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PUBLIC WELFARE DEPARTMENT

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vision is sufficient to qualify him for aid; provided that when a re-examination 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.

History: 1-2-56; am. (1) and (2), Register, March, 1963, No. 87, eff. 4-1-63; am. Register, April, 1967, No. 136, eff. 5-1-67.

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.** (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.

History: 1-2-56; r. (2) (a), Register, June, 1967, No. 138, eff. 7-1-67.

PW-PA 20.11 Payment of aids. All payments to recipients of old age assistance, aid to dependent children (including payments on behalf of children in foster homes pursuant to section 49.19 (10), Wis. Stats.), 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.** Payment of assistance shall be made in the month for which the grant of aid is designated, either in the full amount of the monthly allowance or in two or more installments. When a single payment is made for the full amount of the monthly allowance, it

shall be made not later than the fifth day of the month. When the monthly allowance is paid in installments, each installment shall be for equal periods based on a thirty-day month. Payment of the first installment shall be made no later than the fifth day of the month and each subsequent installment no later than the fifth day of each installment period. Payment of an initial allowance may be made subsequent to the fifth day of the month and shall be made within the month. Additional payments made to meet increased budgetary needs may be made subsequent to the fifth day of the month but not later than the end of the second succeeding month following the month for which the increased payment is made. [EXCEPTION] 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 tenth 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 reinstated 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. eff. 38, 3-1-59; am. Register, March, 1962, No. 75, eff. 4-1-62.

PW-PA 20.12 History: 1-2-56; am. Register, December, 1957, No. 24, eff. 1-1-58; am. Register, December, 1961, No. 72, eff. 1-1-62; am. (7) (b), Register, October, 1964, No. 106, eff. 11-1-64; r. Register, January, 1967, No. 133, eff. 2-1-67.

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 administrator-