

Local Commissioners Memorandum

Section 1

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| Transmittal: | 17-LCM-07 |
| To: | Social Services District Commissioners |
| Issuing Division/Office: | Integrated Family Assistance Programs / Employment and Income Support Programs |
| Date: | July 6, 2017 |
| Subject: | 2016-2017 Home Energy Assistance Program (HEAP) Heating Equipment Clean and Tune Program |
| Contact Person(s): | HEAP Bureau at: (518) 473-0332 |
| Attachments: | Attachment 1 – HEAP Heating Equipment Clean and Tune Request for Benefit (LDSS-5081) Attachment 2 – Documentation Requirements (LDSS-2642) Attachment 3 – HEAP Heating Equipment Clean and Tune Notice of Eligibility Decision (LDSS-5082) Attachment 4 – Heating Equipment Clean and Tune Services Invoice (LDSS-5083) Attachment 5 – HEAP Vendor Refund Form (LDSS-5043) Attachment 6 – 2016-2017 HEAP Clean and Tune Administrative Allocations |
| Attachment Available Online: | <input checked="" type="checkbox"/> |

Section 2

I. Purpose

This is to provide local social service districts (districts) with instructions on administering the 2016-2017 Home Energy Assistance Program (HEAP) Heating Equipment Clean and Tune benefit, including information on program dates, funding, eligibility requirements, processing and reporting timeframes.

II. Background

HEAP is a federally funded energy program intended to provide assistance to low income households to meet their immediate home energy needs. HEAP is comprised of five benefits including the Heating Equipment Clean and Tune Program which provides assistance to a HEAP eligible applicant household to have their primary heating system cleaned and tuned. No additional HEAP cash benefits are available.

III. Program Implications

Districts must implement the Heating Equipment Clean and Tune Program as outlined below and in accordance with this Local Commissioners Memorandum (LCM). Program requirements and eligibility criteria for the HEAP Heating Equipment Clean and Tune benefit must be met by qualifying applicants to receive a Heating Equipment Clean and Tune benefit and service.

The outreach target population is HEAP households that have received a repair or replacement benefit during the 2015-16 HEAP season through the Office of Temporary and Disability Assistance (OTDA), New York State Energy Research and Development Authority (NYSERDA)'s no-heat program or Homes and Community Renewal (HCR)'s Weatherization Assistance Program. These recipients will receive an outreach letter from the OTDA HEAP Bureau notifying them of the 2016-17 HEAP Heating Equipment Clean and Tune Program; including how to apply, services available and who will provide these services.

The HEAP Bureau requests that districts inform clients they are in contact with, who could benefit from a clean and tune, of the availability of the 2016-17 Heating Equipment Clean and Tune Program.

A. Program Dates

Districts must accept benefit requests for the Heating Equipment Clean and Tune Program beginning on Monday, July 3, 2017 through Friday, November 3, 2017, or until available funds are exhausted, whichever comes first. If the program closes before November 3, 2017, districts will be notified via the General Information System (GIS).

B. Application Requirements

Applicants requesting this benefit must complete the HEAP Heating Equipment Clean and Tune Request for Benefit ([LDSS-5081](#), Attachment 1). Applicants who do not have an open and active HEAP, Temporary Assistance (TA), or Supplemental Nutrition Assistance Program (SNAP) case (case type 11,12,16,17, 31 or 60) must complete the 2016-17 HEAP Application ([LDSS-3421](#)), in addition to the Heating Equipment Clean and Tune Request for Benefit (LDSS-5081). Districts must check the other box in the agency use section on page one of the HEAP Application and write "Clean and Tune" in the space provided upon receipt.

- Applicants who do not have an open and active HEAP, Temporary Assistance (TA), or Supplemental Nutrition Assistance Program (SNAP) case must have their benefit issued on a case type 60.
- Each HEAP Application (LDSS-3421) and/or HEAP Heating Equipment Clean and Tune Request for Benefit (LDSS-5081) must be date-stamped upon receipt.
- An authorized representative may request this benefit on behalf of the applicant. Page 4 of the HEAP Application (LDSS-3421) may be used to assign an

authorized representative. A dated and signed statement from the applicant authorizing the individual to request a Heating Equipment Clean and Tune benefit on their behalf is required if the authorized representative section of the HEAP Application ([LDSS-3421](#)) is not completed.

