SUBJECT: Guidelines for Catastrophic Injury or Illness Fund

1. Definitions

For purposes of these Guidelines, the following definitions apply:

1.1 *Eligible Employee* means a regular full-time benefits-eligible employee who has been employed for at least one year on the date application is made to the Catastrophic Injury and Illness Fund. A regular, full-time, benefits-eligible employee is one who is budgeted for fifty percent or more time for at least, five months, excluding students holding positions for which student status is a requirement for employment. Grant-funded positions are eligible only if the granting agency approves the use of Grant funds to cover the Catastrophic Injury or Illness funds used.

1.2 *Immediate Family* is limited to spouse, parent, natural or adopted son or daughter and includes only an individual who is: (1) living in the same household as the Eligible employee or, (2) if not in the same household, is totally dependent on the Eligible employee for personal care or services on a continuing basis.

1.3 *Catastrophic Injury or Illness* is defined as a medical diagnosis or surgery in the Federal Registry List of Diagnosis-Related Groups which rates an Outlier threshold of 29 or greater and so severe that it results in total disability of at least 20 work days for Eligible employees or thirty calendar days for immediate family members.

1.4 *A Licensed Physician* means a physician, as defined in the Texas Insurance Code, who is licensed to practice medicine in the state of Texas and is practicing within the scope of his/her license.

2. Establishment

2.1 The President will appoint a Catastrophic Injury or Illness Fund Committee to review applications and make recommendations to the President. Membership of the committee shall be comprised of three (3), annually appointed Eligible Employees from different job classifications of active Eligible Employees. The Director of Human Resources or designee shall serve as ex-officio member and Catastrophic Injury or Illness Fund Administrator. Human Resources will monitor the Catastrophic Injury or Illness Fund.

2.2 The Catastrophic Injury or Illness Fund will be funded annually from the prior year’s current fund operating surplus. In the initial year, $20,000 will be set aside and be available for employee use. Thereafter, $20,000 will be added to the Catastrophic Injury or Illness Fund Reserve annually until the reserve fund balance is $120,000. When the reserve fund balance reaches $120,000, the annual transfers of $20,000 will stop. Thereafter, the annual transfer will be the amount needed to bring the reserve fund balance back to the $120,000. The only exception will be that in no one year shall the amount of the transfer to the reserve fund exceed $20,000.
3. Administration

3.1 The Catastrophic Injury or Illness Fund Administrator will have the following duties and responsibilities:

(1) develop and obtain the President’s approval of the procedures and guidelines for Catastrophic Injury or Illness Fund operations, including processing procedures for requests to withdraw from the Catastrophic Injury or Illness Fund and the required administrative approvals;

(2) communicate Catastrophic Injury or Illness Fund operating procedures to all employees and interpret the procedures and rules on request; and

(3) ensure that all employees eligible for participation in the Catastrophic Injury or Illness Fund program are treated consistently and equitably according to established procedures and without consideration of employee classification or any other legally impermissible reason.

3.2 Department heads or their designees will ensure and certify that an eligible employee’s official leave records reflect receipt of funds from the Catastrophic Injury or Illness Fund.

4. Eligibility

4.1 If a regular full-time benefits-eligible employee has exhausted all sick leave, personal leave, and vacation leave--from the current year and all previous years--to which that eligible employee is entitled, the eligible employee qualifies to apply to use the resources of the Catastrophic Injury or Illness Fund because of a Catastrophic Injury or Illness.

4.2 All restrictions on permissible uses of sick leave apply to the use of Catastrophic Injury or Illness Funds withdrawn from the Catastrophic Injury or Illness Fund. In no case may Catastrophic Injury or Illness Fund funds be used in conjunction with a Workers’ Compensation claim.

5. Application and Approval Procedure

5.1 Once an eligible employee has exhausted all available sick leave, personal leave, and vacation leave, the employee is eligible to apply for benefits from the Catastrophic Injury or Illness Fund.

5.2 To apply for the Catastrophic Injury or Illness Fund, an eligible employee will obtain an application from the Human Resources office.

