

**ORDER OF THE
DEPARTMENT OF VETERANS AFFAIRS
CREATING RULES**

The Wisconsin Department of Veterans Affairs proposes an order creating Chapter VA 16 of the Wisconsin Administrative code relating to grants to counties that are not served by transportation services provided by the Wisconsin department of Disabled American Veterans for the purpose of developing, maintaining, and expanding transportation services.

**ANALYSIS PREPARED BY THE
DEPARTMENT OF VETERANS AFFAIRS**

Statutory authority: sec. 45.43(7m), Stats.

Statute interpreted: sec. 45.43(7m), Stats.

Under the provisions of 2001 Wisconsin Act 16, as amended by 2001 Wisconsin Act 109, the Department of Veterans Affairs was directed to promulgate administrative rules for the disbursement of \$100,000 annually to counties not receiving transportation services from the Wisconsin department of Disabled American Veterans. The proposed rules will identify the application procedures and establish the eligibility criteria for the purpose of equitably distributing the \$100,000 among the eligible counties.

TEXT OF RULE

SECTION 1: Chapter VA 16 is created to read:

COUNTY TRANSPORTATION SERVICES GRANTS

VA 16.01 Definitions. In this chapter, the following terms shall have the designated meanings:

- (1) "Applicant" means a Wisconsin county or two or more counties together that request a transportation services grant by filing an application with the department.
- (2) "Department" means the department of veterans affairs.
- (3) "Grant" means a transportation services grant authorized under s.45.43 (7m), Stats.
- (4) "Served by the Wisconsin department of Disabled American Veterans" means that the Wisconsin department of Disabled American Veterans has a regularly scheduled pick up point within the county, as determined by the department.
- (5) "Veteran" has the meaning given in s. 45.35(5)(a), Stats.

VA 16.02 Application, eligibility and grant amount. (1) APPLICATION. An applicant shall file an application with the department not later than March 1, 2003 for a grant for calendar year 2003 and by November 1, 2003 and each subsequent calendar year immediately preceding the calendar year for which a grant is sought. The application shall provide sufficient information to establish that the applicant meets the eligibility criteria in sub. (2) and shall be submitted with the following items:

- (a) A financial statement, including a report of all expenses and revenue of the applicant relating to the provision of transportation services to veterans to medical appointments arranged or conducted by the U. S. Department of Veterans Affairs during the most recently completed calendar year.
- (b) A statement which outlines the applicant's veterans' proposed transportation program for the calendar year for which the grant is sought, including an itemization of the amount budgeted for the program, a description of the manner in which the applicant will coordinate and schedule trips, a description of the methods of transportation, and a statement of the program fees, if any, which will be assessed to the veteran who receives the transportation services.
- (c) A report that identifies the number of veterans transported and the number of miles veterans were transported by the applicant during the most recently completed calendar year.

(2) ELIGIBILITY. An applicant's eligibility to receive a grant shall be determined under the following criteria:

- (a) The applicant is not serviced by the Wisconsin department of Disabled American Veterans.
- (b) The applicant agrees to provide transportation services to veterans to medical appointments arranged or conducted by the U. S. Department of Veterans Affairs during the calendar year for which a grant is paid.
- (c) The applicant agrees to utilize the grant to develop, maintain, and expand transportation services to veterans.
- (d) The applicant may not allocate any portion of the grant for use by a county department for a purpose that is not an integral part of its transportation services delivery system and may not reduce funding to a county veterans' service office based upon receipt of the grant.
- (e) The applicant agrees to cooperate in any review and audit of grant expenditures by the department, including the provision of the any relevant single audit documents that establish that grant funds previously received have been audited by the applicant.

(3) GRANT AMOUNT. The amount of a grant for each applicant shall be determined based upon the number of miles that eligible veterans are expected to be transported by the applicant during the calendar year, as determined by the department. Each eligible applicant shall be entitled to a grant based upon its pro rata share of miles among all eligible applicants, except that a grant may not exceed the unreimbursed expenditures of the applicant for transportation services for the grant year.

VA 16.03 Recovery of grant. The department may recover all or a portion of a grant upon review and audit if it is determined that the grant was erroneously awarded or that the applicant that received the grant failed to comply with any program requirements or whose projected unreimbursed expenditures were not met during the calendar year. The department may recover the overpayment through any appropriate action, including reducing or denying future grant awards.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin, October 8, 2002.

STATE OF WISCONSIN
DEPARTMENT OF VETERANS AFFAIRS

RAYMOND G. BOLAND, SECRETARY