



**NEW YORK STATE**  
**OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE**  
 40 NORTH PEARL STREET  
 ALBANY, NY 12243-0001  
**Andrew M. Cuomo**  
*Governor*

**Local Commissioners Memorandum**

**Section 1**

<b>Transmittal:</b>	13-LCM-01
<b>To:</b>	Local Social Services District Commissioners, TA and SNAP Directors, HEAP Coordinators
<b>Issuing Division/Office :</b>	Center for Employment and Economic Supports
<b>Date:</b>	March 11, 2013
<b>Subject:</b>	2012-2013 Home Energy Assistance Program (HEAP) Cooling Assistance Component
<b>Contact Person(s):</b>	HEAP Bureau at (518) 473-0332 or 1-800-343-8859 ext. 3-0332
<b>Attachments:</b>	<a href="#">Attachment 1 - HEAP Cooling Assistance Application (Short Form)</a> <a href="#">Attachment 2 - NYS HEAP Cooling Assistance Services Checklist - Customer Confirmation - Invoice</a> <a href="#">Attachment 3 - HEAP Cooling Assistance Notice of Eligibility Decision</a> <a href="#">Attachment 4 - 2012-2013 HEAP Denied Applicant Report</a> <a href="#">Attachment 5 - Sample Scratchpad HEAP Cooling Assistance ABEL Budget</a> <a href="#">Attachment 6 - Administrative Allocations</a> <a href="#">Attachment 7 - HEAP Vendor Agreement Cooling Assistance Services Component</a> <a href="#">Attachment 8 - HEAP Vendor Refund Form</a> <a href="#">Attachment 9 - HEAP Vendor Cooling Assistance Services Conference Calls</a>
<b>Attachment Available On – Line:</b>	Yes

**Section 2**

**I. Purpose**

This is to provide local Social Service Districts (SSD) with instructions needed to administer the 2012-13 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC), including information regarding 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. The HEAP program is comprised of several different components including the HEAP CAC which provides for the purchase and installation of air conditioners and fans. The HEAP CAC is for HEAP eligible households. The HEAP household must include an individual with a documented medical condition that is exacerbated by extreme heat. No additional HEAP cash benefits are available.

To receive federal LIHEAP funding, states must submit an annual plan to the United States Department of Health and Human Services (HHS). Funding is appropriated each year and the program operates on the federal fiscal cycle, from October 1st to September 30th. New York's HEAP State Plan has been submitted to HHS and can be found at: <http://otda.ny.gov/programs/heap/> in the State Plans and Reports section. Details of the HEAP CAC can be found in the 2012-2013 State Plan.

## **III. Program Implications**

Local SSDs must implement the HEAP CAC as outlined below and in accordance with the 2012-2013 New York State HEAP Plan.

### **A. Program Dates**

SSDs must accept applications for the HEAP CAC beginning on April 1, 2013 through August 30, 2013, or until funds are exhausted, whichever comes first. If the program closes before August 30, 2013, SSDs will be notified by General Information System (GIS).

### **B. Scope of Benefits and Equipment Specifications**

The HEAP CAC benefits and services are provided on a first come, first served basis to eligible households until August 30, 2013 or until all of the funds are exhausted, whichever comes first. The following is a listing of equipment, benefit limits, and services that are provided if an individual is found eligible for the HEAP CAC.

- Benefits are not to exceed \$800 per household, including the cost of an air conditioner, administrative costs, labor, program support, materials, removal of the old unit and minor repairs essential for safe installation. Funds may not be used for any other purpose.
- Vendors are required to ensure that the client's electrical system meets load requirements necessary for safe operation of the air conditioner and must conduct an assessment of electric load capacity prior to installation.
- Vendors are required to determine the most appropriate living space for the creation of a cooling room.
- Air conditioners are limited to window installations, existing sleeve installations and portable units. Whenever possible, window equipment with an Energy Star rating must be installed. In the event that an energy star rated window unit cannot be safely installed, a non-energy star rated unit or a portable unit may be installed.
- In circumstances where an air conditioner cannot be safely installed, the vendor must provide a fan, at a reasonable cost, for the established cooling room.

