires.

What about other medical care?

To approve other medical care, you will need to meet the conditions discussed below in the section on "Approving Medical Care."

Approving Medical Care

Make sure you have answered Questions 1 - 4 on the Caregiver's Authorization Affidavit before beginning this section. This section explains Questions 5 - 8.

Can I use a Caregiver's Authorization Affidavit to approve medical or dental care for a child?

You can use the Caregiver's Authorization Affidavit to approve medical or dental care for a child if:

- you are over the age of 18 **and**
- you take care of a child who lives in your home **but**
- you don't have a court order that gives you custody **and**

- you are a "qualified relative"
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Am I a qualified relative?

You are a qualified relative if you are the child's:

- grandparent
- aunt or uncle
- brother, sister, stepbrother, stepsister, half-brother or half-sister
- niece or nephew
- first cousin
- great-grandparent
- great-aunt, great-uncle, grand-aunt or grand-uncle
- stepparent
- parent
- spouse

You are also a qualified relative if you are the spouse (husband or wife) of any of the relatives listed above. You are a qualified relative even if you are now divorced or your spouse has died.

NOTE: If you are a qualified relative, check the box on Question 5 of the Caregiver's Authorization Affidavit.

What if I'm not a qualified relative?

If you aren't a qualified relative, then you can't use the Caregiver's Authorization Affidavit to approve medical care for a child.

You might also have to get a foster home license to care for the child, or document that you are an Indian custodian.

Do I have to tell the child's parents about the Caregiver's Authorization form?

Yes. If you know where they are, you **must** tell the child's parents **before** you fill out the Caregiver's Authorization form. If they don't object, then you can complete the form.

If the parents don't object, then check the **first** box in Question 6 of the Caregiver's Authorization Affidavit.

Remember, whenever we say "parents," it means one or both of the child's parents, or the child's guardian or guardians – it depends on who has legal custody of the child.

Can I use the Caregiver's Authorization form if the child's parents object?

No. If the child's parents object to your getting the Caregiver's Authorization, then you won't be able to use the form.

What if I can't find the parents?

If you can't find the parents, you can still complete the Caregiver's Authorization.

NOTE: If you can't find the parents, then check the **second** box in Question 6 of the Caregiver's Authorization Affidavit.

What if the parents show up later?

If the parents show up later and don't want you to have the Caregiver's Authorization, then they can "**revoke**" (cancel) the authorization. If they revoke the authorization, then you can't use it.

What if the parents change their minds? Can they stop me from using the Caregiver's Authorization Affidavit?

Yes. Even if they told you that they didn't object to the Caregiver Authorization Affidavit, they can always change their mind. Parents can always revoke the Caregiver's Authorization. If they revoke the authorization, then you can't use it.

What if the parents and I disagree about medical or dental care decisions?

The parents get the final say on medical or dental care. If they disagree with you, their wishes will be followed – unless doing so would risk the life, health, or safety of the child.

Does the Caregiver's Authorization Affidavit mean that the child is covered by my health insurance?

No, but you can check with your health insurance provider to see whether the child can be covered under your policy.

Remember, whenever we say "parents," it means one or both of the child's parents, or the child's guardian or guardians – it depends on who has legal custody of the child.

What else do I need to do to complete the Caregiver's Authorization form?

NOTE: Write your date of birth on the line for Question 7 of the Caregiver's Authorization Affidavit.

NOTE: Write your California driver's license or identification card number on the line for Question 8 of the Caregiver's Authorization Affidavit.

TIP: If you don't have a California driver's license or identification card, other kinds of identification, such as your Social Security number or Medi-Cal number may be accepted. Make sure you write down what kind of number it is.

NOTE: Sign and date the Caregiver's Authorization Affidavit at the bottom only if everything is correct. You are signing the form **under penalty of perjury**. If the information isn't correct, you might have to pay a fine or go to jail.

TIP: Remember, if you have to get the form notarized, don't sign it yet. You'll need to sign it in front of the notary.

Who should I give the Caregiver's Authorization Affidavit to?

For school enrollment, give a copy to the child's principal or teacher. Also send a copy to the school district office.

- For health care, give a copy to the child's doctor(s). Also give a copy to any hospital or other medical care facility where the child will receive care.
- For dental care, give a copy to the child's dentist.
- **Be sure to keep at least one copy in a safe place and tell other people where it is.**
- It's a good idea to make several copies of the form in case you need to give it to other people.

- Keep a list of all the people you give forms to. You'll have to tell these people if the child stops living with you.

NOTE: To keep track of who has copies of the Caregiver's Authorization Affidavit, use the form "List of People Who Have a Copy of the Caregiver's Authorization Affidavit."

Is the Caregiver's Authorization Affidavit good as long as I take care of the child?

No.

- The Caregiver's Authorization Affidavit is good for **only one year** from the date you sign it.
- If more than one year has passed since you signed the form, you'll need to fill out another one.

What if the child stops living with me?

If the child stops living with you, you must tell everyone who has been given a copy of the Caregiver's Authorization Affidavit. This includes schools, school districts, doctors, dentists, health care providers, and health care plans. You should keep a list of all those persons you gave it to, such as the school and doctor.

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