Applicants requesting a Heating Equipment Clean and Tune benefit who received a Regular HEAP benefit greater than \$35 during the 2016-17 HEAP season are not required to have an interview. All other applicants must have an interview.

- Interviews may be completed by phone or in person.

Applicants requesting assistance for the Heating Equipment Clean and Tune benefit cannot apply online through myBenefits. Requests for benefits may be processed in myWorkspace.

Any applicant who is denied may resubmit a request for benefit for the Heating Equipment Clean and Tune Program as long as requests for benefits are being accepted.

C. Eligibility Requirements

Applicants must meet all HEAP eligibility criteria in order to be eligible for the HEAP Heating Equipment Clean and Tune benefit. See the [HEAP Manual, Chapter 7 – Basic Eligibility](#) for specific eligibility criteria.

In addition to basic eligibility, all applicants for Heating Equipment Clean and Tune must meet the following criteria:

- The applicant must be the homeowner. An applicant attestation to home ownership may be accepted. Districts may request documentation whenever there is reason to question the statement of homeownership.
- The primary heating equipment must be more than 12 months old.
- The applicant's primary heating equipment must not have been cleaned within the past 12 months. The date is determined based on the month of application. For example, an applicant who requests the benefit in August 2017, must not have had a furnace cleaning during or after August 2016.
- In cases where the primary heat source is wood (wood products), corn, or coal, the chimney must not have been cleaned within the past 12 months. For example, an applicant who requests the benefit in August 2017, must not have had a chimney cleaning during or after August 2016.
- Applicants with service contracts that include clean and tune services are not eligible for a HEAP Heating Equipment Clean and Tune benefit.
- The household income must not exceed the established income guidelines for the 2016-17 heating season.

Applicants that received a 2016-17 Regular HEAP benefit in an amount of \$35 or less are not eligible for the Heating Equipment Clean and Tune benefit. However, such applicants who move into an eligible living situation may apply for this component using both the HEAP Heating System Clean and Tune Request for Benefit ([LDSS-5081](#)) and the HEAP Application ([LDSS-3421](#)).

D. Documentation

Applicants must meet all HEAP documentation requirements in order to be eligible for the Heating Equipment Clean and Tune benefit.

- Applicants who apply using only the HEAP Heating Equipment Clean and Tune Request for Benefit (LDSS-5081) do not need to provide additional income documentation. However, the applicant is not eligible for income deeming if, since receiving their Regular benefit:
 - The applicant household's monthly income increased by more than \$200;
 - The household composition changed; or
 - The applicant changed their residence
- Applicants who request a benefit using both the HEAP Heating Equipment Clean and Tune Request for Benefit (LDSS-5081) and the HEAP Application (LDSS-3421) must provide documentation of residence, identity for each household member, documentation of household income and a valid Social Security Number for each household member.
 - Districts must use any permanent documentation available in the applicant's case record or within the agency, if applicable.
- Applicants whose request for benefit is pended to provide required documentation must be provided the Documentation Requirements form ([LDSS-2642](#), Attachment 2). A copy must be retained in the case record.
 - Districts may pend a benefit request for a maximum of ten business days for documentation. If the applicant fails to provide the requested documentation by the due date, the benefit request must be denied.

E. Income Budgeting

Districts must store a HEAP Emergency Benefit Type Automated Budgeting Eligibility Logic (ABEL) budget using Emergency Type G – 'Furnace Repair' to determine income eligibility for the Heating Equipment Clean and Tune benefit. This budget must be stored for all approvals and denials.

- The Heating Equipment Clean and Tune ABEL budget must contain all of the following*:
 - Benefit Type E – Emergency

- An application date of **07/03/2017**
- Fuel Type
- Household size
- Categorical Eligibility Indicator
- Vulnerable Indicator
- Household gross income
- Emergency type code G – ‘Furnace Repair’ (HEAP Heating Equipment Repair)

*Entry of the clean and tune benefit amount is optional.

