

Title 28

LEGISLATIVE RULE
DEPARTMENT OF HUMAN SERVICES TEL-ASSISTANCE PROGRAM
~~WEST VIRGINIA CODE 24-2C-4~~
SERIES ~~4e~~ 15

OFFICE OF THE CLERK
SECRETARY OF STATE

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FILED

TITLE: Operating rules and regulations for the West Virginia Department of Human Services Tel-Assistance Program.

Ed. Note: The rule became effective upon filing as required by WV Code ~~24-2C-4~~ 24-2C-4(c) while the proposed rule goes through the regular legislative rule making process. This is not an emergency rule filing.

Section 1. GENERAL

1.1 Scope - The Legislative rule establishes the operating procedures under which the West Virginia Department of Human Services will operate the Tel-Assistance Program. All materials contained here are found in Chapter 66,000 of the Economic Service Manual.

1.2 Authority - West Virginia Code 24-2C-4

1.3 Filing Date - 7-28-86

1.4 Effective Date - 7-28-86

Section 2. INTRODUCTION

2.1 The Tel-Assistance Program will allow reduced rate telephone service to qualified low-income household/customers. Tel-Assistance costs up to \$7.50 each month. This price includes \$2.00 worth of calling charges from Local Telephone Companies. If more than \$2.00 worth of calling charges are made in a month, you pay the regular charges for the additional calls. This monthly cost for Tel-Assistance is lower than any other local telephone service offered and must be accepted by the client to receive benefits.

2.2 The Department of Human Services is responsible for establishing the following activities:

2.2.1 To inform persons of their eligibility for Tel-Assistance.

2.2.2 To assist applicants for Tel-Assistance in proving their eligibility.

2.2.3 To determine eligibility on a continuing basis; and

2.2.4 To communicate those determinations to the various Telephone Companies.

2.3 All other responsibilities of the Tel-Assistance are those of the Public Service Commission and the participating Telephone Companies.

2.4 State Administration The Program will be administered at the State Level by the West Virginia Department of Human Services. The State Office will have the final responsibility of program planning, implementation, operation and management.

2.5 Area Administration On the local level, the Tel-Assistance Program will be administered through the Area and Satellite Offices of the Department of Human Services. Area Administration will consist of assisting certain applicants in completing the application for Tel-Assistance and the certification of those applications only. An application is deemed certified when the agency case number has been assigned to an approved case.

Section 3. GENERAL ELIGIBILITY REQUIREMENTS

3.1 The individual must be either disabled or 60 years of age or older, and must be a recipient of AFDC, AFDCU, Food Stamps or

3.2 Be either disabled or 60 years of age or older and have a monthly gross income of not more than \$336.00 for a one-person household or not more than \$504.00 for two or more household members.

3.3 For the purpose of Tel-Assistance disabled is defined as follows:

"The inability to do any substantial gainful activity by reason of any medically determined physical or mental impairment which can be expected to last for a continuous period of not less than 30 days."

Section 4. APPLICATION PROCESS

4.1 Mail-Out Application Kits (ES-TA-1)

The mail-out application kit consists of an Application Form (ES-TA-1) and an instruction sheet (ES-TA-3).

4.1.1 New Approvals - Categorically Eligible

All new approvals on categorically eligible household/individuals will automatically have application kits mailed to them, including the MAO-D income eligible and incapacity cases.

4.2 Walk-in Application (ES-TA-2)

Each field office will be supplied with walk-in application forms for distribution to any individual who may make a request for application.

Section 5. DECISION PROCESS

5.1 The ES-TA-1 is completed by the client and returned to the Telephone Company. After certification of service the Telephone Company will forward only the approved applications to the Division of Economic Services. Approved applications will be key-punched and maintained in the State Office.

5.2 The ES-TA-2 is picked up by the client from the Area or Satellite Office. The client is instructed to complete the form as required and return it to the Area or Satellite Office for Certification and the Issuance of TA. Number is to be registered on ES-TA-5. The client is then responsible to send or take the application to the Telephone Company. After Telephone Company Certification of Service the application is forwarded to the Division of Economic Services, key-punched, and maintained in the State Office.

Section 6. VERIFICATION PROCESS ES-TA-2

6.1 There are three major eligibility factors to be considered when certifying applicants for Tel-Assistance on ES-TA-2. These three factors are:

6.1.1 Age

6.1.2 Income

6.1.3 Disability

6.2 Age and income are accepted as declared by the client.

6.3 Disability is to be verified by use of form ES-TA-4.

Section 7. REDETERMINATION PROCESS

7.1 Redetermination of eligibility for categorically eligible households will be established within existing program policy for the category.

7.2 Redetermination of all other Tel-Assistance cases will be done annually, and by use of Redetermination Form, ES-TA-6 from the State Office, Division of Economic Services.

Section 8. NOTIFICATION OF ELIGIBILITY

Participating Telephone Companies will be responsible to notify applications of Tel-Assistance eligibility and benefits.

Section 9. QUESTIONS OF ELIGIBILITY

The Telephone Companies are responsible to answer all questions of eligibility in regards to receipt of Tel-Assistance benefits.

Section 10. HEARING PROCESS

Participating Telephone Companies are responsible to establish, maintain and conduct any hearings which might result from the denial of Tel-Assistance benefits.

Section 11. FORMS

All forms relating to the Tel-Assistance Program are available for review in the Department of Human Services Offices statewide.