



NYS OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

# 2011-12 HEAP

PROGRAM HIGHLIGHTS

Revised November 16, 2011

## PROGRAM DATES

- **REGULAR** Opens November 16.....Scheduled closing March 16, 2012  
Early Outreach mail out began August 29, 2011.
- **EMERGENCY** Opens January 3, 2012.....Scheduled closing March 16, 2012
- **HEATING EQUIPMENT** Opens October 3, 2011.....Scheduled closing March 16, 2012

Applications for regular benefits will be accepted through March 16 even if there are insufficient federal funds to pay all applications. If OTDA determines that there are insufficient funds, districts will be provided with advance notice and given further instructions at that time.

Since the emergency component will not open until January 3, 2012, heating emergencies will be resolved with regular HEAP and households with heat related emergencies must be referred to other programs or make payment arrangements with utility companies as appropriate.

Districts may not make any emergency benefit payment guarantees or request ten (10) day holds from utility companies before January 3, 2012.

Closing dates for all components may be extended if there are sufficient federal funds available.

**CERTIFIERS MAY NOT ISSUE ANY GUARANTEE OF REGULAR BENEFIT PAYMENTS PRIOR TO PROGRAM OPENING ON NOVEMBER 16 AND MAY NOT ISSUE ANY GUARANTEE OF HEAT OR HEAT RELATED EMERGENCY PAYMENTS PRIOR TO JANUARY 3. NOTICES TO RECIPIENTS AND NOTIFICATION TO VENDORS MAY NOT BE MADE BEFORE THESE DATES.**

## INCOME GUIDELINES

- The two tier income guidelines structure remains the same as in 2010-11.
- Maximum income guidelines have again been set at the higher of 60% of state median income (SMI) or 150% of the federal poverty level (FPL). Maximum guidelines for household sizes 1-10 are set at 60% SMI and guidelines for household size 11 or more are set at 150% FPL.
- Tier I guidelines are set at 130% of FPL.
- Actual income guidelines have increased due to adjustments in the SMI and FPL for 2011.

**NOTES:**

<b>MAXIMUM INCOME LEVELS FOR RECEIPT OF TIER I AND II HEAP BENEFITS IN 2011-12</b>					
<b>Household Size</b>	<b>Tier I Monthly Income</b>	<b>Tier II Monthly Income</b>	<b>Annual Income</b>	<b>Equivalent Poverty Levels</b>	<b>1.5 FPL</b>
1	0 - 1,180	1,181 - 2,146	\$25,750	236%	\$1,361
2	0 - 1,594	1,595 - 2,806	\$33,673	229%	\$1,839
3	0 - 2,007	2,008 - 3,466	\$41,596	224%	\$2,316
4	0 - 2,421	2,422 - 4,127	\$49,519	222%	\$2,794
5	0 - 2,835	2,836 - 4,787	\$57,442	219%	\$3,271
6	0 - 3,249	3,250 - 5,447	\$65,365	218%	\$3,749
7	0 - 3,663	3,664 - 5,571	\$66,850	198%	\$4,226
8	0 - 4,077	4,078 - 5,695	\$68,336	182%	\$4,704
9	0 - 4,490	4,491 - 5,818	\$69,821	168%	\$5,181
10	0 - 4,904	4,905 - 5,942	\$71,307	158%	\$5,659
11	0 - 5,318	5,319 - 6,136	\$73,635	150%	\$6,136
11+	414	478	\$5,730		

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**CHANGE IN INCOME GUIDELINES:**

**HOUSEHOLD SIZE INCREASE**

1	\$17
2	\$22
3	\$27
4	\$33
5	\$38
6	\$43

**NOTES:**

## **BENEFITS**

### **REGULAR BENEFITS**

Regular benefits have all been reduced except for the \$1 benefit. Initially, there will be one regular benefit.