F. Scope of Benefits and Specifications

The Heating Equipment Clean and Tune program will open on July 3, 2017, and benefits will be provided on a first come, first served basis to eligible applicants through November 3, 2017, or until all funding allocated to this component is exhausted, whichever comes first. If an applicant is found eligible for the Heating Equipment Clean and Tune benefit, the following guidelines must be followed:

- Benefits must not exceed \$400 per applicant.
- Only one Heating Equipment Clean and Tune benefit will be provided per eligible applicant.
- The clean and tune service must only be performed on the primary heating equipment.
- Vendors must charge the same rate for services performed for households not in receipt of HEAP.
- If any repairs are necessary to ensure the proper and safe operation of the heating equipment, vendors must obtain approval from the district prior to completing this work. **Approved repairs in combination with the clean and tune service must not exceed \$400.**
- The cost of work performed by the vendor for clean and tune services and the cost of related parts and repairs performed under HEAP are not subject to New York state sales tax.
- Vendors must provide services directly and may not contract out any portion of the work.

- **Prior to beginning any clean and tune work, the vendor must determine that the heating equipment is operable and safe to operate.**
- **Vendors must not complete a clean and tune service if it is determined that the heating equipment is inoperable or unsafe to operate.**
- Vendors must refer customers to the district if at any point during the clean and tune service it is determined that the heating equipment is inoperable or unsafe to operate.
- A carbon monoxide detector must be installed if one is not present in the dwelling, or if the current carbon monoxide detector in the dwelling is over five years old.
- A programmable thermostat may be installed, with client consent, if one is not present in the dwelling.

G. Referrals and Temporary Assistance

Individuals referred to the district due to inoperable or unsafe heating equipment should be directed to apply to have their heating equipment repaired or replaced through the Heating Equipment Repair and Replacement (HERR) component, if that component is open.

Individuals whose heating equipment repair or replacement needs cannot be met through the HEAP Heating Equipment Clean and Tune Program, HERR, or who have been found ineligible through HEAP may, if they apply and are found eligible, have their needs met under Family Assistance (FA), Safety Net Assistance (SNA), Emergency Assistance to Families (EAF), Emergency Safety Net Assistance (ESNA), or Emergency Assistance for Adults (EAA). Department Regulations 18 NYCRR 352.4(d), 352.6(e), 352.7(b), 372.4(b) and 397.5(h) provide districts the ability to meet the costs necessary for the repair or replacement of essential heating equipment if the repair or replacement is essential to the health and safety of the household. For more information, see the [Temporary Assistance Sourcebook, chapter 16, section C, Equipment Repairs](#).

In accordance with 18 NYCRR 352.23, using and pursuing available resources is a condition of TA eligibility. Available resources for heating equipment repair or replacement may include programs such as NYSERDA's EMPOWER program. For details, go to: <http://www.nyserda.ny.gov/All-Programs/Programs/EmPower-New-York> or call Empower at: 1-866-NYSERDA.

H. Processing Timeframes and Client Notification

The district must determine an applicant's eligibility for the Heating Equipment Clean and Tune within 30 business days of receipt of the completed Heating Equipment Clean and Tune Request for Benefit ([LDSS-5081](#)) and/or HEAP Application ([LDSS-3421](#)). Requests for Heating Equipment Clean and Tune benefits may be pended for missing or additional information for up to 10 business days if necessary.

Approval and denial notices through the Client Notification System (CNS) are not currently available for this program. Manual notices must be used for approvals and denials for the Heating Equipment Clean and Tune benefit. Districts must provide recipients with a completed HEAP Heating Equipment Clean and Tune Notice of Eligibility Decision ([LDSS-5082](#), Attachment 3). Districts must complete the approval or denial portion of HEAP Clean and Tune Notice of Eligibility Decision (LDSS-5082) and mail it to the applicant. Applicants must be provided written notice of the eligibility decision made on the request for benefit for the HEAP Heating Equipment Clean and Tune program no later than 30 business days from the date of receipt of the final vendor invoice for payment.

- Approval notices must contain the vendor name, customer account number, and the amount of the Clean and Tune benefit.

If the vendor does not use customer account numbers, districts must enter the client's case number or the vendor's invoice number. WMS Screen 6 VND/ACCT field (Vendor ID field on the 3209) must be utilized for all clean and tune benefits.

- When denying a benefit request on a new applicant (case type 60), districts must place an N in the CNS Notice Indicator and use a HEAP denial code of Y99.
- A copy of all notices must be retained in the case record for 6 years including the current program year.

