PW-PA 20.10 Payment of aid to the disabled. All payments of aid to the disabled shall be made under the following conditions: (1) APPROVAL OF CERTIFICATE OF DISABILITY. Before aid may be granted the report of the examining physician must be submitted by the county agency to the state department of public welfare for review by the department and its physician consultant and the county agency notified of approval by the division of public assistance. Aid to totally and permanently disabled persons shall not be granted until such division has notified the county agency of such approval; 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.

(2) LIMITATIONS. (a) Constant and continuous care means that some person's time in whole or in part is regularly spent in the attendance and care of the applicant.

(b) Aid under this program is limited to persons the cost of whose care cannot be provided by parents or other legally responsible persons consistent with standards of public assistance applied in the social security aids.

PW-PA 20.11 Payment of aids. All payments of old-age assistance, aid to dependent children, aid to the blind, and aid to totally and permanently disabled persons shall be made under the following provisions: (1) CASH. Payment shall be made by county check payable to the beneficiary *or to a person judicially appointed as the legal representative of such beneficiary* by the courts under chapter 319, Wis. Stats., and shall not be subject to discount but redeemable in cash in the amount of its full face value upon demand; provided that in the case of aid to totally and permanently disabled persons such county check, payable to the beneficiary, may be delivered to the attorney-in-fact who has been authorized to receive it by the voluntarily executed power of attorney of such beneficiary; and provided further that nothing in this rule shall be deemed to supersede any provision of section PW-PA 20.06 governing relatives' eligibility for aid to dependent children.

(2) RESTRICTION ON USE OF ASSISTANCE NOT PERMITTED. Payment must consist of an unconditional transfer and delivery of said check to the recipient for expenditures by him in his discretion and shall not be made in lieu of wages or with respect to work done.

(3) DATE. Payments of assistance shall be made monthly and not later than the third day of the month for which the grant of aid is designated, except for initial grants made during the month and for additional payments made to meet increased budgetary needs; provided that payment on behalf of a child in a foster home pursuant to section 49.19 (10), Wis. Stats., shall be made in arrears and not later than the third day of the month following the month for which the payment is made.

(4) COVERAGE. Payment may not include any time prior to the first of the month in which the aid applied for is officially authorized and payment is made; provided, however, that this provision shall not preclude continuing payments when an eligible recipient moves from one county to another nor adjustments when grants of aid are reinstituted

after suspension, nor adjustments upon order of the state department of public welfare, division of public assistance, made in accordance with section 49.50 (8), Wis. Stats.

(5) ENDORSEMENT. Pursuant to federal regulation, checks must be endorsed by the payee with his signature; provided that persons unable to write shall endorse their assistance checks either by mark or by finger print in the presence of two witnesses who shall append their signatures and addresses; provided that in the case of aid to totally and permanently disabled persons an attorney-in-fact voluntarily appointed by the beneficiary may cash checks payable to the beneficiary when he is authorized to do so by power of attorney.

History: 1–2–56; am. (1), Register, February, 1959, No. 38, eff. 3–1–59.

PW–PA 20.12 Student loans. (1) PURPOSE. As available, loans will be made from this revolving fund to resident students attending state educational institutions of college rank who have good academic records, are in financial need and possess qualities of leadership.

(2) COVERAGE. Loans will be made not to exceed $440 per year and not to exceed a maximum of $1,600 over a period of years.

(3) DISCRETIONARY. All loans are discretionary and dependent upon academic ability and financial need of the student.

(4) RESIDENCE. (a) Student borrowers must be residents of the state.

(b) Residence of the parent shall be considered that of the student in absence of definite proof of emancipation.

(c) Students required to pay non-resident fees will not be considered as eligible for loans.

(5) NEED. (a) Financial situation of the parent as well as the student will be considered.

(b) Loans to adult students may be considered on an individual basis.

(6) APPLICATION. (a) Application for loans will be made directly to the principal of the high school from which the applicant will receive or has received his diploma or to the educational institution which the applicant desires to attend or is attending.

(b) The institution will be sole judge of the applicant's scholastic eligibility and qualities of leadership and will assume responsibility for recommending the approval of an application.

(c) The state department of public welfare will make or cause to be made such independent investigation of the applicant's economic eligibility as it deems necessary incident to approval of the loan.

(7) AGREEMENTS. (a) Student loans are deemed to be a moral as well as a legal responsibility of the borrower.

(b) The department shall prescribe the form of note to be executed and may in its discretion require co-signers but not collateral security. Minors are required to have co-signers.

(c) Loans will be non-interest bearing during the period in which the student is enrolled for residence work including any intermediate regular vacation period. Interest shall be payable on loans for any school period during which the student is not attending school. A school period is defined as being from July 1 to February 1 or from February 1 to July 1 in a given school year. Students in any branch

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of the armed forces are not to be considered as civilian students. Interest will accrue on such accounts from date of last attendance as a civilian.