#### **Heating Benefits**

**Deliverable fuel types have now been separated into two groupings.**

- Heater Benefit Amounts:
  - Oil, kerosene, propane = \$450
  - Wood, coal, other deliverable = \$250
  - Natural gas or electric = \$250
- Add ons:
  - Heater households with income in Tier I = \$25
  - Heater households with a vulnerable member = \$25

#### **Heat Included benefits:**

- Tier I = \$25
- Tier II = \$20
- \$1 – definition of eligibility for the \$1 remains the same as in 2010-11.
- Supplemental benefits
  - Households who receive a heat included benefit but subsequently move within the program year and become responsible for heat may apply for a supplemental benefit equal to the difference between the heat included benefit and the applicable heater's benefit.
  - The household must file a new application and meet all income and other eligibility criteria.
  - A supplement is NOT given when the household received the lower heater's benefit for gas/electric, but subsequently moves and has responsibility for a heating bill for a deliverable fuel type.

#### **Resolution of emergency situations with Regular Benefits**

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- The regular benefit must be used first to resolve heating emergencies.
- A change will be made to the vendor agreement for deliverable fuel vendors to require delivery based on the amount of the grant, even if this does not meet the company's minimum delivery amount. A new agreement which includes this requirement will be sent to vendors shortly.
- The utility vendor agreement requires 30 days of prospective service for each grant, with exceptions for those customers already terminated or newly applying for service.
- Since the emergency component is not scheduled to open until January 3, 2012, the heat included benefit cannot be coupled with the heat related emergency benefit until then. Utility companies are not required to suspend termination or restore service for the heat included amount only. Once the emergency benefit component opens, the heat included benefit and the heat related emergency benefit should be issued at the same time for eligible households in a heat related emergency.

## EMERGENCY BENEFITS

- Emergency benefits have been reduced and deliverable fuels have been separated into two groupings.
- Heat and Heat Related Benefit Amounts:
  - Oil, kerosene, propane = \$550
  - Wood, coal, other deliverable = \$250
  - Heat related electric = \$125
  - Natural gas heat only = \$200
  - Natural gas and electric = \$325
  - Electric heat = \$325
- Temporary Relocation = \$500 per program year
- Propane Installation/Deposit = \$500 per program year
- Heating Equipment Repair = \$3000 per program year
- Heating Equipment Replacement = up to \$6000 per applicant in a ten year period.

**CHANGE: Beginning in 2011-12, applicants may receive a replacement only once in a ten year period even if they move.**

## Additional Information

Certifiers should make every effort to inform applicants about the changed program dates and reduced benefits. It is especially important to educate applicants to request assistance before they

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are completely out of fuel or have utility service terminated. Whenever possible, districts should request deliveries be made on the company's regular schedule to avoid the delivery charges associated with these off route deliveries. In order to maximize the amount of fuel that is purchased with the reduced HEAP grants, certifiers should discuss the necessity of the off route delivery with the applicant and explain that the additional charge will be deducted from the grant and will reduce the amount of fuel provided.

The vendor agreement will also be revised to require vendors to obtain client consent for deliveries that will incur off route/special delivery charges.

## **PROGRAM INFORMATION – REGULAR BENEFIT COMPONENT**

### **Early Outreach**

#### Changes

- Senior Gold application and deeming process has been eliminated.
- All applicants must submit a full application with current information.
- Eligibility and benefit amounts are determined based on current information.
- Incomplete applications may be pended until program opening. Incomplete applications must then be denied, no additional pending time is permitted.
- The Phone Application process has been eliminated. Early outreach applications that are lost may be replaced with a copy of the application that was mailed out. These can be obtained from COLD. Certifiers may also opt to send a current version of the LDSS 3421 marked Early Outreach.

See the 2011-12 Early Outreach hand out for more specific information.

#### Reminders:

- Early outreach applications only require documentation of earned income or when there is reasonable doubt about declaratory statements or information contained on the application.

### **Application process for the regular benefit**

See the Application Process for Regular Benefit handout.

#### Applicant definition

The regular benefit application must be signed by the individual who

- Has the heating bill in their name; or
- Has primary responsibility to pay the bill to the vendor; or
- Is the primary tenant if heat is included in the rent.

If an application is signed by an individual other than the required applicant, the following actions must be taken:

- The application is pended
- The Request for Information/Documentation Letter must be sent along with a copy of the submitted application and a blank copy of the signature page.

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- The “other” box under the “you must send in the following” section is checked and the following language inserted: The application must be signed by (insert name). Please sign and return the attached signature page.

Applications may be pended for a maximum of ten business days. If the signed application page is not returned by the due date, or by program opening, the application must be denied.

