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Local Commissioners Memorandum

Section 1

Transmittal:	14-LCM-03
To:	Local District Commissioners
Issuing Division/Office :	Center for Employment and Economic Supports
Date:	April 23, 2014
Subject:	2013-2014 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC)
Contact Person(s):	HEAP Bureau at (518) 473-0332 or 1-800-343-8859 ext. 3-0332
Attachments:	Attachment 1 - LDSS-4992 HEAP Cooling Assistance Application (Short Form) Attachment 2 - LDSS-2642 Documentation Requirements Attachment 3 - Sample Scratchpad HEAP Cooling Assistance ABEL Budget Attachment 4 - LDSS-4993 HEAP CAC Notice of Eligibility Decision Attachment 5 - Cooling Assistance Services Checklist-Customer Confirmation-Invoice Attachment 6 - HEAP Vendor Agreement Cooling Assistance Services Component Attachment 7 - HEAP Vendor Refund Form Attachment 8 - Vendor Cooling Assistance Services Conference Call Schedule Attachment 9 - 2013-14 HEAP Denied Applicant Report Attachment 10 - 2014 Cooling Administrative Allocations
Attachment Available On – Line:	Yes

Section 2

I. Purpose

This is to provide local Social Service Districts (SSDs) with instructions needed to administer the 2013-14 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 available for HEAP eligible households with at least one 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 annually submit a HEAP State 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 2013-2014 New York State HEAP State Plan.

III. Program Implications

Local SSDs must implement the HEAP CAC as outlined below and in accordance with the 2013-2014 New York State HEAP State Plan.

A. Program Dates

SSDs must accept applications for the HEAP CAC beginning on Thursday, May 1, 2014, through Friday, August 29, 2014, or until funds are exhausted, whichever comes first. If the program closes before August 29, 2014, SSDs will be notified via the 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 through August 29, 2014, 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 ten years are not eligible.
- Only one air conditioner will be provided per dwelling.
- Households that received a 2013-14 HEAP benefit in an amount less than or equal to \$21.00 are not eligible for this component.

C. Program and Eligibility 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.

- A LDSS-3421 "Home Energy Assistance Program Application," and/or the LDSS-4992, "Home Energy Assistance Program Cooling Assistance Application (Short Form)," must be completed, signed, dated and submitted to a SSD as follows:
 - Applicants that did not receive a 2013-2014 HEAP benefit must complete, sign, date and submit a LDSS-3421 "Home Energy Assistance Program Application." In addition, LDSS-4992 "Home Energy Assistance Program Cooling Assistance Application (Short Form)," must be completed, signed, dated and submitted. Districts must mark the LDSS-3421 "Home Energy Assistance Program Application," as "Cooling." Each application must be date-stamped upon receipt.
 - Applicants who received a 2013-2014 HEAP benefit or who are currently in receipt of recurring TA or SNAP benefits need only complete the LDSS-4992 "Home Energy Assistance Program Cooling Assistance Application (Short Form)." Each application must be date-stamped upon receipt. A sample of the HEAP CAC Cooling Assistance Application Short form is found in Attachment 1.
- An authorized representative may apply on behalf of the applicant. Page 4 of the LDSS-3421 "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.
- Applicants must have an interview and may choose to have an in person or phone interview.
- Applicant households must provide a valid Social Security Number and documentation of the following eligibility criteria: current address, identity and income for each person in the household. SSI households in current receipt of benefits which are designated as Federal Living Arrangement Code A and State Supplement Code A are categorically income eligible.

Code A SSI recipients who did not receive a 2013-2014 HEAP benefit are not required to provide income documentation. However, all other eligibility criteria must be documented.

- All applicant households must provide medical documentation for the household member with a medical condition exacerbated by extreme heat. The medical documentation must be issued by a physician, physician's assistant or a nurse practitioner and clearly state the health condition. The document must 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).
- For applicants allowed to apply using the LDSS-4992 "Home Energy Assistance Program Cooling Assistance Application (Short Form)," income documentation is not required as these households are categorically income eligible. However, the household must still provide medical documentation and also document any reported changes in household circumstances (change of address, household composition, etc.).
- Applicants required to provide documentation must be provided with the LDSS-2642 "Documentation Requirements Form" and a copy must be retained in the case record. Required documentation may be provided by mail, fax, email, or in person. Any permanent documentation available in the agency or through Imaging Enterprise Documentation Repository (I/EDR) must be used to avoid requiring duplicate information from the applicant. A sample of the LDSS-2642 "Documentation Requirements Form," is found in Attachment 2.
- Applications may be pending 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 but is not limited to difficulty in obtaining medical or non-medical documentation. If the applicant is having difficulty in obtaining medical documentation, the SSD must assist the individual in getting the documentation.
- Pending dates must be noted in the "start" and "end" fields on the "Agency Use" section of the LDSS-3421 "Home Energy Assistance Program Application" or the LDSS-4992 "Home Energy Assistance Program Cooling Assistance Application (Short Form)."
- Income:
 - A household's countable monthly income cannot exceed the 2013-2014 maximum HEAP guidelines found in the chart below.

