Caregiver's Authorization Affidavit

Use of this affidavit is authorized by Part 1.5 (commencing with Section 6550) of Division 11 of the California Family Code.

Instructions: Completion of items 1–4 and the signing of the affidavit is sufficient to authorize enrollment of a minor in school and authorize school-related medical care. Completion of items 5–8 by a relative is additionally required to authorize any other medical care. Print clearly.

The minor named below lives in my home and I am 18 years of age or older.

1. Name of minor: _____
2. Minor's birth date: _____
3. My name (adult giving authorization): _____
4. My home address: _____
5. ☐ I am a relative of the child (see back of this form for a definition of "relative").
6. Check one or both (for example, if one parent was advised and the other cannot be located):
    a. ☐ I have advised the parent(s) or other person(s) having legal custody of the minor of my intent to authorize medical care, and have received no objection.
    b. ☐ I am unable to contact the parent(s) or other person(s) having legal custody of the minor at this time to notify them of my intended authorization.
7. My date of birth: _____
8. My California driver's license or identification card or government-issued consular card number: _____

Warning to Caregiver: Do not sign this form if any of the statements above are incorrect, or you will be committing a crime punishable by a fine, imprisonment, or both.

Warning to Local Educational Agencies and Health Care Service Providers: A seal or signature from a court is not required. This form is not required to be notarized.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: _____ Signed: _____

Notices:

1. This declaration does not affect the rights of the minor's parents or legal guardian regarding the care, custody, and control of the minor, and does not mean that the caregiver has legal custody of the minor.
2. A person who relies on this affidavit has no obligation to make any further inquiry or investigation.

Additional Information:

TO CAREGIVERS:

1. "Relative," for purposes of item 5, means an adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, stepsiblings, and all relatives whose status is preceded by the words "great," "great-great," or "grand," or the spouse of any of these persons even if the marriage was terminated by death or dissolution.
2. The law may require you, if you are not a relative, or a currently licensed, certified, or approved foster parent, to obtain resource family approval pursuant to Section 1517 of the Health and Safety Code or Section 16519.5 of the Welfare and Institutions Code in order to care for a minor. If you have any questions, please contact your local department of social services.
3. If the minor stops living with you, the affidavit is no longer valid. You are required to notify any school, health care provider, or health care service plan to which you have given this affidavit that the minor is no longer living with you and that, as a result, the affidavit is no longer valid.
4. If you do not have the information requested in item 8 (California driver's license or I.D., or government-issued consular card), provide another form of identification such as your social security number or Medi-Cal number.

TO SCHOOL OFFICIALS:

1. Section 48204 of the Education Code provides that this affidavit constitutes a sufficient basis for a determination of residency of the minor, without the requirement of a guardianship or other custody order, unless the school district determines from actual facts that the minor is not living with the caregiver.
2. The school district may require additional reasonable evidence that the caregiver lives at the address provided in item 4.
3. A seal or signature of the court is not required. This form is not required to be notarized.

TO HEALTH CARE PROVIDERS AND HEALTH CARE SERVICE PLANS:

1. When signed by a relative, this affidavit shall confer the same rights to authorize medical care and dental care for the minor that are given to guardians under Section 2353 of the Probate Code. The medical care authorized by a relative may include mental health treatment subject to the limitations of Section 2356 of the Probate Code.
2. A health care service provider who acts in good faith reliance upon a caregiver's authorization affidavit to provide medical or dental care, without actual knowledge of facts contrary to those stated on the affidavit, is not subject to criminal liability or to civil liability to any person, and is not subject to professional disciplinary action, for that reliance if the applicable portions of the form are completed. A seal or signature of the court is not required. This form is not required to be notarized.
3. This affidavit does not confer dependency for health care coverage purposes.

Using a Caregiver's Authorization Affidavit:
A Guide for Adult Caregivers Who Are Not the Parent or Legal Guardian of the Child Living in Their Home

A Caregiver's Authorization Affidavit is a legal form that can be used by an adult caregiver who is not the parent or legal guardian of the child living in their home to consent to school enrollment and school related medical care. A Caregiver's Authorization Affidavit lets school personnel, doctors, and welfare caseworkers know that you are caring for the minor. Relatives can also use the form to additionally consent to medical care not related to school and dental care.

How to complete a Caregiver's Authorization Affidavit:

- If you are only using the form for school enrollment and/or to consent to school-related medical care, fill out items 1-4.
- If you are a relative and will also use the form to consent to medical and/or dental care, also fill out items 5-8.
- Date and sign the form. This form does not need to be notarized or filed with a court. The form does not need a parent signature.
- Make copies of the signed form to give to the child's school, doctors' offices, and/or the county welfare office.
- Always keep a copy of the form with you.

You may use a Caregiver's Authorization Affidavit to:

- Enroll a minor you are caring for in school, whether or not you are related to the minor. The school must, by law, enroll a student with a Caregiver's Authorization Affidavit. You are never required to show legal custody of a minor to enroll them in school.
- Consent to school-related medical care, whether or not you are related to the minor. (See the definition of school-related medical care below.)
- Consent to medical care or dental care for the minor, if you are related to the minor. (See the definition of relative below.)
- Receive welfare benefits for the minor, if you are related to the minor.

Additional Information:

- A Caregiver's Authorization Affidavit DOES NOT give you legal custody of the minor in your care. A Probate Legal Guardianship or Joint Parent/Caregiver Guardianship may be options if you choose to pursue legal custody.
- You cannot use a Caregiver's Authorization Affidavit to keep a minor in your care against the wishes of their parent.
- The Caregiver's Authorization Affidavit is valid only in California.
- The school district may ask you for additional reasonable evidence that you live at the address you provided on the form, like a copy of a utility bill showing your name and address.
- The Caregiver's Authorization Affidavit does not expire, however, if the minor stops living with you, you must notify the school and/or health care provider(s).
- The affidavit will no longer be valid once the school and/or health care provider(s) receives notice from you that the minor is no longer in your care.

Definitions:

- "Relative" means an adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, stepsiblings, and all relatives whose status is preceded by the words "great," "great-great," or "grand," or the spouse of any of these persons even if the marriage was terminated by death or dissolution.

- "School-related medical care" means medical care, including immunizations, physical examinations, and medical examinations conducted in schools for pupils, that is required by state or local governmental authority as a condition for school enrollment or participation in local educational agency-related extracurricular activities.