(d) Loans will bear interest at the rate of 4% from the date of last attendance. Notes will mature 2 years subsequent to the date of last attendance.

(e) Transfers to other educational institutions and internship or apprenticeship without pay will be considered as an extension of the original enrollment.

History: 1-2-56; am. Register, December, 1957, No. 24, eff. 1-1-58.

PW-PA 20.13 State relief for Indians. (1) PURPOSE. The purpose of this rule is to define the terms "Indian", "tax-free land", and "relief" as used in section 49.046, Wis. Stats., and to provide regulations and administrative interpretations to implement such section.

(2) DEFINITIONS. (a) The term "Indian" shall include a person whose proportion of Indian blood is one-fourth or more.

(b) "Tax-free land" is defined as land which is subject to neither assessment nor levy of a real property tax either as a general tax or as a payment in lieu of taxes.

(c) "Relief" as used in section 49.046, Wis. Stats., means relief as defined in section 49.01 (1), Wis. Stats.

(d) "Department" shall mean the state department of public welfare.

(3) ADMINISTRATION. (a) *Agency to administer relief.* The department shall whenever possible appoint the county agency administering the social security aids, subject to the approval of the county board, to administer relief under section 49.046, Wis. Stats., whenever said department determines that there is need for such relief in a county; provided that the department may elect to appoint the agency administering general relief in a municipality to administer relief under such section in such municipality.

(b) *Standards of relief.* The appointed agency shall grant such relief in accordance with the standards, policies, rules and regulations established by the department. In establishing standards the department shall give consideration to the standards used in establishing need for relief in any community under sections 49.01 and 49.02, Wis. Stats.

(c) *Determination of eligibility.* 1. No person shall be eligible for aid under section 49.046, Wis. Stats., unless he is:

a. An Indian; provided that whenever the head of a family is an Indian eligible for aid under section 49.046, Wis. Stats., the members of his immediate family who are living in the household and who are in need of relief shall also be eligible for aid under such section; and provided further that whenever the head of a family is a non-Indian, the members of his immediate family shall not be eligible for aid under such section.

b. Residing on tax-free land.

c. Ineligible for aid under sections 49.18, 49.19, 49.20 to 49.38, 49.40 or 49.61, Wis. Stats., and under chapters 45 and 48, Wis. Stats.

d. In need of relief.

(d) ALLOCATION OF STATE FUNDS. 1. Whenever the department determines that relief pursuant to section 49.046, Wis. Stats., is needed

in any county or municipality, it shall request the emergency board to release a sum from the amount appropriated in section 20.670 (16), Wis. Stats., sufficient to meet such need. Out of the sum released by such board the department may allocate to the agency administering such relief in such county or municipality such amounts as it shall deem necessary. Such allocated amounts shall be paid to the county treasurer or to the municipality treasurer depending on whether the appointed welfare agency is a county or a municipality agency.

2. The department shall allocate money to the agency administering relief under section 49.046, Wis. Stats., on the same basis whether such agency elects to furnish relief in the form of money grants, commodities, or work relief. Whenever work relief is furnished, the provisions of section 49.05, Wis. Stats., shall apply.

3. The duly appointed agency administering aid under section 49.046, Wis. Stats., shall:

a. Maintain case records in a manner approved by the department.

b. Account to the department for monies allocated to it for relief purposes under section 49.046, Wis. Stats. Any such monies not expended for such relief purposes shall be refunded to the department.

c. Submit to the department such reports as may be required.

d. Make all records pertaining to relief under section 49.046, Wis. Stats., open to inspection at all reasonable hours by duly authorized representatives of the state department of public welfare.

PW-PA 20.14 Aid to distressed counties. (1) APPLICATION. (a) Any county which is financially unable fully to perform its duties with respect to old-age assistance, aid to dependent children, blind aid, and aid to totally and permanently disabled persons may apply for state aid by submitting to the division of public assistance of the state department of public welfare a request in writing together with a statement giving the information required by section 49.39, Wis. Stats., certified by the proper county officer or officers, or verified under oath.

(b) This rule also applies to allotment of funds under section 20.670(17), Wis. Stats., upon application of any county or local unit of government claiming financial inability to perform its duties with respect to general relief.

(2) INFORMATION REQUIRED. The information required as it may apply to the financial situation of the particular county will generally fall under the following classes: (a) Total indebtedness.

(b) Tax and debt levy limitations.
(c) Cash on hand.
(d) Anticipated revenues from all sources.
(e) Borrowing ability under Ch. 67 of the statutes.
(f) Tax delinquencies.
(g) Reasonableness of valuation for taxation purposes.
(h) Reasonableness of amounts of county expenditures and necessity therefor.
(i) Such other factors not enumerated which are probative of the county's financial condition.