Household Size	Tier I	Tier II
1	0 - 1,245	1,246 - 2,175
2	0 - 1,680	1,681 - 2,844
3	0 - 2,116	2,117 - 3,513
4	0 - 2,551	2,552 - 4,182
5	0 - 2,987	2,988 - 4,852
6	0 - 3,422	3,423 - 5,521
7	0 - 3,858	3,859 - 5,646
8	0 - 4,293	4,294 - 5,772
9	0 - 4,729	4,730 - 5,897
10	0 - 5,164	5,165 - 6,023
11	0 - 5,600	5,601 - 6,461
11+	436	503

- For more information on calculating income, see the NYS HEAP Manual Chapter 7 Section B.
- HEAP Eligible Living Situation:
 - Households must reside in a HEAP eligible living situation. Note: households that received a 2013-14 HEAP benefit in an amount less than or equal to \$21.00 are not eligible for this component.
 - See the NYS HEAP Manual for more information on HEAP eligible living situations.

D. Income Budgeting:

For applicants required to provide income documentation, SSDs must use a scratchpad Regular benefit Automated Budgeting Eligibility Logic (ABEL) budget to determine income eligibility for the HEAP CAC. A sample ABEL scratch pad budget is found in Attachment 3.

- The ABEL input screen must include the applicant's first and last names.
- The ABEL output screen 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,"
 - Budgets 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.
- Client Notice System (CNS) notices will not be used for this component.
- SSDs must provide recipients with a completed LDSS-4993 "Home Energy Assistance Program (HEAP) Cooling Assistance Notice of Eligibility Decision," for both approvals and denials. The notice is found in Attachment 4.
- The LDSS-4993 "Home Energy Assistance Program (HEAP) Cooling Assistance Notice of Eligibility Decision," approval notices must contain the benefit amount paid to the vendor, vendor's name, and customer account number. If the vendor does not use customer account numbers, districts must enter the client's case number or the vendor's invoice number. This should be the same number that is entered into the Welfare Management System (WMS) Screen 6 VND/ACCT field (Vendor ID field on the 3209).
- If an application is denied in WMS, districts must place an "N" in the notice indicator to suppress the CNS 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 WMS.
- 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 5.

- A copy of all notices must be retained in the case file for six years.
- Households denied may reapply for the HEAP CAC as long as the component is open.

F. Payment and Authorizations:

- SSDs must not authorize any HEAP CAC payments to vendors prior to May 1, 2014.
- Payments to the vendor must not exceed \$800 per recipient household.
- Payments may be authorized on HEAP cases (case type 60) or on appropriate TA or SNAP cases.
- The vendor must submit a completed HEAP Cooling Assistance Services Checklist-Customer Confirmation-Invoice to the SSD prior to payment authorization.
- SSDs are responsible for authorizing payments directly to the HEAP CAC vendor.

G. Pay Type and System Requirements:

- All HEAP CAC payments to the vendors are authorized by the SSD. Payments authorized through WMS are processed through the Office of State Comptroller (OSC) voucher payment process.
- See the NYS HEAP Manual Chapter 22 for more information regarding the OSC payment process.
- Payment type H2 is used to authorize CAC 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.
- H2 payments are processed directly through WMS. This payment type is not supported in myWorkspace.

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	H2	02	800.00	2		1	050114	093014		H	ACSERV
02												
03												
Energy Rst												
HVnd/Acct												
Replace												
LN			CHK/FSB				LN		CHK/FSB			
								Vnd/Acct		ACSERV	1234	

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 Cooling Assistance Services Vendor Agreement

- The NYS HEAP Cooling Assistance Services Vendor Agreement is used to ensure that participating vendors understand the scope of the work required to be performed and provide assurances to abide by the provisions of the NYS HEAP Cooling Assistance Services Vendor Agreement. See Attachment 6 for a sample of the NYS HEAP Cooling Assistance Services Vendor Agreement.
- The NYS HEAP Cooling Assistance Services Checklist-Customer Confirmation-Invoice form, found in Attachment 5, is used by the SSD to notify a vendor that an individual is approved for services and includes the following sections:
 - Customer contact section to be completed by the SSD and used to communicate customer information to the vendor
 - A “services provided” checklist to be completed by the vendor and used to identify services performed by the vendor
 - A customer section to be completed by the HEAP CAC recipient used to attest that required services have been completed; and
 - An invoice section to be completed by the vendor and submitted to the SSD for payment authorization.
- 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. The HEAP Vendor Refund form is found in Attachment 7.

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 continue participation in the program. 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 the NYS OTDA HEAP Bureau by telephone at 1-518-473-0332. A vendor agreement is found in Attachment 6.

