

## Chapter Adm 45

### LOW-INCOME ASSISTANCE PUBLIC BENEFITS

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**Note:** Chapter Adm 45 was created as an emergency rule effective August 22, 2000.

**Adm 45.01 Authority.** Sections 16.004 (1) and 16.957 (2) (c) 2., Stats., authorize the department to promulgate rules for low-income assistance public benefits programs.

**History:** Cr. Register, November, 2000, No. 539, eff. 12-1-00.

**Adm 45.02 Purpose.** The purpose of this chapter is to establish general eligibility and application requirements and procedures for assistance under a low-income public benefits program established under s. 16.957 (2) (a), Stats.

**History:** Cr. Register, November, 2000, No. 539, eff. 12-1-00.

**Adm 45.03 Definitions.** In this chapter:

(1) "Approving authority" means the department or a contractor responsible for application review and program eligibility determination designated by the department.

(2) "Benefit" means an award of financial or other assistance by the department or a contractor designated by the department to an eligible household under a public benefits program.

(3) "Contractor" means a community action agency described in s. 46.30 (2) (a) 1., Stats., a nonstock, nonprofit corporation organized under ch. 181, Stats., or a local unit of government under contract with the department that provides services under a public benefits program.

(4) "Department" means the department of administration.

(5) "Household" has the meaning set forth in s. 16.27 (1) (c), Stats.

(6) "Low income public benefits program" means a program established in accordance with s. 16.957 (2) (a), Stats.

(7) "Person" has the meaning set forth in s. 990.01 (26), Stats.

(8) "Secured child caring institution" has the meaning specified in s. 938.02 (15g), Stats.

(9) "Secured correctional facility" has the meaning specified in s. 938.02 (15m), Stats.

**Note:** Section 938.02 (15m), Stats., was renumbered to s. 938.02 (10p), Stats., by 2005 Wis. Act 344 and the term "secured correctional facility" was changed to "juvenile correctional facility."

(10) "State prison" has the meaning specified in s. 302.01, Stats.

**History:** Cr. Register, November, 2000, No. 539, eff. 12-1-00; **correction in (5) made under s. 13.93 (2m) (b) 7., Stats.**

**Adm 45.04 Eligibility requirements.** (1) A person or household eligible to receive fuel bill payment assistance, early identification crisis assistance, weatherization or conservation

services, and similar low-income assistance from federally funded programs specified in ss. 16.26 and 16.27, Stats., shall be eligible for assistance through a low-income public benefits program.

(2) The following are not eligible for assistance under a low-income public benefits program:

(a) A person or household eligible to receive low-income assistance from a municipal utility or retail electric cooperative that elects to operate a commitment to community program as specified in s. 16.957 (5) (d), Stats.

**Note:** Section 16.957 (5) (d), Stats., was repealed eff. 7-1-07 by 2005 Wis. Act 141.

(b) A person who is imprisoned in a state prison or a person placed at a secure correctional facility or a secured child caring institution.

**History:** Cr. Register, November, 2000, No. 539, eff. 12-1-00; **corrections in (1) made under s. 13.93 (2m) (b) 7., Stats.**

**Adm 45.05 Program elements.** In consultation with the council on utility public benefits, the department shall annually announce new or continued programs offered by the department that will provide low-income assistance. The department shall also provide specific information on the application process, where to obtain an application, the eligibility criteria, and where to file the application for each program created or continued under s. 16.957 (2) (a), Stats.

**History:** Cr. Register, November, 2000, No. 539, eff. 12-1-00.

**Adm 45.06 Application requirements.** (1) A person or household may apply for a benefit from a low-income public benefits program by completing an application on forms prescribed by the department. At a minimum an application shall contain the names and ages of all household members, residence address, actual or estimated fuel use, documentation of income, the names of home energy providers and the social security number of the head-of-household.

(2) An application shall be submitted to the approving authority identified on the form. All applications shall be executed by at least one individual from the eligible person or household.

(3) An application shall be approved or denied within 45 days of the receipt of the completed application by the approving authority.

(4) A person or household whose application is denied may request the approving authority to review the application for accuracy of information and the appropriateness of designation.

**History:** Cr. Register, November, 2000, No. 539, eff. 12-1-00.