All Heating Equipment Clean and Tune denials processed by September 30, 2017 must be reported by that date on the 2016-17 HEAP Denied Applicant Report under furnace repair. Districts must provide an updated denial report by November 15, 2017 for any Heating Equipment Clean and Tune benefit requests denied after September 30, 2017.

I. Vendor Participation

All vendors who wish to participate must have a signed HEAP Heating Equipment Repair and Replacement Vendor Agreement on file with the OTDA HEAP Bureau. In addition, the vendor must have indicated that they will participate in the Clean and Tune Services Program. If a vendor does not currently have this option selected on their vendor agreement, the vendor may contact the HEAP Bureau and complete a HEAP Vendor Change Form to update their current vendor agreement.

Each district can find a list of all its Heating Equipment Clean and Tune participating vendors in the HEAP Participating Vendor list found in CentraPort. This list is updated on a daily basis and districts should check this list prior to authorizing a benefit. If applicants do not have a participating Clean and Tune vendor, or wish to choose a new participating vendor, this list is provided to those applicants. Vendors who contact the district to participate in the HEAP Heating Equipment Clean and Tune must be instructed to contact the OTDA HEAP Bureau at: (518) 473-0332 or 1-866-270-HEAP (4327).

OTDA will be hosting a series of conference calls to provide additional information to participating vendors. Districts are encouraged, but not required to participate. A

schedule of vendor conference calls and call details will be sent under a separate cover.

J. Heating Equipment Clean and Tune Service Scheduling

Participating HEAP Heating Equipment Clean and Tune vendors are responsible for contacting an eligible applicant to schedule services. If a vendor cannot schedule a clean and tune service with the applicant within ten business days of the referral, the vendor must notify the district. The district must then send the applicant a copy of the Documentation Requirements form ([LDSS-2642](#)) with the “Other” box checked and the following language, “(vendor name) tried to contact you regarding the HEAP Heating Equipment Clean and Tune, but was unsuccessful. Please contact us by (date) to resolve this”.

If the applicant does not contact either the district or the vendor within the ten day pending period to arrange for a clean and tune of the primary heating equipment, then a HEAP Heating Equipment Clean and Tune Notice of Eligibility Decision ([LDSS-5082](#)) must be sent. The box for “you failed to provide the following information,” is checked and the following language inserted “you failed to make arrangements for clean and tune services of your heating equipment by the due date of (date)”.

K. HEAP Heating Equipment Clean and Tune Services Invoice ([LDSS-5083](#))

The HEAP Heating Equipment Clean and Tune Services Invoice (LDSS-5083, Attachment 4), is used by both the district and by the vendor.

Districts use this form to notify a vendor that an individual is approved for services. Once an applicant is approved, the district must provide the vendor with the eligible applicant’s name, address and contact information using the Customer Contact Section of the HEAP Heating Equipment Clean and Tune Services Invoice (LDSS-5083).

In order to receive payment, vendors must return the completed HEAP Heating Equipment Clean and Tune Services Invoice (LDSS-5083) to the district, with applicant signature. The following sections of the invoice must be completed prior to returning to the district:

- Services Provided Checklist

The vendor must answer each question to identify services performed.

- Customer Section

This section is to be completed by the applicant to attest that services have been completed.

- Vendor Use Section

- The vendor must indicate the total amount for the clean and tune services,

including parts, cost, and labor.

- This section must be signed and dated by the technician.

Vendors must perform the clean and tune services according to the specified industry standards and as outlined in the HEAP Heating Equipment Clean and Tune Services Invoice ([LDSS-5083](#)).

Once the vendor returns the completed HEAP Heating Equipment Clean and Tune Services Invoice (LDSS-5083), the district must complete the Agency Use Section on page 3 of this form. Districts must contact the recipient to confirm the satisfactory completion of the clean and tune services, including installation of thermostats and carbon monoxide detectors, if applicable, operation of the heating unit, and the condition of the dwelling upon job completion prior to authorizing payment for Clean and Tune benefits.

L. Payment and Authorizations

Districts must not authorize any Heating Equipment Clean and Tune payments to vendors prior to the Heating Equipment Clean and Tune program opening on July 3, 2017.

Vendors must submit a completed HEAP Heating Equipment Clean and Tune Services Invoice (LDSS-5083) to the district in order for a payment to be authorized. Payments to vendors must not exceed \$400 per benefit.

