

# STATEMENT OF SCOPE

## Department of Veterans Affairs

**Rule No.:** Chapter VA 13

**Relating to:** Veterans Housing and Recovery Program

**Rule Type:** Permanent

### 1. Finding/nature of emergency (Emergency Rule only):

N/A

### 2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to make the following updates that are necessary for improving the administration of ch. VA 13 of the Wisconsin Administrative Code:

- Change chapter title from *Veterans Assistance Program* to *Veterans Housing and Recovery Program*.
- Repeal redundant definitions (as definitions in VA 1 apply to all chapters).
- Repeal references to single room occupancy and assisted living facilities.
- Repeal references relating to financial assistance to pursue vocational opportunities.
- Repeal monetary references relating to rent and amend provisions to reflect that the program uses the HUD Fair Market rent values and is regulated and funded by Grant and Per diem (GPD) program.
- Update eligibility requirements and discharge conditions.
- Amend outdated provisions.

The proposed rule will also include amendments to bring the rule into conformity with current statutes and drafting standards for style and format.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Chapter VA 13 encompasses the Department's program that provides transitional and supportive housing and services to homeless veterans. This program, the Veterans Housing and Recovery Program (VHRP), is funded largely by the US Department of Veterans Affairs (USDVA) GPD program. The VHRP provides temporary housing, training, and supportive services to veterans who are homeless or at risk of becoming homeless in order to help them obtain permanent housing. The VHRP also helps homeless veterans in Wisconsin receive the job training, education, counseling, and rehabilitative services they need to obtain steady employment, affordable housing, and the skills to sustain a productive lifestyle.

The assisted living program, referenced in the current rule, formerly provided state funds to enable indigent veterans to remain in the assisted living center operated at Union Grove. The assisted living program was eliminated in 2019. The proposed rule will repeal references to the assisted living program and update the chapter to reflect current administrative practices for the Veterans Housing and Recovery Program.

The policy alternative is to not promulgate a rule. However, ch. VA 13 would reflect outdated administrative practices.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 45.03 (2), Stats., (in part) provides that the Secretary may promulgate rules necessary to carry out the purposes of this chapter and the powers and duties conferred upon it.

Section 45.43, Stats., directs the Department to administer a program to provide assistance to veterans whose need for services is based upon homelessness, incarceration, or other circumstances designated by the Department by rule.

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

120 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Entities that may be affected by the proposed rule are individuals who apply for assistance under the Veterans Housing and Recovery Program.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

The USDVA's GPD program is the VA's largest transitional housing program for veterans experiencing homelessness and is permanently authorized under Public Law 109-461 and governed under 38 C.F.R. part 61. Since 1994, the GPD Program has awarded funding to organizations to provide transitional housing with wraparound supportive services to assist vulnerable veterans move into permanent housing.

U.S. Department of Housing and Urban Development (HUD) annually estimates Fair Market Rents, as defined in 24 CFR 888.113. The VHRP program uses HUD Fair Market rent values that are regulated and funded by the GPD program.

Since guidance and regulations for this program change frequently, it is vital that the rules under chapter VA 13 reflect the most current USDVA regulations and directives.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The department anticipates that the proposed rules will have no economic impact and have no effect upon small businesses.

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Approved for publication:



Mary M. Kolar, Secretary

December 13, 2022

Date

Approved for implementation:

Mary M. Kolar, Secretary

Date