

2007 DRAFTING REQUEST

Bill

Received: 12/04/2007

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Pat Kreitlow (608) 266-7511

By/Representing: Jeff

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Veterans - veterans benefits

Extra Copies:

Submit via email: YES

Requester's email: Sen.Kreitlow@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Eligibility for veterans assistance program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/1	rnelson2 12/05/2007	jdye 12/13/2007	rschluet 12/13/2007	_____	lparisi 12/13/2007	cduerst 01/25/2008	State

FE Sent For: /1 @ intro, 1-30-08

<END>

2007 DRAFTING REQUEST

Bill

Received: 12/04/2007

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Pat Kreitlow (608) 266-7511

By/Representing: Jeff

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Veterans - veterans benefits

Extra Copies:

Submit via email: YES

Requester's email: Sen.Kreitlow@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Eligibility for veterans assistance program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/1	rnelson2 12/05/2007	jdyer 12/13/2007	rschluet 12/13/2007	_____	lparisi 12/13/2007		State

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 12/04/2007

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Pat Kreitlow (608) 266-7511

By/Representing: Jeff

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Veterans - veterans benefits

Extra Copies:

Submit via email: YES

Requester's email: Sen.Kreitlow@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Eligibility for veterans assistance program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2	1/12/07 JLW					

FE Sent For:

<END>

Nelson, Robert P.

From: Buhrandt, Jeff
Sent: Monday, December 03, 2007 3:02 PM
To: Nelson, Robert P.
Subject: Bill Drafting Question

Bill-

Senator Kreitlow would like to have a bill drafted that would change some of the rules of eligibility for the Assistance to Needy Veteran's and Family Members Program http://dva.state.wi.us/Ben_emergencygrants.asp.

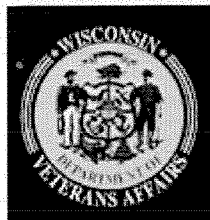
In particular, Pat would like to remove the language that includes cash value of a life insurance policy as part of the asset test.

I'd like to discuss this further with you when you get a chance. My number is 6-7511.

Thanks-
Jeff

Jeff Buhrandt
Office of Senator Pat Kreitlow
Wisconsin State Senate - 23rd District
Room 10 South - State Capitol
PO Box 7882
Madison, WI 53703-7882
Phone: 1-888-437-9436
jeff.buhrandt@legis.wisconsin.gov

*Set 45.40 (a)
last sentence*



Wisconsin Department of Veterans Affairs

"Making a difference in the lives of Wisconsin Veterans"

> Home > State Veterans Benefits > Assistance to Needy Veterans and Family Members Grant

Assistance to Needy Veterans and Family Members

[Who Qualifies](#) | [Health Care Aid](#) | [Subsistence Aid](#) | [How to Apply](#)

| [Home](#)
 | [About WDVA](#)
 | [Events](#)
 | [Forms & Brochures](#)
 | [Public Affairs](#)
 | [State Veterans Benefits](#)
 | [Eligibility](#)
 | [Education Programs](#)
 | [Emergency Grants](#)
 | [Employment Assistance](#)
 | [Help for the Homeless](#)
 | [I Owe You Program](#)
 | [Job Retraining Grants](#)
 | [Loans](#)
 | [Medals & Records](#)
 | [Military Funeral Honors](#)
 | [Transportation to VA](#)
 | [Medical Appointments](#)
 | [Veterans Cemeteries](#)
 | [Veterans Homes](#)
 | [Veterans Memorials](#)
 | [Veterans Museum](#)
 | [Veterans Service Offices](#)
 | [Women Veterans](#)
 | [Veterans Links](#)

The Assistance to Needy Veterans grant program provides limited financial assistance to those in need and who have exhausted all other sources of aid. The grants may be used for specified health care and subsistence needs up to maximum grant limits.

Maximum Award

There is a lifetime cumulative grant award limit per veteran of \$7,500.

Note: Applications for the Assistance to Needy Veterans must be submitted through your local CVSO.

Who Qualifies?

Applicants who demonstrate financial need and have exhausted other forms of aid may qualify, including:

- [Eligible veterans](#)
- The unmarried surviving spouse and dependent children of an eligible veteran who died in the line of duty while on active duty or inactive duty for training
- The qualified spouse and dependent children of an activated or deployed military service member, who have suffered or are suffering a loss of income because of the activation or deployment and have experienced an economic emergency, may qualify for assistance. An economic emergency includes:
 - Failure of the sole means of transportation
 - Failure of a stove or refrigerator or of heating, electrical or plumbing systems, etc.
 - A medical emergency
 - Severe damage to the primary residence as a result of a natural disaster

The applicant must be a resident of Wisconsin. The veteran must meet [general eligibility requirements](#).