All HEAP Heating Equipment Clean and Tune payments are authorized by the districts through WMS or myWorkspace using **payment type J3**. These payments must be issued on a case type 60 (HEAP only) or an appropriate TA or SNAP case type.

As a result of changes to §179-f of the State Finance Law, HEAP vendor payments to small businesses for the HEAP Heating Equipment Clean and Tune must be paid within 15 calendar days of receipt of an invoice, excluding legal holidays. Be sure all HEAP invoices are date stamped when they are received. Please refer to [GIS 16 TA/DC023](#) regarding the amendment to State Finance Law §179-f for further information.

As with all vendor direct payments for districts outside New York City, Heating Equipment Clean and Tune payments will be issued by the New York State Office of the State Comptroller (OSC) through the Statewide Financial System (SFS) payment process. Any vendor wishing to refund a benefit to the district must use the Vendor Refund form ([LDSS-5043](#), Attachment 5). The form includes the HEAP Heating Equipment Clean and Tune recipient information, payments received by the vendor, and the amount refunded to the district. All HEAP refunds (including local district related HEAP refunds and HEAP OSC refunds) will be processed using Cash Management System (CAMS) cash receipts.

Refer to the [HEAP Manual, Chapter 22](#) – Payments/Statewide Financial System and the BICS Indirect Payment Processing Sub-System (IPPS) Manual - Appendix H for

more information regarding the HEAP OSC/SFS Payment Process and HEAP refunds. The IPPS Manual can be found at: http://otda.state.ny.net/bfdm/finance/IPPS_Manual.asp.

M. Payment Type and System Requirements:

The Payment Type used to authorize a Heating Equipment Clean and Tune benefit is J3 – ‘HEAP Clean and Tune’ and can be processed in either WMS or myWorkspace. This pay type does not require the payment amount to match the benefit amount on the stored ABEL budget and will not produce a CNS notice.

In order to write a pay line with a J3 Payment Type districts must follow these rules:

- Only Case Types 11, 12, 16, 17, 31, and 60 may be used
- Payment Type J3 is valid with all Transaction Types except 03 – Denial
- CNS Notice Indicator must equal N
- Only two Methods of Payment may be used – either 02 (Vendor as Authorized) or 04 (Vendor as Bill Subject to Limit)
- Special Claiming Code H must be used
- The payment line service period must be from 7/3/17-9/30/17 for all payments made for the 2016-17 Heating Equipment Clean and Tune Program
- From-to-dates must always be 7/3/17-9/30/17
- EMPLOYER NO/SSN appears in the BICS vendor record and must consist of nine non-equal numeric digits (for example, digits cannot be all zeroes or all nines)
- A valid Customer Account Number (cannot be blank or inactive)
- Valid SFS Vendor data

Vendor Direct Payline Example

| LN | ACT | Pay Typ | Meth Pay | Amount | Iss | Pay Sch | P-U Cd | Effective From | To | Ind LN | Clm Cd | Vend Id |
|----|-----|------------|----------|--------|-----|---------|--------|----------------|--------|----------|--------|---------|
| 01 | 2 | J3 | 02 | 400.00 | 2 | | 1 | 070317 | 093017 | | H | AC SERV |
| 02 | | | | | | | | | | | | |
| 03 | | | | | | | | | | | | |
| | | Energy Rst | | | | | | | | | | |
| | | HVnd/Acct | | | | | | | | Vnd/Acct | | |
| | | Replace | | | | | | | | ACSERV | | 1234 |
| | | LN | CHK/FSB | | | | LN | | | CHK/FSB | | |

N. Social Services District Reporting Requirements

Districts will be required to submit the number of Pending HEAP Heating Equipment Clean and Tune benefit requests weekly using the established HEAP Pending Case Report. Districts must include Heating Equipment Clean and Tunes cases that fall into the following categories:

- Heating Equipment Clean and Tune request for benefits that have been received, but do not have a transaction through WMS or myWorkspace (either a payment or denial transaction).
- Cases that are waiting for an interview or documentation and/or have not had eligibility determined.
- Cases where eligibility has been determined, but WMS or myWorkspace transaction has not yet been completed.
- Heating Equipment Clean and Tune request for benefits awaiting processing at the Alternate Certifier.

