

**STATE OF WISCONSIN**  
**Department of Veterans Affairs**

---

**Report from Agency**  
**RULEMAKING REPORT TO LEGISLATURE**  
**Clearinghouse Rule 22-041**

---

**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS:**

N/A

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA are attached.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

The proposed rules revise ch. VA 12 – *Personal Loan Program*. The primary objective of the proposed rule is to amend s. VA 12.06 (1) to replace the term “mental disability” with the term “intellectual disability” in accordance with Governor Evers’ Executive Order #15. The proposed rule also removes an unnecessary definition under s. VA 12.01 (7) since the definitions under s. VA 1.001 apply to all rule chapters administered by the Department.

**V. SUMMARY OF PUBLIC COMMENTS AND THE DEPARTMENT’S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**

One person attended the public hearing. No public comments were received.

Pursuant to ss. 45.03 (2m) and 227.14 (2) (a) 6m., Stats., administrative rules prepared by the Department of Veterans Affairs must be provided to the Board of Veterans Affairs. The Board may prepare a report containing written comments and its opinion regarding the proposed rules. The Board of Veterans Affairs was provided a copy of the proposed rules and offered no comments. A copy of the letter signed by the Board Chair is attached.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

There were no comments in the Clearinghouse Report.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:**

N/A

**Clearinghouse Rule 22-041**  
**STATE OF WISCONSIN**  
**Department of Veterans Affairs**

---

In the matter of rulemaking proceedings before the Department of Veterans Affairs.

---

**ORDER OF THE DEPARTMENT OF VETERANS AFFAIRS**  
**ADOPTING PERMANENT RULES**

---

The statement of scope for this rule, SS 001-22, was approved by the Governor on December 22, 2021, published in Register No. 793A2 on January 10, 2022, and approved for implementation by the Secretary of the Department of Veterans Affairs on January 20, 2022.

ORDER

An order of the Department of Veterans Affairs *to repeal* VA 12.01 (7); and *to amend* VA 12.06 (1), relating to general updates.

---

---

ANALYSIS

Analysis prepared by the Department of Veterans Affairs.

**Statutes interpreted:**

Sections 45.03 (2), Stats.

**Statutory authority:**

Section 45.03 (2), Stats.

**Explanation of agency authority:**

Section 45.03 (2), Stats., authorizes the Secretary of the Department to promulgate rules necessary to carry out the purposes of ch. 45 and the powers and duties conferred upon it.

**Related statute or rule:**

None

**Plain language analysis:**

The proposed rules revise ch. VA 12 – *Personal Loan Program*. The primary objective of the proposed rule is to amend s. VA 12.06 (1) to replace the term “mental disability” with the term “intellectual disability” in accordance with Governor Evers’ Executive Order #15. The proposed rule also removes an unnecessary definition under s. VA 12.01 (7) since the definitions under s. VA 1.001 apply to all rule chapters administered by the Department.

**Summary of, and comparison with, existing or proposed federal regulation:**

None

**Comparison with rules in adjacent states:**

**Illinois:** Does not have administrative rules pertaining to a veterans personal loan program that is administered by the State.

**Iowa:** Does not have administrative rules pertaining to a veterans personal loan program that is administered by the State.

**Michigan:** Does not have administrative rules pertaining to a veterans personal loan program that is administered by the State.

**Minnesota:** Does not have administrative rules pertaining to a veterans personal loan program that is administered by the State.

**Summary of factual data and analytical methodologies:**

The Department deems it necessary to amend current rule language in order to comply with EO #15.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The rule was posted for 14 days to solicit economic impact comments. No comments were received.

**Fiscal Estimate:**

The Fiscal Estimate and Economic Impact Analysis is attached.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats.

**Agency contact person:**

Mindy Allen, Department of Veterans Affairs  
DVAAdminRules@DVA.Wisconsin.gov

**Place and deadline for submission of comments:**

The deadline to submit comments was June 1, 2022.

---

TEXT OF RULE

SECTION 1. VA 12.01 (7) is repealed.

