



NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NEW YORK 12243-0001

Andrew M. Cuomo  
Governor

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## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	14-LCM-13
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	November 6, 2014
<b>Subject:</b>	2014-2015 Home Energy Assistance Program (HEAP)
<b>Contact Person(s):</b>	HEAP Bureau at (518) 473-0332
<b>Attachments:</b>	<a href="#">Attachment 1 – 2014-15 HEAP Desk Guide (LDSS-5005)</a> <a href="#">Attachment 2 – 2014-15 HEAP Administrative Forms Guide</a> <a href="#">Attachment 3 – 2014 HEAP Regional Training FAQs</a> <a href="#">Attachment 4 – 2014-15 Heating Equipment Repair &amp; Replacement Information Guide</a>
<b>Attachment Available On – Line:</b>	Yes

### Section 2

#### I. Purpose

This is to provide local Social Services Districts (SSD) with information on the 2014-15 Home Energy Assistance Program (HEAP).

#### II. Background

HEAP is a federally funded energy program intended to provide assistance to low income households in meeting their immediate home energy needs. To receive federal funding, states must submit a State Plan to the United States Department of Health and Human Services (HHS) each year. New York State's 2014-15 HEAP State Plan has been accepted by HHS and may be found on the Office of Temporary and Disability Assistance's (OTDA) website at <http://otda.ny.gov/programs/heap/stateplan.asp>.

### **III. Program Implications**

#### **A. Program Components – Opening Dates**

Applications for the Heating Equipment Repair and Replacement (HERR) component must be accepted beginning November 10, 2014. This component will run until funding is exhausted. SSDs will be notified via General Information System message (GIS) of the component's closing date.

Applications for regular benefits must be accepted beginning November 17, 2014. No notices for regular benefits, payments or guarantees of benefits to vendors, including ten-day account hold requests to utility companies based on an anticipated receipt of a HEAP benefit, may be issued before November 17, 2014. SSDs will be notified via General Information System message (GIS) of the component's closing date.

Applications for emergency benefits must be accepted beginning January 2, 2015. Notices for emergency benefits, payments or guarantees of benefits, including ten-day hold requests from utility companies based on an anticipated emergency HEAP payment, must not be issued before January 2, 2015. Applications for emergency benefits must be accepted through March 16, 2015.

The dates for these program components may be adjusted based on the amount and timing of receipt of federal funding. SSDs will be notified if program dates are changed.

#### **B. Processing Time Frames**

There are no changes to the HEAP application processing timeframes. Applicants must be notified in writing of the eligibility decision, either an approval or denial, within 30 business days from the application date. Any pending timeframes, up to ten business days, will not be counted towards the 30 business day requirement.

Payments for cases included as part of the HEAP automatic payment process (Autopay) must be authorized in myWorkspace no later than December 31, 2014.

#### **C. Income Guidelines**

Maximum income guidelines have been set at 60% of State Median Income (SMI) for household sizes 1-10 and at 150% of the federal poverty guidelines for household sizes 11 and above. See Attachment 1, 2014-15 HEAP Desk Guide, (LDSS-5005) for income guideline amounts.

#### **D. Application Process**

All applicants outside of New York City have the option of submitting an application for regular benefits online via myBenefits. All new, returning or early outreach HEAP applicants should be encouraged to apply for HEAP via myBenefits. After creating a secure account, applicants may complete, submit, and track their HEAP application online. Applicants may also use myBenefits to submit required documentation to SSDs who use OTDA's Imaging Enterprise Documentation Repository (I/EDR). When HEAP is open, households may apply via myBenefits for both SNAP and HEAP using a single application.

Applicants requesting a HERR benefit or an emergency benefit cannot apply for these benefits via myBenefits. Applicants for HERR benefits must apply in person (or via an authorized representative) at the SSD. Phone applications for emergency benefits (except HERR) are allowed for all applicants that have already received a regular HEAP benefit during the current heating season.

Applicants may also continue to submit paper applications by mail, fax or in person at a SSD or certifying agency. A printable HEAP Application (LDSS-3421) will be available on the OTDA website effective November 17, 2014.

If an applicant submits multiple applications for a regular or emergency benefit, the application submitted to the SSD first, regardless of method (electronic or manual), takes precedence.