- It will be the responsibility of the client or dwelling owner to maintain the air conditioner. This includes the responsibility to remove, cover, store, and/or reinstall the unit or the installation sleeve after vendor installation.
- Recipients of the HEAP CAC should be directed to contact the vendor directly for any issues that arise with the unit after installation.
- Vendors are responsible for registering warranties with the manufacturer and providing copies of the completed warranty to the client.
- Households that currently have a working air conditioner less than five years old, as determined by the vendor, will not be eligible.
- Households that have received a HEAP funded air conditioner within the past 10 years are not eligible.
- Only one air conditioner will be provided per dwelling.

### C. Program and Eligibility Criteria Requirements

Program requirements and eligibility criteria for the HEAP CAC must be met by applicant households before the household is eligible for the HEAP CAC benefits and services. These are listed below.

1. A HEAP application LDSS-3421 or the HEAP CAC Cooling Assistance Application (Short Form) must be submitted to a SSD.
  - a) Applicants that did not receive a 2012-2013 HEAP benefit greater than \$1, or who are not in receipt of recurring Temporary Assistance (TA) or Supplemental Nutrition Assistance Program (SNAP) benefits must complete, sign and date a 2012-2013 HEAP application form. Districts must mark these forms as "Cooling" to identify them as cooling applications. Further, each application must be date-stamped upon receipt. The date stamp is placed in the "Agency Use Only" section on page 1.
  - b) Applicants who received a 2012-2013 HEAP benefit greater than \$1, or who are in receipt of recurring TA or SNAP benefits need only complete the HEAP CAC Cooling Assistance Application Short Form. These applications must also be date-stamped upon receipt. The date stamp is placed in the "Date Received" field at the top of the page. A sample of the HEAP CAC Cooling Assistance Application Short form is found in attachment 1.
  - c) Applicants in receipt of Code A SSI must complete the 2012-2013 HEAP application LDSS-3421. Income documentation is not required for these households as they are categorically income eligible. However, all other eligibility factors must be documented.

**Note: Households that received only \$1 HEAP payment are not eligible for this component. (e.g. subsidized housing with heat included).**

2. An authorized representative may apply on behalf of the applicant. Page 4 of the HEAP application can be used to assign an authorized representative. A dated and signed statement from the applicant authorizing the individual to apply on their behalf is required if the authorized representative section of the HEAP application is not filled out.

3. Applicants must have an interview and may choose to have an in person or phone interview.
4. Applicant households must provide documentation of the following eligibility factors: current address; identity; Social Security Number; and income for each person in the household.
5. All applicant households must provide medical documentation for the household member with a medical condition exacerbated by extreme heat. The medical documentation must; be in writing, clearly state the health condition, be issued by a physician, physician's assistant or a nurse practitioner and be dated within the previous 12 months from the month of application. Documentation older than 12 months may be used if the documentation provides sufficient information to indicate that the medical condition is considered chronic, e.g. Chronic Obstructive Pulmonary Disease (COPD).
6. For applicants allowed to apply using the HEAP CAC Cooling Assistance Application Short Form, income documentation is not required as these households are categorically income eligible. However, the household must provide medical documentation and document any reported changes in household circumstances. (change of address, household composition, etc.)
7. Applicants required to provide documentation must be provided with the Request for Information/Documentation requirements form (LDSS-3431) and a copy must be retained in the case record. Required documentation may be provided by mail, fax, scanned copies or in person. Any permanent documentation available in the agency or through I/EDR must be used to avoid requiring duplicate information from the applicant.
8. Applications may be pended for a maximum of ten business days for documentation. However, due to the limited nature of this component, a SSD must make every effort to quickly resolve any pending issues. If the applicant fails, without good cause, to provide the requested documentation by the due date the application must be denied. Good cause includes difficulty in obtaining medical documentation. If the applicant is having difficulty in obtaining medical documentation, the SSD must assist the individual in getting the documentation.
9. Pending dates must be noted in the "start" and "end" fields on the "Agency Use" section of the 2012-2013 HEAP application or the HEAP CAC Cooling Assistance Application Short Form.