The denial reason is failure to submit required information.

The Phone Interview process will remain in place.

### Changes

- In cases where documentation is required, applicants must document **identity** for each household member. This category was previously called household composition. Required documentation remains the same.
- Procedures for processing applications are now determined by whether or not the applicant is a **“new” applicant or a returning applicant** instead of the previous determination of mail in versus walk in.
- A **new applicant** is defined as applicant who did not receive a regular benefit in the preceding HEAP program year through the application process or did receive a benefit but is applying in a different county in the current year.

#### New applicant requirements:

- The applicant must file a complete HEAP application. The applicant may file by mail or fax.
- The applicant must have an interview and may opt for an in person or phone interview.
- The applicant must provide documentation for residence, identity, income, and vendor relationship. Documentation may be provided by mail, fax or scanned copies.
- Proof of vulnerability must also be provided if applicable.
- The applicant must provide valid Social Security numbers for all household members.

Certifiers must use any permanent documentation available in the agency in order to avoid requiring duplicate information from the applicant.

- Returning applicants
  - A returning applicant is defined as an applicant who received a regular benefit through the application process in the previous year and resides in the same county. This includes applicants who moved but only within the same county.
  - These applicants may file by mail or fax.



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- These applicants are not required to have an interview.
- Documentation of earned income is still required. Other documentation may be required as appropriate.
- Valid SSN are required for all household members. Applicants who failed to provide valid SSN in their previous applications are pended for this information for a maximum of ten (10) business days.
- Applicants with self-employment or rental income are now eligible for a phone interview. Districts may require an in person interview on a case by case basis.

### Reminders:

- Applicants must still meet citizenship requirements
- Applicants must provide valid SSN for all household members. The handout on Social Security number verification provides additional information.

### **Regular Benefit Application Process for TA and FS applicants after the September Auto pay**

- Applications cannot be provided prior to program opening.
- Once the program opens, applications should be provided to TA and FS applicants as part of their common application packet. The applicant should complete as much information as possible and must sign the application. The TA/FS interview is considered the HEAP interview and the worker should use any applicable information provided for TA/FS for HEAP. The worker should also obtain vendor information if it has not already been provided as part the TA/FS process.

### **SUPPLEMENTAL BENEFITS for TA and FS recipients**

- TA and FS recipients who receive a \$25 or \$1 heat included benefit through the auto pay but who actually pay for heat may be eligible to receive a supplemental benefit equal to the difference between the \$25 or \$1 benefit and the applicable heating benefit.
- In these situations, the applicant does not need to complete a HEAP application. The worker must verify the vendor and account number and the case record must contain notes regarding this verification. Verification of the vendor information may be provided by the recipient or through collateral contact with the vendor.
- An application is not required if the recipient received a \$1 but should have received the \$25 heat included benefit. Case notes regarding the supplement must be contained in the case record.

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- If the recipient correctly received the \$25 or \$1, but subsequently moves and becomes responsible for paying for heat, the recipient must complete a HEAP application in order to receive the supplemental benefit.
- In ALL situations where a heater's benefit is provided, the case record must contain verification of the heating expense. If the bill is not in the recipient's name, proof of direct payment must be in the case record.
- Supplemental benefits may be issued only when the regular benefit component is open, and if funds are available.

## PROGRAM INFORMATION – EMERGENCY BENEFIT COMPONENT

### Changes

#### Use of ten day holds

- Use of ten (10) holds for utility shut offs are only allowed when the shut off is imminent and eligibility cannot be determined before the shut off date due to the lack of essential information or documentation.
- Only one (1) hold per applicant is permitted.
- Ten day holds are not permitted in the time period before either the regular or emergency benefit component opening and may only be requested on or after the opening dates of the regular and/or emergency components.

