

The 2013-14 NYS HEAP State Plan is amended as follows:

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Ineligible Living Arrangements

Households in the following living arrangements are not eligible to receive HEAP benefits:

- individuals who have no responsibility for heating costs and do not make undesignated payments for heat in the form of rent;
- individuals paying room or room and board in a private residence;
- individuals temporarily housed in a hotel/motel;
- individuals living in cars, vans, or temporarily living in recreational vehicles;
- residents of government provided housing on military bases with no heat or utility bills in their names;
- individuals living in an unsafe and/or condemned dwelling where the district is aware of the living conditions and has determined that the deficiencies cannot be reasonably corrected in a manner to ensure safe, healthy habitation; and,
- residents of congregate care facilities (licensed or unlicensed), dormitories, agency boarding homes, group homes, institutions or Title XIX facilities, except that income eligible households that make undesignated payments for heat in the form of rent in the following living arrangements are eligible for a maximum annual HEAP regular benefit of \$21.00:
 - government subsidized housing with heat included in the rent;
 - publicly operated or State-certified private nonprofit residential drug or alcoholic treatment facilities;
 - private nonprofit residential drug or alcoholic treatment facilities that are authorized as a food stamp retailer by the United States Department of Agriculture or are in receipt of a letter from the certifying State agency stating that the facility operates to further the goals of Title XIX;
 - publicly operated or State-certified private nonprofit enriched housing;
 - publicly operated or State-certified private nonprofit residential group living facilities serving no more than 16 residents;
 - publicly operated or State-certified private nonprofit supervised or supportive living arrangements; and,
 - State-Operated Community Residences.

NOTE: Households residing in these seven living arrangement exception categories are only eligible for a maximum annual HEAP regular benefit of \$21.00 and are not eligible for emergency HEAP or any other benefit under HEAP, except that eligible households in government subsidized housing with heat included in the rent that pay a supplier directly for heat-related utility service may be eligible for a HEAP heat-related emergency benefit if such benefit is necessary to resolve the heat-related energy crisis of the household.

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REGULAR HEAT INCLUDED COMPONENT

Households that are not directly responsible for the payment of their primary heating costs to a vendor but who make undesignated payments for heat as a portion of their rent and are in an eligible living arrangement other than one of the living arrangements listed below under “\$21.00 Heat Included Benefit” will receive a benefit based on a two-tier payment structure. A household’s tier is determined based on the household’s gross monthly income taking into account household size.

Tier I households (gross monthly income at or below 130% of the federal poverty level), the lowest income grouping, will receive a heat included benefit of no less than \$35. Tier II households (gross monthly income between 130% of the federal poverty level and 60% of the State Median Income) will receive a heat included benefit of no less than \$30. In this manner, heat included households in the lowest income grouping, which generally pay higher percentage of their income for indirect heating costs, will receive a higher benefit than those heat included households in the higher income grouping (Tier II).

\$21.00 Heat Included Benefit

To enhance participation and benefits for Supplemental Nutrition Assistance Program (SNAP) recipients, an annual regular HEAP benefit of \$21.00 is available for income eligible households that make undesignated payments for heat in the form of rent in the following living arrangements:

- government subsidized housing with heat included in the rent;
- publicly operated or State-certified private nonprofit residential drug or alcoholic treatment facilities;
- private nonprofit residential drug or alcoholic treatment facilities that are authorized as a SNAP retailer by the United States Department of Agriculture or are in receipt of a letter from the certifying State agency stating that the facility operates to further the goals of Title XIX;
- publicly operated or State-certified private nonprofit enriched housing;
- publicly operated or State-certified private nonprofit residential group living facilities serving no more than 16 residents;

- publicly operated or State-certified private nonprofit supervised or supportive living arrangements; and
- State-operated community residences.

Households residing in these seven living arrangement categories are only eligible for a maximum annual HEAP regular benefit of \$21.00 and are not eligible for emergency HEAP or any other benefit under HEAP, except that eligible households in government subsidized housing with heat included in the rent that pay a supplier directly for heat-related utility service may be eligible for a HEAP heat-related emergency benefit if such benefit is necessary to resolve the heat-related energy crisis of the household.

Receipt of a HEAP benefit in an amount greater than \$20.00 annually enables SNAP applicants or recipients to maximize the SNAP Standard Utility Allowance (SUA). Households receiving the \$21.00 HEAP benefit who are also applicants or recipients of SNAP will receive the highest SNAP SUA. Using the highest allowable SUA in the SNAP benefit calculation may make an applicant eligible for SNAP who would not otherwise be eligible and may significantly increase SNAP benefits for many households. The annual \$21.00 HEAP benefit will qualify the household for the maximum SNAP SUA for 12 months.