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**IDAPA 16
TITLE 04
Chapter 02**

16.04.02 - IDAHO TELECOMMUNICATION SERVICE ASSISTANCE PROGRAM RULES

000. LEGAL AUTHORITY.

Chapter 9, Title 56, grants legal authority to the Department of Health and Welfare to adopt rules to provide eligible recipients with a reduction in the costs of telecommunication services. (3-5-91)

001. TITLE AND SCOPE.

These rules shall be known as Idaho Department of Health and Welfare Rules, IDAPA 16, Title 04, Chapter 02, "Idaho Telecommunication Service Assistance Program Rules." These rules contain official requirements governing the program's right to provide eligible recipients with a reduction of costs in telecommunication services. (12-31-91)

002. PURPOSE.

The purpose of these rules is to establish requirements of the Idaho Telecommunication Assistance Service Program (ITSAP). (3-5-91)

003. DEFINITIONS.

01. Assistance Rate Discount. A monthly discount to eligible subscribers of residential basic local exchange service of either two dollars (\$2) or the same amount as the Federal Communication Commission's Subscribers Line Charge, whichever is greater. The discount will not exceed the rate charged for the grade of residential basic local exchange service subscribed to by each eligible individual. (12-31-91)

02. Assistance Rate Discount Application. The application form furnished by the telephone corporation which contains information put in place of the discount mechanism. (3-5-91)

03. Department. The Idaho Department of Health and Welfare. (3-5-91)

04. Eligibility Application. The current application Forms HW-0478 and HW-0478A used for the Low Income Home Energy Assistance Program (LIHEAP). (12-31-91)

05. Eligible Applicant. A person who is a participant in the Low Income Home Energy Assistance Program (LIHEAP), sixty (60) years of age or older and head of household. (3-5-91)

06. Eligible Basic Local Service. A single residence line at the principal residence of the eligible subscriber/head of household. (3-5-91)

07. Head of Household. The adult member of a Low Income Home Energy Assistance Program (LIHEAP) household who is responsible for payment of at least fifty percent (50%) of the cost of the residential local exchange service. (12-31-91)

08. Household. A household is either an individual living alone or a group of individuals living together in common living quarters and facilities under such domestic arrangements and circumstances as to create a single establishment. (3-5-91)

09. Ineligible Institution. A hospital, nursing home, shelter home, alcohol or drug treatment and rehabilitation facility. (3-5-91)

10. LIHEAP. Low Income Home Energy Assistance Program. (3-5-91)

11. LIHEAP Participant. A member of a household completing or included on Form HW-0478, Low Income Home Energy Assistance Application, or HW-0478A Low Income Home Energy Assistance Emergency Application, who meets the income eligibility criteria of the program and who does not reside in an ineligible institution. (3-5-91)

12. Provider. The telephone corporation providing residential basic local exchange service to Idaho residents. (3-5-91)

13. Subscriber. That person in whose name the residential basic local exchange service is listed. (3-5-91)

14. TAP. Telephone Assistance Program. (3-5-91)

004. -- 099. (RESERVED).

100. ASSISTANCE ELIGIBILITY REQUIREMENTS.

01. Telephone Assistance Program (TAP) Discount Rate. In order to be eligible for the TAP discount rate, applicants must be the head of household, sixty (60) years of age or older and participants in the (LIHEAP). The Idaho TAP will be used to provide for a single residence line at the principal residence of the eligible subscriber. (12-31-91)

02. LIHEAP Eligibility Requirements. (3-5-91)

a. A person must complete an application for LIHEAP on behalf of his household, listing all adult members over the age of sixteen (16). (3-5-91)

b. The household must meet the current income guidelines specified in Idaho Department of Health and Welfare Rules, IDAPA 16, Title 04, Chapter 14, "Rules Governing the Low Income Home Energy Assistance Program." (12-31-91)

c. The household members must not reside in an ineligible institution specified in Idaho Department of Health and Welfare Rules, IDAPA 16, Title 04, Chapter 14, "Rules Governing the Low Income Home Energy Assistance Program." (12-31-91)

d. The head of household/subscriber must be sixty (60) years of age or older. (3-5-91)

101. -- 199. (RESERVED).

200. APPLICANT RIGHTS.

Households applying for telephone assistance have certain rights specified in Idaho Department of Health and Welfare Rules, IDAPA 16, Title 04, Chapter 14, "Rules Governing the Low Income Home Energy Assistance Program." (12-31-91)

201. -- 299. (RESERVED).

300. INTAKE PROCESS.

01. List of Eligible Applicants. The Department will forward a list of eligible applicants to the provider throughout the regular program period. (3-5-91)

02. Application Processing Procedure. The Department may, by agreement with the providers, develop an application processing procedure. (3-5-91)

03. Application Completion. The eligible applicant will complete the application and return it to his local provider. (3-5-91)

301. -- 399. (RESERVED).

400. TIME LIMITS.

01. Maximum Time Limit. The maximum time limit permitted for issuing the discount to the

subscriber is thirty (30) days unless circumstances beyond the control of the provider occur which prohibit issuance. (3-5-91)

02. Applicant Discount. Eligible applicants will receive the discount for a period of not less than twelve (12) months unless: (3-5-91)

a. Discount is terminated at the request of the eligible applicant; or (3-5-91)

b. The household telephone service is terminated. (3-5-91)

401. -- 499. (RESERVED).

500. DISCONTINUANCE OF ELIGIBILITY.

01. List of LIHEAP Recipients. The Department will furnish a final list of eligible LIHEAP recipients to the providers. (3-5-91)

02. Discontinued Discount. The providers will discontinue discount to those subscribers who are not certified as eligible within thirty (30) days from receipt of the listing. (3-5-91)

501. -- 599. (RESERVED).

600. NOTIFICATION OF DECISION.

01. Removal from TAP. Subscribers removed from TAP will be notified in writing that the discount will cease to be effective upon the next billing. (3-5-91)

02. Discount List. Providers will furnish the Department a list of the subscribers receiving the discount after the ineligible households are removed from the program. (3-5-91)

601. -- 995. (RESERVED).

996. ADMINISTRATIVE PROVISIONS.

Contested case appeals shall be governed by Idaho Department of Health and Welfare Rules, IDAPA 16, Title 05, Chapter 03, Sections 300, et seq., "Rules Governing Contested Cases and Declaratory Rulings." (12-31-91)

997. CONFIDENTIALITY OF RECORDS.

Any disclosure of information obtained by the Department is subject to the restrictions contained in Idaho Department of Health and Welfare Rules, IDAPA 16, Title 05, Chapter 01, "Rules Governing the Protection and Disclosure of Department Records". (3-5-91)

998. INCLUSIVE GENDER AND NUMBER.

For the purposes of these rules, words used in the masculine gender include the feminine, or vice versa, where appropriate. (3-5-91)

999. SEVERABILITY.

Idaho Department of Health and Welfare Rules, IDAPA 16, Title 04, Chapter 02, are severable. If any rule or regulation, or part thereof, or the application of such rule or regulation to any person or circumstance, is declared invalid, that invalidity does not affect the validity of any remaining portion of this chapter. (3-5-91)