10. Income:

A household's countable income cannot exceed the 2012-2013 maximum HEAP guidelines found in the chart below. For more information on calculating income, see the 2012-2013 HEAP manual. Additionally, households that received a 2012-2013 HEAP benefit of more than \$1 are income eligible; and households in recurring receipt of TA, SNAP, and Code A SSI benefits are categorically income eligible.

- HEAP income guidelines are as follows:

<b>2012-13 HEAP MONTHLY INCOME ELIGIBILITY GUIDELINES</b>		
<b>Household Size</b>	<b>Tier I</b>	<b>Tier II</b>
<b>1</b>	<b>0 - 1,210</b>	<b>1,211 - 2,138</b>
<b>2</b>	<b>0 - 1,639</b>	<b>1,640 - 2,796</b>
<b>3</b>	<b>0 - 2,068</b>	<b>2,069 - 3,453</b>
<b>4</b>	<b>0 - 2,497</b>	<b>2,498 - 4,111</b>
<b>5</b>	<b>0 - 2,926</b>	<b>2,927 - 4,769</b>
<b>6</b>	<b>0 - 3,355</b>	<b>3,356 - 5,427</b>
<b>7</b>	<b>0 - 3,784</b>	<b>3,785 - 5,550</b>
<b>8</b>	<b>0 - 4,213</b>	<b>4,214 - 5,673</b>
<b>9</b>	<b>0 - 4,642</b>	<b>4,643 - 5,797</b>
<b>10</b>	<b>0 - 5,071</b>	<b>5,072 - 5,920</b>
<b>11</b>	<b>0 - 5,500</b>	<b>5,501 - 6,346</b>
<b>11+</b>	<b>429</b>	<b>495</b>

#### 11. HEAP Eligible Living Situation:

- Households must reside in a HEAP eligible living situation.
- Households that reside in subsidized housing with heat included are not eligible for this component.
- Households that received only \$1 HEAP payment are not eligible for this component. (e.g. publicly operated or State-certified private nonprofit residential drug or alcoholic treatment facilities)

*Note: See the 2012-2013 HEAP manual for more information on HEAP eligible living situations*

#### 12. Medical Need:

At least one member of the household must have a medical condition exacerbated by extreme heat and a physician, physician's assistant or a nurse practitioner must document said condition. The documentation must be issued within the previous 12 months from the month of application. Documentation older than 12 months may be used if the documentation provides sufficient information to indicate that the medical condition requiring the HEAP CAC services is considered chronic. (e.g. Chronic Obstructive Pulmonary Disease)

#### 13. Other

- Households that currently have a working air conditioner less than five years old, as determined by the vendor, will not be eligible.
- Households that received a HEAP funded air conditioner within the past 10 years are not eligible.
- Only one air conditioner will be provided per dwelling.
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#### **D. Income Budgeting:**

To promote accurate and consistent income eligibility determinations, SSDs must use a scratchpad **regular** benefit Automated Benefit Eligibility Logic (ABEL) budget to determine income eligibility for the HEAP CAC. In the future, OTDA will pursue changes to ABEL to support the HEAP CAC. The sample ABEL budget is found in attachment 5.

- The ABEL input screen must include the applicant's first and last name
- The ABEL output must be printed and added to the case record with the following changes:
  - An X must be drawn through the Regular benefit amount
  - A statement must be added, "Budget used to determine income eligibility for HEAP CAC"
  - Budget must be initialed and dated