SECTION 2. VA 12.06 (1) is amended to read:

**VA 12.06 (1) DEFERMENT OF PAYMENTS.** Subject to sub. (2), where an applicant who is enrolled in a full-time study course of instruction, as verified by the educational institution in which the applicant is enrolled, or in a part-time study course of instruction only in cases described in this subsection applies for deferment of the obligation to commence or continue to make payments on a loan, the department may grant a deferment if the installments on such loan are less than 90 days

delinquent at the time of approval of the deferment and, in the case of a guaranteed loan, if the guarantors consent in writing to the deferment. A deferment may not exceed 1 year and may not extend more than 3 months beyond the anticipated completion date of the applicant's educational objective, but an applicant may qualify for additional deferments if eligible for such deferments under the provisions of this subsection at the time of application. The department may grant deferments to an applicant enrolled in a part-time course of instruction because such applicant is disabled or unable due to physical or ~~mental~~ intellectual disability to enroll in a full-time course of instruction, is a graduate student who has completed the course of work required for a degree but must complete a thesis requirement, or is in the final semester or term of an educational program and needs less than full-time study to meet graduation requirements. Participation in a medical internship program is deemed to be enrollment in a full-time course of instruction for the purposes of this subsection.


SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

---

(END OF RULE TEXT)

---

Dated July 5, 2022

Agency   
Mary M. Kolar, Secretary  
Department of Veterans Affairs

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date 3/24/2022
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) VA 12 - Personal Loan Program	
4. Subject General updates	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected N/A (All collections are coded to the Appropriation 99000-CLEARING-VETS TRUST FUND)
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0.00	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The proposed rule eliminates an unnecessary definition and replaces an outdated term with inclusive terminology in accordance with Executive Order #15.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rules do not have an anticipated effect on businesses or local governmental units. The rule will be posted for 14 days on the Department of Veterans Affairs' website for economic impact comments.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. No local government units participated in the development of the EIA.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) This rule will not have an anticipated economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the State's economy as a whole.	
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefits of implementing the proposed rules is to bring the rule into compliance with EO 15.	
16. Long Range Implications of Implementing the Rule The long range implications will bring the agency's rules into conformity with EO 15 and keep the rules up to date, thus ensuring standardization, consistency, and efficiency.	
17. Compare With Approaches Being Used by Federal Government None.	
18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota) None of the neighboring states administer personal loan programs through the state's veterans affairs department.	

**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

---

19. Contact Name

Mindy Allen, Administrative Rules Coordinator

20. Contact Phone Number

(608) 264-6085

---

This document can be made available in alternate formats to individuals with disabilities upon request.



## Wisconsin Department of Veterans Affairs

---

Tony Evers, Governor | Mary M. Kolar, Secretary

June 29, 2022

Secretary Mary M. Kolar  
Department of Veterans Affairs  
PO Box 7843  
Madison, WI 53707

RE: Proposed Rules for ch. VA 12 (Clearinghouse Rule 22-041)

Dear Secretary Kolar,

Pursuant to s. 45.03 (2m), Stats., the Secretary shall provide the Board with a copy of any rule that the department is preparing as a proposed rule under s. 227.14 (1), Stats., and the Board may prepare a report containing written comments and its opinion regarding the proposed rule.

The proposed rules amending Chapter VA 12 relating to general updates, were provided to the Board of Veterans Affairs. At the Board's meeting on June 23, 2022, the Board voted to support the proposed rules and offers no additional comments.

Sincerely,

William Schrum, Chair  
Wisconsin Board of Veterans Affairs

**From:** [Board, WSchrum - DVA](#)  
**To:** [Allen, Mindy - DVA](#)  
**Subject:** Re: BOVA Action re: DVA Admin Rules VA 2 & VA 12  
**Date:** Monday, July 4, 2022 1:30:50 PM

---

Dear Ms. Allen,

The letters are accurate with Board actions and I approve of them.

Regards,  
William Schrum  
Chair BOVA

---

**From:** Allen, Mindy - DVA  
**Sent:** Wednesday, June 29, 2022 2:28 PM  
**To:** Board, WSchrum - DVA  
**Cc:** Allen, Mindy - DVA  
**Subject:** BOVA Action re: DVA Admin Rules VA 2 & VA 12

Chairman Schrum,

At the meeting of the Board of Veterans Affairs held June 23, 2022, the Board voted to support the draft rules for chs. VA 2 and VA 12 (item #9 of the Board's meeting agenda).

Attached are letters indicating the Board's actions at the meeting.

It is not necessary that we obtain your actual signature on the letters. It is sufficient that you simply reply via email indicating that the letters are accurate, and you approve of them. We would then attach a copy of your email to the letters and maintain on file.

Alternatively, if you prefer, you may either print/sign/scan and email the letters back to me or you can apply a digital signature and return them.

Please let me know if you have questions.

Best,

*Mindy Allen*

Administrative Rules Coordinator | Legal Records Custodian  
Office of the Secretary | Wisconsin Department of Veterans Affairs

Confidentiality Notice: This email message, including any attachments, is for the sole use of