

Filed July 20, 1972
3:30 P.M.

VA 1 to 3, 6

CERTIFICATE

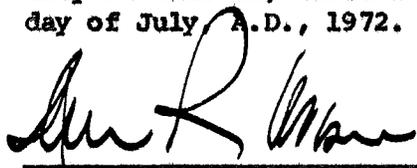
STATE OF WISCONSIN)
)SS
DEPARTMENT OF VETERANS AFFAIRS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, John R. Moses, Secretary of the State of Wisconsin, Department of Veterans Affairs, and custodian of the official records of said department, do hereby certify that the annexed amendments to rules and regulations pertaining to forms of application for benefits from the department, department loans, department grants, and the Grand Army Home for Veterans at King were duly approved and adopted by the Board of Veterans Affairs of the State of Wisconsin, Department of Veterans Affairs, on July 14, 1972, and will be effective September 1, 1972.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Wilson Street State Office Building in the City of Madison, Wisconsin, this 14th day of July, A.D., 1972.



JOHN R. MOSES, Secretary
STATE OF WISCONSIN, DEPARTMENT OF
VETERANS AFFAIRS

SEAL

STATE OF WISCONSIN
DEPARTMENT OF STATE
RECEIVED AND FILED

JUL 20 1972

ROBERT C. ZIMMERMAN
SECRETARY OF STATE

ORDER OF THE BOARD OF VETERANS AFFAIRS
OF THE STATE OF WISCONSIN, DEPARTMENT OF VETERANS
AFFAIRS, AMENDING, REPEALING AND RECREATING AND REPEALING RULES .

Pursuant to authority vested in the Board of Veterans Affairs, State of Wisconsin, Department of Veterans Affairs, by section 45.35(3) Wisconsin Statutes, the Board of Veterans Affairs hereby repeals, amends, repeals and recreates and creates rules as follows:

VA 1.02 is amended to read:

VA 1.02 APPLICATION. An application for benefits from the department must be made on approved departmental forms and be signed by an eligible dependent, by the veteran, or by the veteran and spouse if married and not separated or in the process of obtaining a divorce. It is unlawful for anyone to charge an applicant or his spouse a commission for assisting them in completing or securing the approval of an application for benefits from the department.

VA 1.08 is repealed and recreated to read:

VA 1.08 FALSE STATEMENTS. (1) SUSPENSION OF BENEFITS (a) INVESTIGATION AND SUSPENSION. When it appears that a false statement has been made in connection with an application for benefits from the department, the department shall use such means of investigating such apparent false statement as it deems advisable. In any case where the department finds after investigation that any applicant for benefits from the department has willfully made or caused to be made, or conspired, combined, aided or assisted in, agreed to, arranged for, or in any wise procured the making of a false or fraudulent affidavit, declaration, certificate, statement or other writing, it may suspend all benefits available to such applicant from the department.

(b) RIGHT TO APPEAL. Before such suspension is made effective, the applicant may within 30 days request that he be permitted to appear before the loan advisory committee in person, with or without counsel, to present reasons why such action should not be taken. In such cases, recommendations by the loan advisory committee shall be submitted promptly to the board for review and final action on the appeal.

(c) REINSTATEMENT OF BENEFITS. The department after investigation may reinstate benefits. If the department shall find that an application for reinstatement is made without sufficient cause to justify reinstatement it shall deny the same.

(2) CRIMINAL PROSECUTION. In proper cases, where the department is satisfied that a false statement has been made in connection with an application for benefits, it may forward the relevant facts to the appropriate district attorney for necessary action pursuant to section 45.37(17)(b), Wis. Stats.

VA 2.02(1) is amended to read:

VA 2.02(1) CORRESPONDENCE COURSES AND PART-TIME CLASSROOM STUDY. Enrolled part-time classroom study or direct correspondence courses from any educational institution set forth in section 45.396, Wis. Stats., may be authorized and the veteran reimbursed in whole or in part by the department when such courses are related to his occupational, professional, or educational objectives, and to the extent that payment or reimbursement specifically for fees and textbooks is not available from any other source, or, in cases where reimbursement is not specifically for fees and textbooks, to the extent that such reimbursement is insufficient to cover all costs incurred in connection with his educational program, provided, however that such reimbursement shall not exceed the cost of fees and textbooks. Part-time classroom study during a regular college semester, trimester or quarter shall be defined as enrollment by a graduate or professional student in courses for which no more than seven or enrollment by an undergraduate student in courses for which no more than eleven semester or the equivalent trimester or quarter credits will be given upon satisfactory completion. For the purpose of this subsection any student who has received a baccalaureate degree shall be deemed to be a graduate student regardless of whether he is taking graduate or undergraduate courses.