#### **E. Processing Time Frames and Notification of Recipient:**

- SSDs must determine an applicant's eligibility for the HEAP CAC within 30 business days of receipt of the completed application.
- CNS notices will not be used for this component.
- SSDs must provide recipients with a completed HEAP CAC Cooling Assistance Manual Notice for both approvals and denials. The notice is found in attachment 3.
- The manual approval notices must contain the benefit amount, vendor's name, and customer account number. If the vendor does not use customer account numbers, districts may enter the client's case number or the vendor's invoice number. This should be the same number that is entered into WMS Screen 6 VND/ACCT field (Vendor ID field on the 3209).
- If an application is denied in the WMS system, districts must place an "N" in the notice indicator to suppress the notice and use a HEAP denial code of Y99. This should only be used for case type 60 new applicant households, where there is no open existing case in the WMS system.
- Households denied may reapply for the HEAP CAC as long as the component is open. As services are provided on a first come, first served basis, any household denied must start the application process from the beginning.
- Notices must be provided within 30 business days of the receipt of the HEAP CAC Cooling Checklist- Customer Confirmation-Invoice. The document is found in attachment 2.
- A copy of all notices must be retained in the case file.

#### **F. Payment and Authorizations:**

- SSDs must not authorize any HEAP CAC payments prior to April 1, 2013.
- Payments must not exceed \$800 per recipient.
- Payments may be authorized on HEAP cases (case type 60) or on appropriate TA or SNAP cases.
- The vendor must submit a completed HEAP CAC Cooling Checklist-Customer Confirmation-Invoice to the SSD prior to payment authorization.

- SSDs will be responsible for authorizing payments directly to the HEAP CAC vendor.

**G. Pay Type and System Requirements:**

- All HEAP CAC payments will be authorized by the SSD. Payments will be processed through the Office of State Comptroller (OSC) voucher payment process.
- Payment type H2 will be used for these payments. This pay type does NOT require a stored ABEL budget and will NOT produce a CNS notice.
- Payment type H2 (HEAP Cooling) is only allowed with the following Case Types: 11, 12, 16, 17, 31 and 60.
- Pay Type H2 is valid with all Transaction Types except 03-Denial.
- Either method of Payment 02 (vendor as Authorized) or 04 (vendor as billed subject to limit) must be used with this pay type.
- Special claiming code H must be used.
- The e-Workbook and myWorkspace will not accommodate H2 payments. H2 payments must be processed directly through WMS.

Vendor Direct Payline Example

LN	ACT	Pay Typ	Meth Pay	Amount	Iss	Pay Sch	P-U Cd	Effective From	Effective To	Ind Ln	Clm Cd	Vend Id
01	2	H2	02	800.00	2		1	040113	093013		H	ACSERV
02												
03												
Energy Rst												
HVnd/Acct										Vnd/Acct	ACSERV	1234
Replace												
LN			CHK/FSB				LN		CHK/FSB			

**H. Fair Hearings**

Applicants for and recipients of cooling assistance may seek review of their eligibility determination at an administrative fair hearing, as authorized under 18 NYCRR Part 358.

**I. The HEAP CAC Cooling Assistance Services Vendor Agreement**

NYS OTDA has developed the HEAP CAC Cooling Assistance Vendor Agreement to ensure that participating vendors understand the scope of the work required to be performed.

The package of information provided to prospective vendors includes the following:

1. The HEAP CAC Cooling Assistance Vendor Agreement dictates the scope of work, allowable fees and charges, invoicing procedures, refund process and the requirement to participate in audits and reviews. It also describes disqualifications and penalties. This is found in attachment 7.

2. The HEAP CAC “NYS HEAP Cooling Assistance Services Checklist-Customer Confirmation-Invoice” form is used by the SSD to notify a vendor that an individual is approved for services and includes the following sections:
  - a. Customer contact section to be completed by the SSD and used to communicate customer information to the vendor
  - b. A “services provided” checklist to be completed by the vendor and used to identify primary services performed by the vendor
  - c. A customer section to be completed by the HEAP CAC recipient used to attest that required services have been completed; and
  - d. an invoice section to be completed by the vendor and submitted to the SSD for payment authorizationThis form is found in attachment 2.
3. The vendor refund form is used to support the refund process. The form includes the HEAP CAC participant information, payments received by the vendor, and the amount refunded to the SSD. This form is found in attachment 8.

## **J. Vendor Participation**

NYS OTDA has solicited all previously participating HEAP Heating Ventilation and Air Conditioning (HVAC) vendors to provide the HEAP CAC services. NYS OTDA will compile and provide SSDs with a listing of vendors who have agreed to participate in the program and have submitted all required documentation including the vendor agreement and supporting documents. Additionally, vendors new to OTDA HEAP may participate by completing a vendor agreement and submitting the necessary documentation to NYS OTDA HEAP Bureau. SSDs must instruct new vendors seeking to participate in the HEAP CAC to contact NYS OTDA HEAP Bureau by telephone at 1-866-270-HEAP (4327). A vendor agreement is found in attachment 7.

To provide additional information, a series of telephone conference calls have been scheduled with vendors. SSDs are encouraged but not required to participate. A schedule and conference call details are found in attachment 9.

## **K. Vendor’s Responsibility to Schedule Installation.**

Participating HEAP CAC vendor responsibilities are listed in the vendor agreement. A primary responsibility is to contact the household to schedule installation. If a vendor cannot schedule an installation with the household within 10 days of the referral, the vendor must notify the SSD. The SSD must then send the household the HEAP Request for Information/Documentation requirements form (LDSS-3431) with the “other” box checked and including the following language, “(vendor name) tried to contact you regarding installation of cooling equipment but was unsuccessful. Please contact us by (date) to resolve this.” If the recipient does not contact either the SSD or the vendor within the 10-day pending period to arrange installation, the HEAP CAC cooling denial notice 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 installation of your cooling equipment by the due date”.

## **L. SSD Reporting Requirements:**

Manual logging of the HEAP CAC applications

In accordance with HEAP policy, SSDs must maintain a log of all applications filed. This includes the HEAP CAC applications. The application log must contain, at a minimum, the name of the applicant and the date of application. This application log must be maintained and be able to be accessed by the SSD for reviews, audits and fair hearings.



## Electronic logging and tracking of the HEAP CAC applications

Due to the limited funding for the HEAP CAC it is essential that OTDA track pending expenditures. SSDs must submit a daily electronic report of new HEAP CAC applications and denials starting on April 1<sup>st</sup> and continuing until further notice from OTDA. Reports should be submitted to OTDA via the **HEAP Daily Cooling Tracking Log**, found under E-reports in CentraPort, no later than 12:00 pm on the business day following the report date. For example, the district will access the report for April 1, 2013 on the morning of April 2<sup>nd</sup> and list all the HEAP CAC applications received and denials mailed on April 1<sup>st</sup>.

To access E-Reports go to CentraPort <https://centraport.otda.state.nyenet/centraport/>

1. Access the CentraPort menu
2. On the left side, expand the Applications menu
3. E-Reports is the last selection
4. Select E-Reports, this will bring you to the E-Reports menu
5. Select **HEAP Daily Cooling Tracking Log**
6. Select your district from the drop down menu
7. Select the report date from the drop down menu
8. The report form will then be open
9. For applications received the prior business day, please enter the case number or application registration number if there is no case number
10. For denials, enter the case number in the search bar. When you have located that case, check the denied box next to that case number.
11. For up front denials districts will be able to check the denial box when initially entering the case or application registration number
12. Please remember to save twice

Each district has at least one person designated to submit data to the current HEAP E-Reports: Pending and Erroneous Payment. These designees shall be granted entitlements to the new **HEAP Daily Cooling Tracking Log**. If you have any changes in your designee, please provide us with identifying information for the person or persons that you would like to receive these notices: (a) name; (b) user ID; (c) e mail address; (d) phone number; and (e) fax number, by close of business Wednesday, March 20<sup>th</sup>. Your changes can be e-mailed to Christel Bathrick at [ChristelE.Bathrick@otda.ny.gov](mailto:ChristelE.Bathrick@otda.ny.gov). If you have any questions call your HEAP Bureau liaison at (518) 473-0332.

**Reminders: All manual HEAP Denials, including HEAP CAC, must be reported annually at the end of each season on the HEAP Denied Applicant Report.** This report is found in attachment 4.