Due to the limited funding for the HEAP Heating Equipment Clean and Tune, it is essential that OTDA track pending expenditures. Districts must continue to complete the HEAP Pending Case Report on a weekly basis. The report will continue to be available until close of business (COB) every Tuesday. Districts must start submitting HEAP Heating Equipment Clean and Tune pending applications beginning on Friday, July 7, 2017.

To access the HEAP Pending Report in eReports, go to CentraPort: <https://centraport.otda.state.nyenet/centraport>.

- On the left side under Links, expand the Applications menu
- Third from the bottom of the list, select eReports
- Select the HEAP Pending Case Report
- To log all pending applications select the current date from the dropdown box and click the “Find” button
- Enter the number of pending Regular, Emergency, Furnace Repair, Furnace Replacement, Supplemental, Clean and Tune, and Cooling Assistance benefit applications that are currently pending in the applicable box
- If no applications are pending in a component, enter a “0” in that field
- Click “Submit” and then “Ok” to complete the form

Districts who fail to submit their pending requests in the HEAP Pending Case Report by COB each Friday will receive a computer generated message on Monday reminding them to submit the report. Failure to submit the report by COB Monday will result in a computer generated email reminder on Tuesday, as well.

Districts who do not submit their HEAP Pending Case Report by COB Tuesday may email Emily Urban with their pending numbers at: Emily.Urban@otda.ny.gov.

Each district must have at least one person designated to submit data to the HEAP Pending Case Report and Erroneous Payment Report. If districts have any changes in their designee(s), please provide the HEAP Bureau with identifying information for the person or persons who should have access to these reports: (a) Name; (b) User ID; (c) e-mail address; (d) phone number; and, (e) fax number. Changes can be e-mailed to: Emily.Urban@otda.ny.gov and Emily.MaherCmaylo@otda.ny.gov. Please contact Emily Urban or Emily Maher Cmaylo with any questions at: (518) 473-0332.

O. Fair Hearings

Applicants for and recipients of HEAP Heating Equipment Clean and Tune benefits may seek review of their eligibility determination at an administrative fair hearing, as authorized under 18 NYCRR 393.5 and 358.

P. Forms Information

All forms used to administer Clean and Tune have been revised for the 2016-17 program year with the exception of the HEAP Application ([LDSS-3421](#)) and Documentation Requirements form ([LDSS-2642](#)). All other Clean and Tune forms with a revision date prior to 2017 are now obsolete and must be destroyed. New Clean and Tune forms with a revision date of 2017 forms will be available to order as of June 12, 2017. Only these forms may be used for the 2016-17 program year.

All Clean and Tune forms should be ordered by the districts as needed. Districts may also access electronic forms for download and printing at: http://otda.state.ny.net/ldss_eforms/.

Questions concerning ordering forms should be directed to the OTDA Bureau of Management Services Document Services at: (518) 474-9522.

Any previously approved local equivalent of these forms should be resubmitted, reflecting the current updates, to the mailing address above for review and approval.

Q. Funding/Administrative Funds

A total of \$2 million has been allocated to the 2016-17 Heating Equipment Clean and Tune program. Districts will be provided with additional administrative funds to operate this component. Administrative funds are to be used to meet the district's staffing and operational needs for the 2016-17 HEAP Heating Equipment Clean and Tune Program. Acceptable uses of administrative funds include, but are not limited to, staff salaries, staff overtime, temporary staff costs, fringe benefits, indirect costs, and equipment purchases to aid in the administration of the program.

As in the past, reimbursement of administrative costs in excess of each district's allocation cannot be guaranteed. Administrative costs incurred on and after October 1, 2016 may be charged against the 2016-17 allocation. The Heating Equipment Clean and Tune administrative funds will be added to your 2016-17 administrative allocation. These funds must be obligated by September 30, 2017 and claimed by December 31, 2017. Unclaimed funds cannot be rolled into the 2017-18 administrative allocation. A chart listing each district's administrative allocation is found in Attachment 6.

R. Phone Conference

The HEAP Bureau has scheduled two conference calls to provide districts updated information on the 2016-17 Heating Equipment Clean and Tune Program, and to answer any questions. Information regarding these conference calls will be sent to local district HEAP Coordinators under a separate cover.

Issued By

Name: Barbara C. Guinn
Title: Executive Deputy Commissioner