

8775.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Applicable median income.** "Applicable median income" means the median gross income in Minnesota as estimated by the Bureau of the Census in the most recent annual announcement of the United States Department of Health and Human Services Family Support Administration, published in the Federal Register. These announcements are incorporated by reference.

Subp. 3. **Appropriate communication device.** "Appropriate communication device" means a communication device that most efficiently allows access to the telephone system by a person who has a communication disability.

Subp. 4. **Blind.** A person is "blind" if central visual acuity does not exceed 20/200 in the better eye with corrective lenses or, if greater than 20/200, visual acuity is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

Subp. 5. **Board.** "Board" means the Telecommunication Access Minnesota Board established in Minnesota Statutes, section 237.51.

Subp. 6. **Communication device.** "Communication device" means a device that when connected to a telephone enables a person with a communication disability to communicate with another person using the telephone system. A communication device includes a ring signaler, an amplification device, a telecommunications device for the deaf (TDD), a braille device for use with the telephone system, and any other device the board considers necessary.

Subp. 7. [Renumbered subp 16b]

Subp. 8. **Deaf.** "Deaf" means a hearing loss of such severity that the individual must depend primarily upon visual communication such as writing, lip reading, sign language, and gestures. A deaf person requires use of a telecommunications device for the deaf (TDD) to communicate effectively on the telephone.

Subp. 9. **Deafblind.** "Deafblind" means the conditions of a person who is (1) deaf or has a severe to profound hearing loss and (2) blind or visually impaired. A person affected by these conditions requires use of a braille device for use with the telephone system or other specially designed system to communicate effectively on the telephone.

Subp. 10. **Division.** "Division" means the Deaf and Hard of Hearing Services Division of the Minnesota Department of Human Services.

Subp. 11. **Economic hardship.** "Economic hardship" means an economic condition or level of subsistence on a household income that is at or below 60 percent of the applicable median income in the state.

Subp. 12. **Hard-of-hearing.** "Hard-of-hearing" means a hearing loss resulting in a functional limitation, but not to the extent that the individual must depend primarily upon visual communication. Some of the effects of hearing loss can be overcome with proper amplification. A person that is hard-of-hearing may require a communication device to communicate effectively on the telephone.

Subp. 13. [Repealed, 19 SR 1666]

Subp. 14. **Household criteria.** For determining priority when initially distributing equipment or receiving more than one communication device, "household criteria" means the higher priority given for a household having more than one person with a communication disability or for a household with a person who has a communication disability living alone.

Subp. 15. **Household income.** "Household income" means the total income of a person with a communication disability and immediate family living in the same residence. The immediate family includes spouse and minor children. The income of a minor child must be included when the dependent minor child is under 15 years of age and residing with the parents or custodial parent. If the person with a communication disability is a minor child, then parents and siblings residing with the minor are immediate family.

Subp. 16. **Income.** "Income" means money received in the preceding calendar year from each of the following sources:

- A. money, wages, or salary;
- B. net income from nonfarm employment as defined for federal tax purposes;
- C. net income from farm self-employment as defined for federal taxes;
- D. income from any social security program;
- E. supplemental social security income;
- F. public assistance or welfare payments;
- G. interest on savings or other investments that pay interest;
- H. dividend income from estates or trusts, or net rental income;
- I. veterans' payments, unemployment compensation payments, and workers' compensation payments;
- J. private or public employee pensions; and
- K. alimony, child support, regular contributions from persons not living in the household, and other periodic income. This definition of income comes from that of the

Bureau of the Census and is interpreted according to its standards as published in "Consumer Income," series P-60, No. 156, Money, Income of Households, Families and Persons in the United States: 1985. These standards are incorporated by reference, are not subject to frequent change, and are located in the government publications reference department of the University of Minnesota and in the Minitex interlibrary loan system.

Subp. 16a. **Mobility impairment.** "Mobility impairment" means a motor skill condition that significantly impedes a person's ability to use standard customer premises telephone equipment. A person with a mobility impairment may require the use of a communication device with auxiliary equipment to communicate on the telephone.

Subp. 16b. **Person with a communication disability.** "Person with a communication disability" means a person determined by the division to be deaf, deafblind or hard-of-hearing, to have a mobility impairment, or to have a speech disability as defined by subparts 8, 9, 12, 16a, and 20.

Subp. 17. **Resident of Minnesota.** "Resident of Minnesota" means an individual who lives in Minnesota or who has moved to Minnesota and intends to remain in Minnesota.

Subp. 18. **Significant visual impairment.** "Significant visual impairment" means a visual disability that does not constitute legal blindness but which constitutes a substantial handicap to employment or limits the person's ability to live independently, perform self-care activities, or grow and develop.

Subp. 19. **Special needs.** "Special needs" means the needs of an eligible person that may require that the person be given priority when initially distributing the equipment or be given more than one communication device because of severity of communication disability or presence of multiple disabilities.

Subp. 20. **Speech disability.** "Speech disability" means a condition that renders a person physically incapable of speaking clearly. The severity of the disability may vary; however, it renders speech on an ordinary telephone unintelligible or impossible and requires a communication device to communicate effectively on the telephone.

Subp. 21. **TAM.** "TAM" means Telecommunications Access Minnesota.

Statutory Authority: *MS s 237.51*

History: *14 SR 848; 19 SR 1666; L 2004 c 228 art 1 s 74; L 2013 c 62 s 32*

Published Electronically: *October 15, 2013*