

Clearinghouse Rule 97-008

CERTIFICATE

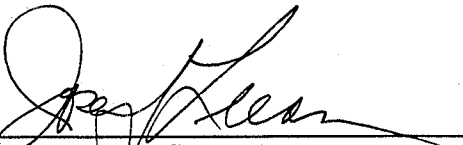
STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND FAMILY SERVICES)

I, Joseph Leean, Secretary of the Department of Health and Family Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to loans to help establish group homes for recovering substance abusers were duly approved and adopted by this Department on June 11, 1997.

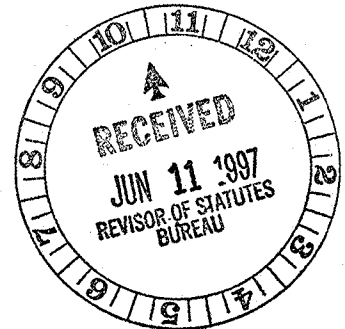
I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 11th day of June 1997.

SEAL:



Joseph Leean, Secretary
Department of Health and Family Services



97-008

8-1-97

ORDER OF THE
DEPARTMENT OF HEALTH AND FAMILY SERVICES
AMENDING RULES

To amend HSS 70.01, 70.03(4) and (5), 70.04(1), 70.05(Note) and 70.08 and Note, relating to loans to help pay for group housing for persons recovering from alcohol or other drug abuse.

Analysis Prepared by the Department of Health and Family Services

Since December 1990, the Department, under the authority of s. 46.976, Stats., and following the procedure in its implementing rules, ch. HSS 70, has been making 2-year loans of up to \$4000 each available from a revolving fund to applying nonprofit organizations to help with the costs of establishing group homes for persons recovering from alcohol abuse or other drug abuse. Until recently, a supported group home had to be for a minimum of 4 residents. Section 46.976(2), Stats., as amended by 1995 Wisconsin Act 27, changed that to a minimum of 6 residents. Chapter HSS 70 is being amended by this order to make that change.

This order makes two other changes in ch. HSS 70 to make the rules consistent with how state executive agencies were reorganized effective July 1, 1996. The order changes the name of the Department from Health and Social Services to Health and Family Services, and it substitutes the Department of Administration's Division of Hearings and Appeals for the Department's Office of Administrative Hearings as the organization that conducts administrative hearings for loan applicants who are denied a loan or do not receive the amount requested. The Division of Hearings and Appeals absorbed the remaining staff and functions of the Office of Administrative Hearings after three program divisions were taken out of the Department in the reorganization.

The Department's authority to amend these rules is found in s. 46.976(4), Stats. The rules interpret s. 46.976, Stats.

SECTION 1. HSS 70.01 is amended to read:

HSS 70.01 PURPOSE AND AUTHORITY. This chapter is promulgated under the authority of s. 46.976(4), Stats., to make funds available in the form of loans from the revolving fund established pursuant to s. 20.435(7) (ma), Stats., and continued pursuant to s. 20.435(7) (gd), Stats., to help pay for housing in which individuals recovering from alcohol abuse or drug abuse may reside in groups of 4 6 or more persons. The loans are to be made to eligible non-profit entities for the provision of housing for 4 6 or more recovering individuals who want to rent a house or use other housing as a self-supported and self-run recovery program free of alcohol and drugs.

SECTION 2. HSS 70.03(4) and (5) are amended to read:

HSS 70.03(4) "Applicant" or "applicant group" means a group of 4 6 or more recovering persons interested in living in an alcohol and drug-free environment who make application for a loan under this chapter.

(5) "Department" means the Wisconsin department of health and ~~social~~ family services.

SECTION 3. HSS 70.04(1) is amended to read:

HSS 70.04(1) To establish, directly or through the provision of a grant or contract to a non-profit private entity, a revolving fund to make loans for the costs of establishing programs for the provision of housing in which individuals recovering from alcohol or drug abuse may reside in groups of not less than 4 6 individuals.

SECTION 4. HSS 70.05(Note) is amended to read:

HSS 70.05(Note) For a copy of the application form, write or phone the Bureau of Substance Abuse Services, Division of Supportive Living, P.O. Box 7851, Madison, Wisconsin 53707, 608/266-2717.

SECTION 5. HSS 70.08 and Note are amended to read:

HSS 70.08 APPEALS. An applicant for a housing loan under this chapter whose loan application is either not approved or not approved in the amount requested may appeal that decision by requesting a hearing on it. The request for a hearing shall be in writing, shall be addressed to the ~~department's office of administrative hearings~~ department of administration's division of hearings and appeals and shall be received in that office within 45 days after the date of the action for which review is sought.

Note: The mailing address of the Division of Hearings and Appeals is P.O. Box 7875, Madison, Wisconsin 53707.

The rules contained in this order shall take effect on the first day of the month following their publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Wisconsin Department of Health and
Family Services

Dated: June 11, 1997

By: 

Joe Lekan
Secretary

SEAL:

