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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 installation and service. (7-1-99)

001. TITLE AND SCOPE.

These rules shall be known as Idaho Department of Health and Welfare Rules, IDAPA 16.04.02, "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 installation and service. (7-1-99)

002. (RESERVED).

003. ADMINISTRATIVE APPEALS.

Contested case appeals shall be governed by Idaho Department of Health and Welfare Rules, IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings," Section 300, et seq. (7-1-99)

004. PURPOSE.

The purpose of these rules is to establish requirements of the Idaho Telecommunication Assistance Service Program (ITSAP) as authorized by Sections 62-610, 56-901, 56-902, 56-903, and 56-904 of the Idaho Code. ITSAP shall maximize federal "lifeline" and "link-up" contributions to Idaho's low income customers. (7-1-99)

005. DEFINITIONS.

01. Assistance Rate Discount. A monthly discount to eligible "lifeline" subscribers of residential basic local exchange service of three dollars and fifty cents (\$3.50) or an amount authorized by the Federal Communication Commission, 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. A service installation cost reduction of fifty percent (50%), up to a maximum of thirty dollars (\$30), will be granted to eligible "link-up" recipients. (7-1-99)

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

03. Eligibility Application. The current Participant Assessment Application form or the Application for Assistance (AFA) form. (7-1-99)

04. Eligible Basic Local Service. A single residence telecommunication service at the principal residence of the eligible subscriber/head of household. (7-1-99)

05. Head of Household. The adult member of a household responsible for payment of at least fifty percent (50%) of the cost of the residential local exchange service. (7-1-99)

06. 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)

07. Lifeline. ITSAP component that provides a monthly discount rate to eligible subscribers on their residential basic local exchange service costs. (7-1-99)

08. Link-Up. ITSAP component that provides a discount rate to eligible subscribers on installation of residential basic local exchange service costs. (7-1-99)

09. Provider. The eligible telecommunication carrier providing residential basic local exchange

service to Idaho residents. (7-1-99)

10. Recipient. A person determined eligible for ITSAP. (7-1-99)

11. Subscriber. That person applying for basic local exchange service or, in whose name the residential basic local exchange service is listed. The subscriber does not need to be the head of the household. (7-1-99)

006. -- 099. (RESERVED).

100. ASSISTANCE ELIGIBILITY REQUIREMENTS.

01. Head of Household. Recipients must be the head of the household. (7-1-99)

02. Application. A person must complete an application with the Department or Community Action Agency on behalf of his household, listing all members. The application may be completed by a person other than the head of the household. (7-1-99)

03. Income Limit. The household's gross income must be at or below one hundred and thirty-three percent (133%) of the Federal Poverty Limit. Households receiving any type of state or federal assistance with income limits at or below one hundred and thirty-three percent (133%) of the Federal Poverty Limit are income eligible for ITSAP. (7-1-99)

101. -- 399. (RESERVED).

400. TIME LIMITS.

01. Maximum Time Limit. Unless circumstances occur beyond the control of the Department or the provider, the maximum time limit for determination of ITSAP eligibility is thirty (30) days from the date of the subscriber's application with the Department. (7-1-99)

02. Assistance Discount. Eligible recipients will receive the monthly discount for a period of not less than twelve (12) months unless: (7-1-99)

a. Discount is terminated at the request of the eligible recipients; or (7-1-99)

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

401. -- 499. (RESERVED).

500. DISCONTINUANCE OF ELIGIBILITY.

The Department will furnish to the providers a list of recipients eligible to receive the monthly discount. (7-1-99)

501. -- 599. (RESERVED).

600. NOTIFICATION OF DECISION.

Subscribers removed from ITSAP will be notified by their provider that the discount will cease to be effective upon the subscriber's next billing. (7-1-99)

601. -- 996. (RESERVED).

996. ADMINISTRATIVE PROVISIONS.

Contested case appeals shall be governed by Idaho Department of Health and Welfare Rules, IDAPA 16.05.03, Sections 300, et seq., "Rules Governing Contested Case Proceedings 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 16.05.01, "Use and Disclosure of Department Records." (3-5-91)

998. (RESERVED).

999. SEVERABILITY.

Idaho Department of Health and Welfare Rules, IDAPA 16.04.02, 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)

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