

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

ADMINISTRATIVE DIRECTIVE

TRANSMITTAL: 00 ADM-2

TO: Commissioners of
Social Services

DIVISION: Temporary Assistance

DATE: February 25, 2000

SUBJECT: Release of the Energy/HEAP Manual

SUGGESTED

DISTRIBUTION: Temporary Assistance Directors
Food Stamp Directors
HEAP Coordinators
Staff Development Coordinators
CAP Coordinators

CONTACT

PERSON: Temporary Assistance Energy Policy - Central Team at
1-800-343-8859, extension 4-9344;
HEAP Policy - Western Team at 1-800-343-8859,
extension 3-0332

ATTACHMENTS: Attachment - Manual/Index Error Referral - Available
on-line

FILING REFERENCES

| Previous ADMs/INFs | Releases Cancelled | Dept. Regs. | Soc. Serv. Law & Other Legal Ref. | Manual Ref. | Misc. Ref. |
|-------------------------------|-------------------------------|--------------------|--|--------------------|-------------------|
| 97 ADM-21 | 96 ADM-9 | 352.4 | 131s | | |
| 96 ADM-9 | 87 ADM-51 | 352.5 | Welfare | | |
| 93 ADM-26 | | 369 | Reform | | |
| 87 ADM-51 | | 370 | Act of | | |
| 86 ADM-7 | | 372 | 1997 | | |
| | | 381 | | | |
| | | 397 | | | |

I. PURPOSE

The purpose of this directive is to alert social services districts (SSDs) of the new Energy/HEAP Manual, which will be sent to SSDs separately, and outline the significant policy changes from 87 ADM-51. Temporary Assistance (TA) Energy policy and HEAP policy are the two significant policies which relate to energy issues. By combining these two programs into a single binder, SSDs will now have one source in which to reference current energy related policies and procedures when providing energy assistance to temporary assistance (TA) applicants/recipients (A/Rs) and other households in need. This directive supersedes all past energy policy directives and informational material.

II. BACKGROUND

SSDs are currently using 87 ADM-51 for the administration of TA Energy policy. Since 1987, this policy has evolved on an on-going basis and any changes and/or interpretations were passed on to SSDs through a variety of policy communications. The manual updates and clarifies current energy policy and reflects changes and/or interpretations that have occurred since 1987.

III. PROGRAM IMPLICATIONS

With the release of this directive, 87 ADM-51 is cancelled. All Energy and HEAP policy which requires updating will be done through page replacements to this manual.

SSDs will note that the TA Energy section of the Public Assistance Source Book (Section XIV) is being eliminated and will be replaced with a reference to the Energy/HEAP Manual.

The Energy/HEAP Manual has some important changes and clarifications in policy in the TA "Energy" portion of the manual. These changes and clarifications are:

Section I. Temporary Assistance Heating Allowances

- Districts must provide a heating allowance to remaining case members, based upon the number of persons remaining in the TA case, when the tenant and the customer of record is subject to an incremental sanction, but remains in the household.

- An applicant/recipient/grantee (A/R/G) unable to document customer and/or tenant of record status, must not receive a heating allowance. These households must be provided with a shelter allowance without heat up to the agency maximum, with no heating allowance. The heating allowance will be provided prospectively from the date the district receives the documentation supporting the allowance.

Section II. TA Heating Allowance Schedules

- A/R/Gs purchasing energy required to heat the dwelling unit from an Energy Services Company (ESCO), and meeting tenant and customer of record requirements, will be provided with a heating allowance using the appropriate heating allowance schedule (SA-6a, SA-6b or SA-6c).

Section IV. Methods of Payment (Heating and/or Domestic Energy Costs)

- When a district places a recipient on restricted payment for his/her heating and/or domestic energy costs, the district must reduce the recipient's grant by the appropriate restricted amount(s). This now includes ESCOs.
- A new section was added reflecting the mandated non-cash Safety Net Assistance restriction hierarchy and its relationship to energy budget restrictions.
- When a recipient is placed on a letter of guarantee and fails to pay his/her bill, the notice sent to the district by the utility company must remain timely. However, the district is not restricted to making a payment limited to the most recent four months.
- Home Energy Assistance (HEA) and Supplemental Home Energy Assistance (SHEA) is only used for mismanagement and not for the calculation of domestic energy.
- Explains the options of paying the entire bill or paying just the restricted amount(s) to the heating and/or domestic energy vendor(s).
- Explains the methods of guaranteeing a utility account by restricted payment, letter of guarantee or the combination of the two.