5.3 The eligible employee will complete the application form, obtain the necessary signatures from his/her supervisor, dean, and vice president, attach the necessary supporting documents, and return the entire package to the Human Resources office.
5.4 The Catastrophic Injury or Illness Fund Administrator will review the application for completeness and then convene the Catastrophic Injury or Illness Fund Committee.

5.5 The Catastrophic Injury or Illness Fund Committee will review the application, monitor available funds in the budget, and make a recommendation of approval or disapproval to the President.

5.6 If the request for Catastrophic Injury or Illness Fund funds is recommended for approval by the Catastrophic Injury or Illness Fund Committee, such recommendation for approval along with all supporting documentation will be forwarded to the President who will make the final decision to approve or disapprove.

5.7 If the request for Catastrophic Injury or Illness Funds is recommended for disapproval by the Catastrophic Injury or Illness Fund Committee, such recommendation can be appealed to the Appeal Board which is made up of three (3) members: the Vice President, Business Services, the Vice President, Instruction, and a Human Resources representative. The Appeal Board will then make a recommendation to approve or disapprove the request for funds. The decision of the Appeal Board will go directly to the President who will make the final decision to approve or disapprove the disbursement of funds from the Catastrophic Injury or Illness Fund.

6. **Withdrawal of Funds**

6.1 After approval by the President, the Catastrophic Injury or Illness Fund Administrator will notify the eligible employee that permission has been granted to withdraw funds from the Catastrophic Injury or Illness Fund. The Catastrophic Injury or Illness Fund Administrator will authorize the transfer of the approved amount of money from the Catastrophic Injury or Illness Fund to the eligible employee’s payroll budget via budget transfer.

6.2 The Catastrophic Injury or Illness Fund Administrator will credit such funds to the eligible employee, who will receive and use the funds in the same manner as sick leave pay earned by the eligible employee in the course of employment. Catastrophic Injury or Illness Fund funds may be used for a continuous absence or for intermittent or part-time absences if all other requirements of these guidelines are met. If an eligible employee does not qualify to use all money withdrawn from the Catastrophic Injury or Illness Fund, the unused money will be returned to the Catastrophic Injury or Illness Fund.

6.3 All Catastrophic Injury or Illness Funds granted are subject to other policies and guidelines on use of sick leave, and abuse of the Catastrophic Injury or Illness Fund privilege will not be tolerated.

6.4 For each Catastrophic Injury or Illness an eligible employee may withdraw up to one-third of the total amount of money in the Catastrophic Injury or Illness Fund or 50 working days, whichever is less.

6.5 The Catastrophic Injury or Illness Fund Administrator will determine the exact amount of money that an eligible/approved employee may draw from the Catastrophic Injury or Illness Fund based on these guidelines and the monetary balance in the Catastrophic
Injury or Illness Fund at the time of the request. The eligible employee will be required to furnish a statement from a licensed physician of record listing the specific nature of the illness or injury, prognosis, and expected recovery date at any time when Catastrophic Injury or Illness Funds are being requested or used. In addition, the licensed physician of record will furnish within this aforementioned statement the applicable Outlier from the Federal Registry List of Diagnosis-Related Groups associated with the illness or injury.

6.6 The granting of sick leave from the Catastrophic Injury or Illness Fund cannot alter or otherwise change the terms and expected duration of appointment of the eligible employee or other conditions and rules related to employment.

7. Equal Treatment

7.1 An eligible employee absent on sick leave through the Catastrophic Injury or Illness Fund will be treated for all purposes as if the eligible employee was absent on earned sick leave.

7.2 All eligible employees will have equal access to the Catastrophic Injury or Illness Fund. Decisions to allocate Catastrophic Injury or Illness Fund resources to eligible employees will be equitable, consistent, and without regard to eligible employee classification or any other legally impermissible reason.

8. Estate Entitlement

The estate of a deceased eligible employee is not entitled to payment for unused sick leave acquired by that eligible employee from the Catastrophic Injury or Illness Fund.