Chapter HSS 70

TELECOMMUNICATION ASSISTANCE FOR DEAF AND SEVERELY HEARING IMPAIRED PERSONS

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Note: Chapter HSS 70 was created by emergency rule effective January 21, 1985.

HSS 70.01 Introduction. (1) AUTHORITY AND PURPOSE. This chapter is promulgated under the authority of s. 46.92 (4), Stats., for the purpose of implementing the telecommunications assistance program (TAP) for persons who are deaf or whose hearing is severely impaired. The chapter sets forth eligibility requirements, uniform application procedures, criteria for granting assistance and policies relating to the purchase and maintenance of the telecommunications equipment.

(2) TO WHOM THE CHAPTER APPLIES. This chapter applies to the department and to all deaf and severely hearing impaired persons making application to the department for program funding for the purchase and installation of telecommunication equipment in their homes.

(3) DEFINITIONS. In this chapter:

(a) "Deaf or severely hearing impaired" means a hearing loss significant enough to prevent the individual from using the telephone system without mechanical adaptations which facilitate effective communication in a visual or audible mode.

(b) "Department" means the Wisconsin department of health and social services.

(c) "Household" means a family unit whose members are related by birth, marriage, or adoption and who share a common living arrangement.

(d) "TAP manager" means the department's staff member responsible for developing and implementing TAP.

(e) "Telecommunication assistance program" or "TAP" means a financial assistance program created by s. 46.92, Stats., for the purpose of making telecommunication devices available to deaf and severely hearing impaired persons who do not have the means to afford these devices.

(f) "Telecommunication device" or "device" means any mechanical adaptation for a telephone needed by a deaf or severely impaired person in order to use the telephone, including a teletypewriter for the deaf, a telephone amplifier, or a telephone signaling device.

History: Cr. Register, November, 1985, No. 359, eff. 12-1-85.

HSS 70.02 Application procedure. (1) APPLICATION FORM AND HEARING LOSS DOCUMENTATION. To apply for assistance from TAP the applicant

shall submit the following materials to the department as an application package:

(a) A completed department TAP application form; and

(b) A completed department certification of hearing loss form.

Note: The application form, Telecommunication Assistance Program Application, and certification form, Hearing Loss Certification, may be requested from and shall be submitted to the TAP Manager, Office of Hearing Impaired, Division of Community Services, P.O. Box 7851, Madison, Wisconsin 53707.

(2) PROCESSING TAP APPLICATIONS. The department shall process applications for TAP services in the following manner:

(a) An application shall be accepted at any time except as provided in s. HSS 70.04 (2);

(b) An application shall be reviewed in the order that it is received to determine whether the application itself is complete and includes all required attachments;

(c) An application found to be complete shall be dated and signed by the TAP manager;

(d) The applicant shall be sent written notification of the department's decision on his or her application within 30 days after the application has been deemed complete; and

(e) Any applicant who has been denied assistance may reapply if, due to a change in conditions, he or she meets eligibility requirements under s. HSS 70.03.

History: Cr. Register, November, 1985, No. 359, eff. 12-1-85.

HSS 70.03 Eligibility requirements. An applicant shall meet the following requirements to be considered eligible to receive TAP assistance:

(1) CERTIFICATION OF HEARING LOSS. The applicant shall be certified as deaf or severely hearing impaired as follows:

(a) Certification shall be by a licensed physician, an audiologist who is certified by the American speech and hearing association or a counselor employed by the department's division of vocational rehabilitation; and

(b) Certification shall have occured no earlier than one year prior to the date of application.

(2) INCOME ELIGIBILITY. (a) The adjusted gross income of the applicant as reported for Wisconsin individual or joint income tax purposes shall be equal to or less than 200% of the poverty line established under 42 USC 9902 (2) as updated annually or more often by the secretary of the U.S. department of health and human services. In this subsection, "Wisconsin adjusted gross income" has the meaning prescribed in s. 71.02 (2) (i), Stats.

(b) If an applicant is claimed as a dependent for income tax purposes, then the adjusted gross income of the person or persons claiming the applicant as a dependent shall be listed on the application form and shall be used to determine income eligibility.

(3) TELEPHONE SERVICE. The applicant shall have telephone service in his or her home, except that if the applicant does not have telephone service in the home at the time of application for TAP assistance, the applicant shall submit a copy of the telephone service installation bill before a voucher is issued to the applicant.

(4) RESIDENTS IN NURSING HOMES OR INSTITUTIONS. An applicant residing in a nursing home or institution may be considered for TAP assistance only if he or she has a personal telephone service. In this subsection, "personal telephone service" means that the telephone is located in the applicant's room and the telephone book listing is in the applicant's name.

(5) PERSONS ELIGIBLE FOR OR RECEIVING VOCATIONAL REHABILITATION SERVICES. A person eligible for or receiving services from the department's division of vocational rehabilitation shall first be evaluated by that division to determine if he or she is eligible for a telecommunication device under the vocational rehabilitation program, and if denied, may apply for assistance from TAP.

History: Cr. Register, November, 1985, No. 359, eff. 12-1-85.

HSS 70.04 Tap assistance restrictions. The following restrictions apply to the provision of TAP assistance:

(1) Eligible applicants shall be granted TAP assistance based on a first-come, first served basis and the availability of funds;

(2) Only one person per household may be a recipient of TAP assistance; and

(3) A recipient of TAP assistance may not reapply for assistance more often than once every 4 years.

History: Cr. Register, November, 1985, No. 359, eff. 12-1-85.

HSS 70.05 Purchase and care of telecommunication devices. (1) PURCHASE OF DEVICES. (a) Except as provided in par. (b) the department shall issue a voucher or vouchers to an eligible applicant which shall be limited to a total of no more than $600.

(b) The department may grant an exception to par. (a) and issue a voucher for up to $5,500 to meet the special needs of an applicant whose hearing impairment is compounded by a physical or visual disability significant enough to prevent the applicant from using a standard telecommunications device for the deaf, provided that:

1. Documentation of the compounding disability is signed by an audiologist, a physician or a division of vocational rehabilitation counselor and is included with the application; and

2. No more than 20% of TAP funds are expended for eligible applicants under this paragraph.

(c) The recipient shall be responsible for purchasing the device and shall:

1. Order the telecommunication device from the manufacturer or distributor within 30 days of the voucher date;

2. Pay for any charges in connection with the purchase of the equipment that exceed $600; and

3. Send a copy of the receipt for the device to the department when the device has been received.

(2) WARRANTY AND MAINTENANCE OF DEVICES. (a) The recipient may purchase only a device that is warranted by the manufacturer or distributor for a period of not less than one year.

(b) Recipients shall maintain the device when the warranty expires.

(c) Recipients shall purchase batteries, paper for the printer, and other general supplies necessary for operation of the device.

(3) OWNERSHIP OF DEVICES. Any telecommunication device purchased through TAP shall be the property of the recipient.

History: Cr. Register, November, 1985, No. 359, eff. 12-1-85.