

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

DHS 78, Telecommunication assistance for deaf, deafblind, and severely hard of hearing

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3. Subject

Telecommunication Assistance Program

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

5. Chapter 20, Stats. Appropriations Affected

N/A

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect    Increase Existing Revenues    Increase Costs  
 Indeterminate    Decrease Existing Revenues    Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy    Specific Businesses/Sectors  
 Local Government Units    Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes    No

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9. Policy Problem Addressed by the Rule

The Telecommunication Assistance Program (TAP) as defined by s. 46.297, Stats., subject to the availability of funds, provide assistance to income eligible deaf, severely hard of hearing and deafblind persons to secure telecommunication devices capable of serving their needs. Currently TAP provides co-payment assistance to deaf, hard of hearing and deafblind persons in collaboration with the Telecommunication Equipment Purchase Program (TEPP) offered by the Public Service Commission. Under ch. DHS 78, to receive assistance from TAP, individuals must complete a TEPP application form, making it unclear that TAP is a separate and distinct program from TEPP. Chapter DHS 78 also includes application processing procedures, and eligibility requirements.

The processes and procedures currently prescribed in ch. DHS 78 are outdated and do not reflect the program's current needs and objectives, and may not be accurate. The department proposes to update the rules to clarify the distinction between the department's telecommunication assistance program and the universal service fund telecommunications equipment purchase program implemented by the Public Service Commission under s.196.218, Stats.; to clarify eligibility requirements; to revise application and processing requirements; to reflect current program operations; and to reflect the changes in technology available to assist the deaf, deafblind and severely hard of hearing persons that have occurred since the rule was last revised in 2003.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

Individuals who are Deaf, Hard of Hearing and Deaf-Blind represent 3% of the total population in Wisconsin. The department formed an Advisory Committee consisting of consumers, Independent Living Centers, telecommunication equipment programs and vendors who sell specialized telecommunication equipment.

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Members of the Advisory Committee were approved by the Governor's Office of Regulatory Compliance. The public was notified of all Advisory Committee meetings pursuant to Wisconsin's Open Meetings law. Committee members reviewed the initial draft and their comments guided the development of the proposed rule. In addition, the department hosted four regional Public Meetings outside of the Advisory Committee Meetings. The public was notified of the public meetings pursuant to Wisconsin's Open Meetings law. In addition, the department requested comments on the economic impact of the proposed rule by publishing a solicitation in the Administrative Register and on its website. The department did not receive comments on the proposed rule.

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11. Identify the local governmental units that participated in the development of this EIA.

None.

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

None.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

These revisions are necessary in order to clarify eligibility requirements and to reflect the changes in telecommunication technology that is available to assist people who are deaf, deafblind and severely hard of hearing now and into the future.

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14. Long Range Implications of Implementing the Rule

These revisions are necessary in order to clarify eligibility requirements and to reflect the changes in telecommunication technology that is available to assist people who are deaf, deafblind and severely hard of hearing now and into the future. The proposed rule will necessitate that deaf, deafblind, and severely hard of hearing applicants fill out a separate request for TAP when, previously, the TEPP form could have served for both purposes. This results in an additional burden on applicants, although the cost (in terms of time) is minimal.

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15. Compare With Approaches Being Used by Federal Government

There appear to be no existing or proposed federal regulations that address state programs assisting deaf, deafblind, and severely hard of hearing persons with the purchase of telecommunication equipment for their homes.

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

#### **Illinois:**

The Illinois Telecommunications Access Corporation (ITAC) provides telecommunication equipment to individuals in the state of Illinois that have established telephone service and have their application signed by a medical professional. ITAC is governed by the Illinois Commerce Commission, a Board of Directors and an Advisory Council and is funded through a Telecommunication and Equipment Surcharge that is added to each resident's phone bill. Title 83: Public Utilities; Chapter I: Illinois Commerce Commission; Subchapter F: Telephone Utilities; Part 755 Telecommunications Access For Persons With Disabilities

#### **Iowa:**

Telecommunications Access Iowa provides vouchers for "up to 95% of the average cost of specialized telephone category" for deaf, hard of hearing, deaf-blind, and speech impaired individuals. Typically, devices provided by Telecommunications Access Iowa are specialized items that allow individuals to use the phone, or know when the phone is ringing. Telecommunications Access Iowa will also process 15 applications per

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month that would allow the individual to receive an iPad for distance communication. Telecommunications Access Iowa is a program that is overseen by the Iowa Utility Board. Iowa Chapter 477C.4 Telecommunications devices for the deaf.

**Michigan:**

There appears to be no existing regulations in the state of Michigan that assists the deaf, deafblind, and severely hard of hearing persons with the purchase of telecommunication equipment for their homes.

**Minnesota:**

Minnesota's Department of Human Services oversees the Minnesota Telephone Equipment Distribution program. An individuals' eligibility is based on their annual gross income. The equipment available through the Telephone Equipment Distribution program includes specialized telephones for the deaf, hard of hearing, deaf-blind, and speech impaired as well as accessories that alert deaf and hard of hearing individuals that a telephone call is being received. Minnesota Rules, Chapter 8775

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17. Contact Name

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18. Contact Phone Number

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This document can be made available in alternate formats to individuals with disabilities upon request.