Financial need must be demonstrated through an assessment of current income and the household's liquid assets. The [household income limit](#) for this program is set by law at 130% of current federal poverty guidelines. Liquid assets, including checking and savings accounts, stocks, bonds, life insurance policies with a cash value, and funds in retirement accounts, cannot exceed \$1,000 in order to be eligible for the health care portion of this program.

Applicants must have applied for and been denied or determined to be ineligible for all other applicable aid programs, including Unemployment Insurance, Medicaid, Medicare, BadgerCare, federal VA health care, etc.

For the Aid to Military Families component of this program, the service member must be a member of the U.S. Armed Forces or of the Wisconsin National Guard who has been activated or deployed to serve in the U.S. Armed Forces. The service member must be a resident of Wisconsin. For military family members, federal poverty guidelines do not apply, although a loss of income due to the deployment or activation must be demonstrated.

Additional Resources:

- [Current federal poverty guidelines](#)

JLD

2007 BILL

Gen

1 AN ACT ...; relating to: cash value of life insurance regarding eligibility for the
 2 veterans assistance program.✓

Analysis by the Legislative Reference Bureau

*

Under current law, the department of veterans affairs (DVA)✓ may provide assistance payments to veterans who have suffered a loss of income due to illness, injury, or natural disaster.✓ DVA may not provide the assistance if the veteran has other assets✓ or income available to meet basic subsistence needs or if the veteran is eligible to receive aid from other sources. Currently, DVA may also provide health care aid to a veteran who does not have sufficient income and assets to obtain the health care.✓ Current law allows the unremarried spouse and dependent children of a deceased veteran to receive assistance and health care if they do not have sufficient income and assets.✓ DVA is required under current law to promulgate rules specifying the eligibility criteria and income limits for these assistance programs.✓ The current rule limits eligibility to applicants whose liquid assets, including bank accounts, stocks, funds in retirement accounts, and cash value of life insurance, do not exceed \$1,000.✓

*

This bill would exempt^g the cash value of life insurance from being considered when determining if a veteran or his or her unremarried spouse and dependent children are eligible for an assistance payment or health care aid.✓

BILL

For further information see the [✓]state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 [✓]**SECTION 1.** 45.40 (1) (a) of the statutes is amended to read:

2 45.40 (1) (a) The department may provide subsistence payments to a veteran
3 on a month-to-month basis or for a 3-month period. The department may pay
4 subsistence aid for a 3-month period if the veteran will be incapacitated for more
5 than 3 months and if earned or unearned income or aid from sources other than those
6 listed in the application will not be available in the 3-month period. The department
7 may provide subsistence payments only to a veteran who has suffered a loss of
8 income due to illness, injury, or natural disaster. The department may grant
9 subsistence aid under this subsection to a veteran whose loss of income is the result
10 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and
11 other drug abuse treatment program that is approved by the department. No
12 payment may be made under this subsection if the veteran has other assets or income
13 available to meet basic subsistence needs or if the veteran is eligible to receive aid
14 from other sources to meet those needs. When determining the assets available to
15 the veteran, the department may not include the cash surrender value of any life
16 insurance.[✓]

History: 2005 a. 22, 25.

17 [✓]**SECTION 2.** 45.40 (2) (c) of the statutes is amended to read:

18 45.40 (2) (c) The department may not provide health care aid under this
19 subsection unless the aid recipient's health care provider agrees to accept, as full
20 payment for the health care provided, the amount of the payment, the amount of the
21 recipient's health insurance or other 3rd-party payments, if any, and the amount

BILL

1 that the department determines the veteran is capable of paying. The department
2 may not pay health care aid under this subsection if the liquid assets of the veteran
3 are in excess of \$1,000. When determining the assets available to the veteran, the
4 department may not include the cash surrender value of any life insurance. ✓

History: 2005 a. 22, 25.

5 **SECTION 3.** 45.40 (3m) ✓ of the statutes is amended to read:

6 45.40 (3m) RULES. The department shall promulgate rules establishing
7 eligibility criteria and household income limits for payments under subs. (1), (2), and
8 (2m). The department ✓ may not include in the rules establishing eligibility criteria
9 any consideration of the cash surrender value of any life insurance that is available
10 to the veteran's household. ✓

History: 2005 a. 22, 25.

11

(END)

Duerst, Christina

From: Saxler, Charles
Sent: Friday, January 25, 2008 9:55 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-3575/1 Topic: Eligibility for veterans assistance program

Please Jacket LRB 07-3575/1 for the SENATE.