Section V. Emergency Assistance-General Information

- A section has been added to clarify emergency energy policy as it relates to TA sanctions.

- A section has been added to clarify how heating equipment repair and replacement should be authorized under temporary assistance programs.

Section VII. Emergency Assistance-Temporary Assistance

- An account termination issued by an ESCO is not considered a shut-off for the purposes of emergency assistance.
- Households must apply all available liquid resources against the calculated arrears amount. Available resources must be used to reduce the amount of the payment authorized by the district to meet the emergency.

Section VIII. Emergency Assistance-Non-Temporary Assistance

- An account termination issued by an ESCO is not considered a shut-off for the purposes of emergency assistance.
- Households must apply all available liquid resources against the calculated arrears amount. Available resources must be used to reduce the amount of the payment authorized by the district to meet the emergency.

Section IX. Emergency Assistance-Supplemental Security Income

- An account termination issued by an ESCO is not considered a shut-off for the purposes of emergency assistance.
- Households must apply all available liquid resources against the calculated arrears amount. Available resources must be used to reduce the amount of the payment authorized by the district to meet the emergency. However, if the emergency is met under Emergency Assistance to Adults (EAA), resources up to the allowable limit for SSI are not considered available, and may not be considered.

Section XI. Shared Meters/Shared Fuel Situations

- A new section has been added to address the implications of recipients living in these situations.

Section XII. Utility Deregulation

- A new section has been added to reflect the impact of utility deregulation on TA.

Section XV. Forms

The following forms/notices which were attached to 87 ADM-51, are not in the current Manual. However, the pertinent information contained in Attachment E and F will be added to the Client Information Booklets:

1. **ATTACHMENT E** of 87 ADM-51, "Recipient notice 895"
2. **ATTACHMENT F** of 87 ADM-51, "FUEL ALLOWANCE RESTRICTION NOTICE"
3. **ATTACHMENT G** of 87 ADM-51, "NON-RESTRICTED CASE NOTICE"

The following forms, which were attached to 87 ADM-51, have been revised to conform to new laws and policy and are in the new Energy Manual:

1. **ATTACHMENT H** of 87 ADM-51, "NOTICE OF UTILITY-RELATED ACTION", is now ATTACHMENT B of the Manual.
2. **ATTACHMENT I** of 87 ADM-51, "FUEL FOR HEATING, REQUEST FOR VOLUNTARY RESTRICTED PAYMENT FORM", is now called "REQUEST FOR VOLUNTARY RESTRICTION FORM (DSS-4580)" and is now ATTACHMENT A of the Manual. Until this revised notice is available, districts must copy and use ATTACHMENT A of the Manual.

IV. REQUIRED ACTION

SSDs are required to adhere to the policies and procedures outlined in the Energy/HEAP Manual.

SSDs are advised to keep this Energy/HEAP Manual up-to-date with all amendments and page replacements received from this Office. If SSDs identify problems with this manual or they would like additional copies, the "Manual/Index Error Referral" form (DSS-3755) (Attachment) should be completed and sent to the address listed on the form.

The HEAP portion of this manual is likely to change on a yearly basis with the annual changes in the HEAP program. The TA "Energy" section of the manual will be updated as needed. Districts will receive by March 17, 2000 a binder(s) and the new TA "Energy" section of the manual. The HEAP section of the manual was distributed to districts prior to the start up of the 1999-2000 HEAP program year. Additional copies of the manual must be reproduced locally.

An index to the Energy/HEAP Manual is under development and will be distributed to districts under a separate cover.

V. EFFECTIVE DATE

This directive, and the policy within the combined Energy/HEAP Manual, is effective immediately.

Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance

Attachment

LDSS-3755EL (Rev. 7/99) **NEW YORK STATE**
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
MANUAL/INDEX ERROR REFERRAL

DATE: / /

| | |
|--------------------------------|----------------------------|
| NAME: | |
| NEW YORK STATE | |
| OFFICE OF TEMPORARY AND | F ADDRESS/LOCATION: |
| T DISABILITY ASSISTANCE | R |
| O TA/WMS | O |
| 40 N. PEARL STREET 11D | M |
| ALBANY, NY 12243 | TELEPHONE: () - |

Manual/Index:

- | | |
|--|---|
| <input type="checkbox"/> Public Assistance Source Book | <input type="checkbox"/> CNS Manual |
| <input type="checkbox"/> Food Stamp Source Book | <input type="checkbox"/> Energy/HEAP Manual |
| <input type="checkbox"/> ABEL Manual | |

Pages:

Sections:

DESCRIPTION