

Chapter 2

Wyoming Military Assistance Trust Fund

Section 1. Authority. These rules are promulgated by authority of Wyoming Statute 19-7-402(c).

Section 2. Purpose. The Wyoming Military Assistance Trust Fund provides conditional emergency assistance to qualified military members and dependents. The plan is established to provide emergency assistance during periods of financial hardship resulting from the military member's active duty status and to members of the Wyoming National Guard to support dependent care expenses incurred during drill periods.

Section 3. Plan Implementation.

(a) The Adjutant General is the final authority in administering the Wyoming Military Assistance Trust Fund.

(b) The Adjutant General, and his designees, are permitted to exercise discretion in administering these rules. Moreover, except for eligibility requirements, the Adjutant General, and his designees, possess discretion to waive the requirements set forth herein.

(c) Evaluative Criterion For Approval for requests other than for dependent care expenses incurred on drill periods (may include but are not limited to):

- (i) Nature of assistance requested;
- (ii) Degree of financial hardship;
 - (A) Current family income;
 - (B) Debt and obligations; and
 - (C) Number of dependents;
- (iii) Link and causation between financial hardship and military member's active duty status;
 - (A) Change in income (based on active duty);
 - (B) Changes in employment and income status of dependents related to military member's active duty status;
 - (C) Increased expenses based on military member's active duty;
 - (D) Military pay problems; and
 - (E) Other issues of financial hardship related to military member's active duty status.

- (iv) Bankruptcy filed or pending;
- (v) Pending Disciplinary Action (military Member only);
- (vi) Length of active duty;
- (vii) Other aid available and/or received; and
- (viii) Amounts and date of any funds previously received from this fund.

(d) Dependent Care Expenses. Members of the Wyoming National Guard may request reimbursement of dependent care expenses incurred during drill periods.

(i) The definition of “drill periods” includes the following inactive duty periods:

- (A) Unit Training Assembly (UTA)
- (B) Split Unit Training Assembly (SUTA)
- (C) Multiple Unit Training Assembly (MUTA)
- (D) Rescheduled Unit Training Assembly (RUTA)
- (E) Regularly Scheduled Drill (RSD)
- (F) Rescheduled Drill (RD)
- (G) Equivalent Training (ET)

(ii) Reimbursement for expenses is limited to dependents through age 11 or older dependents with a documented need for care who are registered in the requesting member’s Defense Enrollment Eligibility Reporting System account.

(e) Approval Process.

(i) The level of approval authority is dictated by the amount of assistance requested. Each approval authority possesses the discretion to approve an amount lower than the amount requested, or to deny the request completely. The levels of approval authority are as follows:

- (A) Level 1 – Wyoming Military Department State Family Program Director (applications up to \$1,500); and
- (B) Level 2 – Deputy Director of Wyoming Military Department (applications over \$1,500 to \$3,000).
- (C) Dependent Care – Deputy Director of Wyoming Military Department

(ii) Requests for over \$3,000 can only be approved by the Adjutant General, and only in extraordinary circumstances.

Section 4. Eligible Recipients.

(a) Emergency Assistance Requests

- (i) Any member of the Wyoming national guard or a reserve unit that is based in Wyoming who has been called to active duty or active state service;
- (ii) Any Wyoming resident who is a member of a military reserve unit that is not based in Wyoming, if the member is called to active duty;
- (iii) Any other Wyoming resident performing service in the uniformed services as defined in W.S. 19-11-103(a)(ix) for any branch of the military of the United States; and
- (iv) Members of the immediate family for those personnel identified in paragraphs (i) through (iii) of this section. For purposes of this paragraph, "immediate family" means spouse and each child as defined by W.S. 2-1-301(a)(v) and, if they are dependents of the member of the military, the parents, grandparents, siblings, stepchildren and adult children of the member of the military.
- (v) Recipients who meet the above status criteria must also need assistance as a last resort to address financial hardship resulting from the military member's active duty status.