#### Resources for emergency benefit applications

- Resource exemptions now include the deduction of any penalties or costs incurred to obtain funds from IRAs, stocks, bonds, or other types of countable resources.
- Resource exemptions now also include cash value of life insurance.
- Allowable exemptions for monthly living expenses have been further defined. Only essential expenses may be excluded. Exemptions are allowed for shelter (includes rent/mortgage, homeowner's insurance, mandated fees, water/sewer, trash removal, taxes), out of pocket medical expenses, food, employment related transportation, child care, court order payments, and the cost of one phone. Other essential living costs may be allowed on a case by case basis.
- The resource test for heating equipment repair is now the same as replacement. Applicants for either benefit are permitted a \$3000 standard exemption in addition to all other allowable exemptions. Applicants for either benefit may have resources up to the cost of the repair or replacement. Applicants with available resources equal to or exceeding the cost of the repair or replacement are not eligible. Applicants with available resources less than the total cost of the repair or replacement must apply any resource amount determined available after all applicable deductions to the cost of the repair or replacement as a condition of eligibility.

#### Income Deeming Rules

- Income deeming rules have changed. Applicants approved for regular benefits may still apply for heat or heat related benefits by phone. **Emergency Benefit Budget Worksheet B must be completed.**
- However, the threshold for income changes for **income deeming has decreased from \$500 to \$200.**

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- In addition, if the applicant has moved or the household composition has changed, income deeming does not apply.
- In all situations where the applicant is not eligible for deeming, the applicant must complete a full application, provide full documentation and have an interview. The interview conducted during the completion of the Emergency Benefit Budget Worksheet B is considered sufficient unless the worker has further questions after receipt of any additional information. Certifiers must utilize any documentation already available in the agency and must complete both the Agency Use worksheet and the Emergency Benefit Budget Worksheet B.
- In these situations, certifiers must obtain as much information as possible in the initial interview.
- The applicant should be asked how they would like to obtain the application (mailed, faxed, printed from internet or in person). The applicant should also be informed regarding required documentation. A Documentation Requirements form must also be sent out.
- If the applicant has no heat or is scheduled for immediate utility termination, the district must offer any other available options and referrals.

**Example:** Eileen calls on Thursday to request assistance with a shut that may occur as early as the following Monday. Eileen has already received a regular benefit for 2011-12. In the interview with Eileen, the worker discovers that Eileen's adult daughter has since moved in. Since the household composition has changed, Eileen is not eligible for the income deeming process. The worker advises Eileen that she will need to complete an application and provide documentation. The worker first determines if there is any documentation already on file. Since Eileen has received HEAP for many years via the "mail in" process and her regular benefit application was filed during early outreach, the agency does not have any documentation on file, but the SSN has been system verified. The worker continues to complete as much of the Emergency Budget Worksheet B as possible during the interview. Eileen opts to download a printable application and to drop it off on Friday, along with her documentation. The worker informs her that the following documentation is required: proof of identity for her and her daughter, proof of address, proof of all income for her and her daughter, and a valid SSN for her daughter. The worker verifies the vendor relationship using the utility company's on line system. The worker must still send a Documentation Requirements form to the household. Eileen's daughter drops off the application and all required documentation on Friday. The worker reviews the information, completes the Agency Use Only section of the application and determines eligibility. Since Eileen was already interviewed, no further interview is needed unless the worker has additional questions.

### Reminders:

- TA and FS recipients may apply for heat or heat related emergency benefits by phone if the applicant meets the customer of record requirement. The income deeming process is not used for these households. TA recipients are considered to have been resource tested and to meet the HEAP resource requirements. FS recipients must be resource tested under HEAP rules. Applicable sections of the **Emergency Benefit Budget Worksheet B must still be completed.**

- The total amount of income tax refunds is exempt as a resource in the month received and for 12 months following receipt.

## **PROGRAM INFORMATION – HEATING EQUIPMENT REPAIR AND REPLACEMENT**

### Changes:

- Applicant may receive a replacement **once in ten years**, even if they move.
- Systems may be replaced with a different system if the cost is \$500 or less, reduced from \$750.
- Energy Star systems should be installed if the cost is \$500 or less than a non Energy Star system, also reduced from \$750.
- **Repairs** should include installation of carbon monoxide detector when applicable.
- **Power of attorney may apply at client's request.** Previous policy only permitted a power of attorney to apply when client was unable to apply on their own.
- **Resource exemption of \$3000 now applies to repairs** as well as replacements. Applicants who have available liquid resources that equal or exceed the cost of the repair or replacement are not eligible. If the available resources are less than the cost of the repair or replacement, applicants are required to apply any available liquid resources after exemptions to the cost of the repair or replacement.
- **Applicant must have owned and resided in the dwelling for the twelve (12) months prior to the month of application.**
- **The heating system that needs repair or replacement must be the primary system that has been in use for all or part of the twelve (12) months prior to the month of application.**
- Job proposal fees for heating equipment repair or replacement may not be paid to vendors who are awarded the job or when the district utilizes a single source contract.