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 Section N of this LCM, *Phone Conference*, and Attachment 8.

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 ten days of the referral, the vendor must notify the SSD. The SSD must then send the household the LDSS-2642 “Documentation Requirements Form,” 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 ten-day pending period to arrange installation, the LDSS-4993 “HEAP Cooling Assistance Notice of Eligibility Decision,” 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

- Daily manual logging of the HEAP CAC applications:

In accordance with HEAP policy, SSDs must maintain a log of all applications filed. This includes HEAP CAC applications. Each SSD application log must contain, at a minimum, the name of the HEAP CAC applicant and the date of application. This application log must be maintained and the SSD must have access to it for reviews, audits and fair hearings. If a SSD so chooses, the electronic logging of daily HEAP CAC applications in eReports will be considered as maintaining a log. OTDA has improved the eReport *HEAP Cooling Tracking Log* to improve usability and make it easier for SSDs to utilize this online function.

- 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 starting on May 2, 2014 and continuing until further notice from OTDA. Reports should be submitted to OTDA via the *HEAP Cooling Tracking Log*, no later than 12:00 noon on the business day following the report date. (For example, the district will log applications for May 1, 2014 on the morning of May 2, 2014, and list all the HEAP CAC applications received on May 1, 2014.)

Data entry errors found after the 12:00 noon cutoff must be e-mailed to Emily Maher Cmaylo Emily.MaherCmaylo@otda.ny.gov **and** Matt Trotta Matthew.Trotta@otda.ny.gov.

Denials must be logged once a week on Monday and SSDs will only enter the count of applications denied in the previous week.

- To access 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 Cooling Tracking Log*.
 - To log your applications from the previous business day, select that date from the Date dropdown and click Find. Click the Edit button at the bottom of the screen to begin.
 - Enter the first case number (or application registration number if there is no case number) in the entry box and click Next. Users will then be able to enter a second case number, click Next, a third case number, etc. (Note: case numbers and application registry numbers may only be entered in the Tracking Log once per HEAP season.)
 - As an alternate entry method, if SSDs have multiple HEAP CAC application case numbers (or application registry numbers) in a Microsoft Excel spreadsheet template (provided by

OTDA), users may Upload Excel by browsing to the file on their computer and paste in the Excel data by clicking Upload.

- If a district has no HEAP CAC applications from the previous business day SSDs must select the No Cases to Report checkbox.
- If it is Monday, users will first need to provide a count of Denied HEAP CAC applications from the previous week. Enter the number in the box and click Save. Denial counts will need to be entered and saved before you will be able to proceed with any case logging.
- Once users have entered case numbers OR selected the “No Cases to Report” checkbox, click **Submit** to complete the form.
- Each district has at least one person currently designated to submit data to the current HEAP eReports *Pending and Erroneous Payment* report. These designees should have entitlements to the *HEAP Daily Cooling Tracking Log*. If you have any changes in your designee(s), please provide NYS OTDA 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. Your changes can be e-mailed to Emily.MaherCmaylo@otda.ny.gov. If you have any questions, please call your HEAP Bureau Liaison at (518) 473-0332.

Reminders: All HEAP Manual Denials, including CAC, must be reported annually at the end of each season on the HEAP Denied Applicant Report. This report is found in Attachment 9.

M. Funding/Administrative Funds

A total of \$3M has been authorized for the 2014 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 2013-14 HEAP 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, 2013, may be charged against the 2013-14 allocation. The HEAP CAC administrative funds will be added to your 2013-14 administrative allocation. These funds must be obligated by September 30, 2014, and claimed by December 31, 2014. Unclaimed funds cannot be rolled into the 2014-15 administrative allocation. A chart listing each SSD's allocation is found in Attachment 10.

N. Phone Conference

In anticipation of questions and issues related to implementation of the 2013-14 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 for questions related to the administration of the 2013-14 HEAP CAC.

- The call-in schedule and directions are as follows:
 - Date: **Monday, April 28, 2014**
 - 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.

O. Forms Information

- The revised English version of the LDSS-4992: *“HEAP Cooling Assistance Application”* and the LDSS-4992: *“HEAP Cooling Assistance Notice of Eligibility Decision”* is both forms printed by the New York State Office of Temporary and Disability Assistance.
- The above referenced documents have been posted on the OTDA Intranet website at http://otda.state.ny.net/ldss_eforms/default.htm and may be available for downloading by local districts for reproduction locally, depending on print specifications.
- Upon the release of this LCM all previous versions of the LDSS-4992: *“HEAP Cooling Assistance Application”* and the LDSS-4993: *“HEAP Cooling Assistance Notice of Eligibility Decision”* **must immediately be destroyed** and replaced with the revised **2/13** and **5/13** versions.

Issued By

Name: Phyllis Morris

Title: Deputy Commissioner

Division/Office: Center for Employment and Economic Supports