VA 3.04(2) is amended to read:

VA 3.04(2) UNACCEPTABLE SECURITY. Second chattel security agreements and chattel security agreements on merchants' stocks of goods in trade will not be accepted as security for loans.

VA 6.01(3) is amended to read:

VA 6.01(3) EXHIBITS REQUIRED. Each application must be accompanied by a complete financial statement of the applicant, a physician's report of physical examination of the applicant, and original or certified copies of reports of separation or discharges of the applicant or the veteran upon whose eligibility the applicant is relying for all periods of active service in the armed forces of the United States during one wartime period as enumerated in section 45.35(5)(a) through (g), Wis. Stats., or which establish that the veteran was entitled to receive either the Armed Forces Expeditionary Medal or the Vietnam Service Medal or served pursuant to section 1 of executive order 10957, and, except in the case of a veteran applicant who was a Wisconsin resident at the time of entry into active service or the wife of such a veteran applicant, 2 affidavits attesting to the applicant's Wisconsin residence. All exhibits except certified copies of reports of separation will be required of an applicant who applies for readmission more than 60 days after discharge but an affidavit in lieu of exhibits may be accepted from an applicant who applies for readmission within 60 days of discharge.

VA 6.01(13) is amended to read:

VA 6.01(13) ASSETS. Prior to admission, applicants must turn over all assets in excess of \$1,000.00 to the state in prepayment for care and maintenance actually provided by the Home during their period of residence. Property or any interest therein conveyed or disposed of by the applicant within 5 years immediately prior to application for admission by gift or for less than adequate consideration shall be considered assets upon admission to the extent of the value of the gift

or to the extent consideration therefore was inadequate, unless such assets were conveyed to the state or unless it is determined by the department that the conveyance or disposal of such assets had no relation to prospective entrance into the Home. An applicant's just and legal debts will be taken into consideration for the purpose of determining the amount of excess assets due the state. An applicant who turns over encumbered property to the state out of the proceeds of the sale of which property he is to receive all or any part of the amount which he is permitted to retain upon admission, shall receive such amount from the proceeds of the sale of such property only after such proceeds have paid all encumbrances against such property and all costs of its sale, but in the event such property is not sold within 6 months of the date of the member's admission, the department may advance to the member up to one-half of the difference between the assets retained by the member upon admission and \$1,000.00 from the appropriation provided by section 20.485(1)(h), Wis. Stats., if the department is satisfied that the value of the property is sufficiently in excess of all encumbrances against such property and costs of management and sale of such property to warrant such advance.

VA 6.01(15) is created to read:

VA 6.01(15) RELEASE OF REAL ESTATE. Any Quit Claim Deed executed by the department under the provisions of sections 45.37(2)(g) or (16)(e), Wis. Stats., shall specify that any lien rights acquired pursuant to the provisions of section 45.37(12), Wis. Stats., shall neither be released nor in any other manner affected by such deed.

VA 6.01(16) is created to read:

VA 6.01(16) CHARGES FOR CARE AND MAINTENANCE. Charges for care and maintenance made pursuant to section 45.37(16)(b), Wis. Stats., shall be computed every January and July for the various categories of care provided by the Home and such computations shall be based upon the average daily costs of care for the preceding months of July through December and January through June respectively. Charges shall be made for actual care and maintenance provided, and such charges

shall be based upon the average daily costs of care as established by such computations for the various categories of care provided members during the month for which such charges are made.

VA 6.02(7) is repealed and recreated to read:

VA 6.02(7) WORK THERAPY PROGRAM. He shall establish a work therapy program at the Home and shall permit as many members as possible to participate in this program. Participation in the program shall be voluntary and participating members may work as many hours as they desire up to a maximum of five hours per day. Members participating in the work therapy program will be permitted to retain additional income or will be paid for their services pursuant to the provisions of s. 45.37(9)(a) and (c), Wis. Stats.

VA 6.04(6) is repealed.

VA 6.06(5) is repealed and recreated to read:

VA 6.06(5) RESIDENT EMPLOYEE POLICY. The board shall establish by regulation the terms and conditions under which employes shall be required or permitted to live in quarters on the Home grounds. Such regulations shall be published.

VA 6.06(6) is amended to read:

VA 6.06(6) CHARGES TO EMPLOYES. Employes shall pay for meals, living quarters, laundry and other services furnished to them and their dependents by the Home at rates or charges to be set by the board.

The rules, amendments, repeals and recreations and repeals contained herein shall take effect on September 1, 1972, pursuant to s. 227.026(1), Wis. Stats.

Dated July 14, 1972.

SEAL

BOARD OF VETERANS AFFAIRS,
STATE OF WISCONSIN, DEPARTMENT
OF VETERANS AFFAIRS


Dr. Vernon G. Olson
Chairman
Board of Veterans Affairs