## **PROPOSED CHANGES TO THE VENDOR AGREEMENT**

- Deliverable fuel vendors will be required to make deliveries based on the grant amount regardless of the company's minimum delivery standard.
- Vendor is now prohibited to charge late fees or finance charges to HEAP funded deliveries.
- Off route delivery charges are limited to the vendor's normal charge not to exceed \$75.

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- Vendor must obtain client consent for deliveries that would incur special delivery/off route charges.
- Propane vendors must agree to charge the lowest cash price for date of delivery.
- Wood dealers must provide seasoned, ready to burn wood, unless client agrees to accept green wood. Wood must be at least three inches in diameter. Wood vendors must provide customer receipts with date of delivery and quantity of wood delivery.
- Strengthening the language regarding return of incorrect payments.
- Strengthening language on audits and corrective action.

### **Oil/Kerosene Pricing**

Margin Over Rack (MOR) pricing is the same.

- .35 (oil), .38 (kerosene) for HEAP only deliveries
- .41 (oil), .44(kerosene) for all season deliveries

Discount off Retail (DOR) pricing is the same

- .13 cent discount for HEAP only deliveries
- .07 for all season

### **NEW VENDOR HOTLINE**

- A vendor hotline will be available to provide pricing to vendors. OTDA will also fax daily prices to MOR dealers.
- Vendors can request a vendor agreement, a change form, or make other inquires through this hotline.
- The number is: **1-866-270-HEAP**. This is for vendor use only.

## SUMMARY OF CHANGES

- Forms have changed. Please review the forms packet for current information.
- Districts may share information and make referrals to utility company low income programs due to additional language in the consent section of the application.
- Program dates have changed. Regular will open November 16 and regular benefit applications will be accepted until March 16 even if funds are exhausted. Districts will be provided with additional procedures if this occurs. Emergency will open January 3 and close when funds are exhausted. Heating equipment repair and replacement will open October 1 and close March 16. All dates subject to change based on the availability of federal funds.
- Early outreach began August 29, 2011. Applications may be pended up to program opening.
- Income guidelines have been set at the 60% of SMI for household sizes 1-10 and at 150% of the OMB poverty level for household 11 and above.
- Regular and emergency benefits have all been reduced. The \$1 benefit remains the same. Deliverable fuels have been divided into 2 groupings.
- There will be one regular and one emergency benefit per type initially.
- Verification is required for identity, not household composition.
- Both Senior Gold and the phone applications have been eliminated.
- New applicants must provide full documentation. Returning applicants must provide proof of earned income. All applicants for regular benefits may file by mail and opt for a phone interview, including applicants with self employment or rental income.
- Use of ten day holds has been clarified.
- The income deeming process for emergencies has changed. Applicant income cannot have changed by more than \$200. A full application with documentation is required for applicants who do not qualify for income deeming for any reason.
- Resources exemptions now include the cost of obtaining funds from IRAs, stocks, bonds, etc. and the value of life insurance policies.
- Applicants for both repairs and replacements receive the additional \$3000 exemption.
- Allowable exemptions for monthly living expenses have been clarified.
- Applicants for heating equipment repair and replacement must have owned and resided in the dwelling for the 12 months prior to the month of application and the heating system to

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be repaired or replaced must have been the primary systems during the previous 12 months.

- Replacement of heating system with another system or with Energy Star equipment is permitted only if the cost difference does not exceed \$500.
- Repairs now include installation of a carbon monoxide detector.
- Fees for obtaining job proposals for heating equipment repair or replacement may not be paid to vendors who are awarded the job or when the district utilizes a single source contract.

### **IMPORTANT REMINDERS**

- All applicants must still meet citizenship requirements. Information on citizenship/qualified alien status must be provided upon request. This information will also be posted on the OTDA website.
- Applications received on or after program opening must have an eligibility notice issued within 30 business days. Applications mailed during early outreach, but returned on or after program opening are processed in date order with all other applications.
- Valid SSN must be provided for all household members.