(b) Dependent Care Reimbursement Requests. Members of the Wyoming National Guard in the ranks of E-1 to E-6, WO-1, WO-2, and O-1, O-2 who pay for dependent care during drill periods.

Section 5. Application Process.

(a) Emergency Assistance Requests. Eligible recipients may apply for funds, based upon available funds by submitting a completed application packet containing:

- (i) Application for Wyoming Military Assistance Trust Fund;
- (ii) Wyoming State Auditor Form (WOLFS 109);
- (iii) Consent and authorization to release information;
- (iv) Proof of residency (if applicable);
- (v) Proof of military membership and member's active duty status;
- (vi) Proof of dependency (if applicable);
- (vii) Military member's most current Leave and Earnings Statement (LES)(if available); and

(viii) Substantiating documents (if applicable, i.e. car repair estimates, rental agreement, utility bill, bank statements, employment records, etc.).

(b) Dependent Care Reimbursement Requests. Eligible recipients may apply for reimbursement for dependent care expenses incurred in the previous 90 days. Approved reimbursement will be based upon available funds. Eligible recipients can apply by submitting a completed application packet containing:

(i) Application for Wyoming Military Trust Fund Dependent Care Reimbursement;

(ii) Receipt or invoice for care provided with details of dependent name(s), dates of care, total cost, and signature of care provider;

(iii) LES for drill period where dependent care expenses were incurred.

(c) Wyoming Army National Guard requests should be delivered to: Wyoming Military Department, ATTN: State Family Program Director, 5410 Bishop Blvd., Cheyenne, WY 82009.

(d) Wyoming Air National Guard requests should be delivered to: 153d Airlift Wing, ATTN: Airman and Family Readiness Program Manager, 217 Dell Range Blvd., Cheyenne, WY 82009.

Section 6. Assistance.

(a) Payments are subject to the availability of funds and the sole discretion and approval authority of the Adjutant General or his designees.

(b) The following are examples of acceptable reasons for requested support under the Emergency Assistance provisions of the fund: food, rent, utilities, emergency transportation and vehicle repair, funeral expenses, medical/dental expenses, personal needs when pay is delayed or stolen, emergency home repairs (habitability/essential areas but not home improvements), etc., as well as other emergency needs at the discretion of the approval authority.

(c) Dependent care expenses shall be capped at "Full Day Rate 75th percentile" listed in the most recent and available Market Price Study from the Wyoming Department of Family Services, broken down by age of the dependent.

(d) The Military Department will process dependent care reimbursement requests once each month and approved recipients can expect payment within 60 days of application.

(e) Regardless of appropriation and availability, funds shall not be used to:

(i) Help pay for nonessentials;

(ii) Finance ordinary leave or vacation;

- (iii) Pay fines or legal expenses;
- (iv) Help liquidate or consolidate debt;
- (v) Assist with house purchase or home improvements; or
- (vi) Cover bad checks or pay credit card bills

Section 7. Reviews and Reports.

(a) In accordance with W.S. 19-7-406 (a), the Adjutant General shall include with the department's biennial budget request submission a report of:

- (i) The total amount of interest income earned from the military assistance trust fund during the immediately preceding two (2) state fiscal years;
- (ii) The total amount of assistance provided from the interest income earned from the military assistance trust fund;
- (iii) The amount of assistance provided from the interest income earned from the military assistance trust fund by branch of service, regular or reserve duty classification, amounts of individual assistance provided, the reasons that qualified a member of the military or his family for assistance and the balance remaining within the interest income account for future disbursements; and
- (iv) The name, address, rank and rating, branch of service, deployment location and amounts of financial assistance provided to each eligible military member and to his family.

(b) By June 15, the Adjutant General will complete an annual review of the dependent care reimbursement program to ensure effectiveness, efficient procedures, and safeguards against fraudulent use.

- (i) A summary of this review shall be made available to the legislature.
- (ii) This review may be used to justify expansion or reduction of the benefit.