

**PW-PA 20.06 Relatives eligible for aid to dependent children.**  
Section 49.19 (1) (a), Wis. Stats., and Title IV, section 406 (a), Federal Social Security Act are construed to permit payments of public assistance grants in behalf of dependent children who are living with a person included in one of the following groups: (1) Any blood relative, including those of half-blood, except cousins, nephews, or nieces.

*Note:* Relationships to persons of preceding generations as denoted by prefixes of grand, great, or great-great are within this definition.

(2) Stepfather, stepmother, stepbrother, and stepsister.

(3) Persons who legally adopt a child or his parent as well as the natural and other legally adopted children of such persons.

*Note:* Other relatives of persons who adopt children are relatives of such adopted children within this definition.

(4) Spouses of any persons named in the above groups.

*Note:* Such relatives may be considered within the scope of this provision though the marriage is terminated by death or divorce.

**PW-PA 20.07. Incapacitation for gainful work; dependent children.**

(1) **PURPOSE.** This rule is adopted to promote the rehabilitation of dependent persons in keeping with the legislative intent expressed in section 49.02 (6), Wis. Stats., to determine the eligibility of applicants for aid to dependent children as required under sections 49.19 (1), (2), (3) and (4), Wis. Stats., to determine the amount of aid needed (including necessary medical aid for the incapacitated parent) as directed under sections 49.19 (5) and 49.40, Wis. Stats., and further to carry out the department's responsibilities as expressly stated or implied under sections 49.50 (1), (2), (6) and (7), Wis. Stats.

(2) **DETERMINATION OF ELIGIBILITY.** The decision as to eligibility because of the incapacitation of a parent shall be made by the county agency. Such decision shall be based upon (a) a physician's opinion as to whether or not there is physical or mental disability likely to continue for at least three months, and (b) a consideration of relevant social and employability factors.

(3) **EXAMINATION AND REPORT.** With respect to any application for aid to dependent children in which incapacitation of a parent is claimed as the basis for eligibility, such parent shall be examined by a licensed physician selected by the county agency, and he or his designated agent shall report his findings in writing on a form prescribed by the department for this purpose. For purposes of reimbursement under section 49.51, Wis. Stats., fees paid physicians for examinations made under this rule may be reported as expenditures incurred in administration. A physician's report shall be obtained and the decision of the county administrator recorded on the prescribed form before aid may be granted. A completed copy of the report shall be sent to the department for all examinations made. Reexamination for purposes of determining continuing eligibility shall be made as often as indicated by the physician's report or by observation of the person's physical condition, but at least once in any twelve-month period.

(4) **EXCEPTIONS.** (a) A medical examination is not required if the incapacitated parent has been found eligible for aid to the blind or for aid to totally and permanently disabled persons.

(b) A medical reexamination for purposes of determining continuing eligibility may not be required in the discretion of the county agency if the examining physician indicates in his report that the disability is permanent and that the incapacitated parent will never be employable.

(c) If the incapacitated parent is receiving care at a mental, tuberculosis, or veteran's hospital, a reexamination is not required during the time he is receiving such care.

**PW-PA 20.09 Determination of blindness for aid.** (1) **PURPOSE.** This rule is adopted to promote the rehabilitation of dependent persons in keeping with the legislative intent expressed in section 49.02 (6), Wis. Stats., to determine the eligibility of applicants for aid to the blind as required under section 49.18 (4), Wis. Stats., to determine need for medical care that may be provided under section 49.40, Wis. Stats., and further to carry out the department's responsibilities as expressly stated or implied under sections 49.50 (2) and (6), Wis. Stats.

(2) **DEFINITION OF BLINDNESS.** For purposes of aid to the blind, a person shall be considered as blind if the vision in the better eye when corrected with the best possible glasses is recorded as 20/200 or less, or there is an equally disabling loss of the visual field.

(3) **EXAMINATION AND REPORT.** Each applicant for aid to the blind shall be given an eye examination by a physician skilled in eye diseases selected by the county agency, or by an optometrist at the option of the applicant. The examiner shall report his findings in writing on a form prescribed by the department for this purpose. A completed copy of the report shall be sent to the department for all examinations made. For purposes of reimbursement under section 49.51, Wis. Stats., fees paid examiners for examinations under this rule may be reported as expenditures incurred in administration.

(4) **REEXAMINATION.** Examination for purposes of determining continuing eligibility shall be made at least once in any continuous two-year period or within the time specified by the department. A completed copy of the examiner's report shall be sent to the department for all reexaminations made. Reexamination need not be made if the department finds that there is complete loss of vision in both eyes or that there is no possibility of restoration of sight.

(5) **DETERMINATION OF ELIGIBILITY.** The decision as to eligibility because of blindness shall be made by the department, which shall establish methods of determining visual efficiency. Such decision shall be based upon the recommendation of a consulting ophthalmologist employed by the department who shall review the examiner's report. The department shall promptly notify the county agency of its decision. Aid to the blind shall not be granted until the division of public assistance has notified the county agency that the applicant's loss of vision is sufficient to qualify him for aid; provided that when a reexamination is made to determine continued eligibility such aid may be continued until the division of public assistance notifies the county agency with respect to any case that such eligibility no longer continues.

**History:** 1-2-56; am. (1) and (2), Register, March, 1963, No. 87, eff. 4-1-63.

Register, March, 1963, No. 87