### **M. Funding/Administrative Funds**

A total of \$3M has been authorized for the HEAP CAC. SSDs will be provided with administrative funds to operate this component. Administrative funds are to be used to meet staffing and operational needs of SSDs for the 2012-13 CAC. 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 your allocation cannot be guaranteed. Administrative costs incurred on and after October 1, 2012, may be charged against the 2012-13 allocation. The HEAP CAC administrative funds will be added to your 2012-13 administrative allocation. These funds must be obligated by September 30, 2013, and claimed by December 31, 2013. Unclaimed funds cannot be rolled into the 2013-14 administrative allocation. A chart representing each SSD's allocation is found in attachment 6.

## N. Phone Conference:

In anticipation of questions and issues related to implementation of the 2012-13 HEAP CAC, and the required district action, the HEAP Bureau has scheduled two conference calls to provide technical assistance to SSDs. Representatives from OTDA's HEAP Bureau will be available and present for questions related to the administration of the 2012-13 HEAP CAC. It is anticipated that representatives from Finance and Legal will also participate.

- The call-in schedule and directions are as follows:
  - Date: March 19, 2013
  - Time: Group One – 10:00 am to 11:30 am  
Group Two – 1:00 pm to 2:30 pm
- **Group One:** Broome, Cattaraugus, Chautauqua, Clinton, Essex, Franklin, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Monroe, Niagara, Oneida, Onondaga, Orleans, Otsego, Putnam, Rensselaer, Rockland, St. Lawrence, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Tioga, Ulster, and Warren (29 SSDs)
- **Group Two:** Albany, Allegany, Cayuga, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Erie, Fulton, Genesee, Greene, Madison, Montgomery, Nassau, New York City, Ontario, Orange, Oswego, Saratoga, Suffolk, Sullivan, Tompkins, Washington, Wayne, Westchester, Wyoming and Yates (29 SSDs)
- Each district can join in the conference at their respective date and times listed above.
- Call toll-free: **1-866-394-2346** - You will hear a welcome and will be asked to enter your numeric participant passcode followed by the # sign. The passcode is **5423704464#** for both groups.

**Note:** *Due to call-in limitations, please only have one phone call per district location. NYC is limited to seven different lines.*

## O. Forms Ordering Information

- The new English version of the LDSS-4992: *“HEAP Cooling Assistance Application”* and the LDSS-4993: *“HEAP Cooling Assistance Notice of Eligibility Decision”* are State forms.
- The above referenced documents have also been posted on the OTDA Intranet website at [http://otda.state.nyenet/ldss\\_eforms/default.htm](http://otda.state.nyenet/ldss_eforms/default.htm) and are available for downloading by local districts for reproduction locally.
- Any future written requests for master camera ready copies of the English version, should be submitted on OTDA-876: *“Request for Forms or Publications”*, and should be sent to:

Office of Temporary and Disability Assistance  
BMS Document Services and Operational Support  
PO Box 1990  
Albany, NY 12201

- Questions concerning ordering forms should be directed to BMS Document Services at 1-800-343-8859, ext. 4-9522.
- Master camera ready copies of the documents may also be ordered through Outlook. To order a master camera ready copy you must obtain an OTDA-876 electronically by going to the OTDA Intranet Website at <http://otda.state.nyenet/> then to Division of Operations and Program Support page, then to PSQI E-forms page (this page contains the electronic OTDA-876).
- For those who do not have Outlook but who have Internet access for sending and receiving e-mail, the Internet e-mail address is: [gg7359@dfa.state.ny.us](mailto:gg7359@dfa.state.ny.us) . For a complete list of available forms, please refer to the OTDA Intranet site: [http://otda.state.nyenet/ldss\\_eforms/default.htm](http://otda.state.nyenet/ldss_eforms/default.htm).

**Issued By**

**Name: Phyllis Morris**

**Title: Acting Deputy Commissioner**

**Division/Office: Center for Employment and Economic Supports**