**E. Autopay Process for Temporary Assistance (TA)<sup>1</sup> and Supplemental Nutrition Assistance Program (SNAP) Recipients**

The autopay process is utilized as a tool to maximize outreach and limit administrative costs while maximizing HEAP accessibility and targeting benefits to the lowest income households.

TA and SNAP recipients who are in receipt of ongoing benefits are considered to be categorically income eligible for regular HEAP, but these recipients must also meet all other eligibility criteria in order to be eligible for a regular benefit. These recipients consent to have their eligibility determined for HEAP through the autopay process when they complete and submit NYS' "Statewide Common Application," (LDSS-2921), "Recertification Application for TA or SNAP," (LDSS-3174), or "Supplemental Nutrition Assistance Program (SNAP) Application/Recertification," (LDSS-4826). The consent language is found in the consent section of each application.

TA and SNAP recipients who are categorically income eligible, meet all other eligibility criteria and are in receipt of ongoing benefits at the time of the autopay pull-down are not required to complete a separate HEAP application.

OTDA uses the TA and SNAP eligibility information found in the Welfare Management System (WMS) at the time of the autopay pull down to determine the household's income eligibility for HEAP, as well as other eligibility criteria, including living arrangement and vendor relationship. If all HEAP eligibility factors can be collected from WMS, a regular eligibility determination is made and a payment amount is electronically issued, as appropriate, to either the vendor or household. If required HEAP eligibility factors beyond income eligibility cannot be retrieved from WMS, the case appears on an exception report for required SSD review and eligibility determination.

Individuals who become ongoing recipients of TA or SNAP after the autopay pull down will not be included in the autopay process. These individuals must apply for HEAP by submitting a HEAP Application (LDSS-3421) on or after November 17, 2014.

Any individual who receives a regular benefit via the Autopay must not be issued a duplicate regular benefit. SSDs must complete WMS inquiry on all applications, for every component, to ensure a duplicate benefit is not issued.

Households may receive a HEAP supplemental regular benefit if they received a heat included benefit, but subsequently move within the program year and are then responsible for the heating bill. Additional information on this process has been provided to SSDs in the August 5, 2014 Dear WMS and BICS Coordinator Letter, "HEAP Systems Letter Outlining WMS Systems Implications for the 2014-15 HEAP Program Year."

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<sup>1</sup> Whenever 'Temporary Assistance' or 'TA' is used in this document, it means 'Family Assistance' and 'Safety Net Assistance.' Statutorily, these programs are referred to as 'Public Assistance.'

## **F. Definition of Emergency Types**

A HEAP eligible household is considered to be in a life threatening emergency when the household is without heat. A household without heat has no heating fuel or utility service has been disconnected. Any HEAP eligible household's life threatening emergency must be resolved within 18 hours from the time the household applies for an Emergency benefits.

A HEAP eligible household is considered to be in a crisis emergency when the loss of heat is imminent. A household with imminent loss of heat has less than ¼ tank of oil, kerosene, or propane, less than a ten-day supply of other deliverable fuels, or utility service is scheduled for disconnection. Any HEAP eligible household's crisis emergency must be resolved within 48 hours from the time the household applies for an Emergency benefit.

For applicants eligible for income deeming, the application date is the date the Emergency Benefit Budget Worksheet (LDSS-3594B) was completed by the SSD eligibility examiner with assistance from the applicant, either over the telephone or in person. For applicants ineligible for income deeming, or who have not received a regular benefit in the current HEAP season, the application date is the date the signed and dated HEAP Application is submitted to the certifying agency. This must accompany a completed Emergency Benefit Budget Worksheet.

## **G. Regular and Emergency Benefit Amounts**

Regular heat included benefit levels remain the same for the 2014-15 HEAP season. Regular direct heating and emergency benefit levels have decreased, with the exception of wood products and coal. See Attachment 1, 2014-2015 HEAP Desk Guide, (LDSS-5005) for benefit amounts.

## **H. Forms**

Several forms used to administer HEAP have been revised or made obsolete. After September 27, 2014, all revised and obsolete HEAP forms must be immediately destroyed and replaced with the revised forms for the 2014-15 season. Attachment 2, Home Energy Assistance Program Administrative Forms Guide, is a table that identifies obsolete forms, revised forms, and whether the form is mandatory or optional.

No forms will be drop shipped this year. All forms should be ordered by the SSDs as needed. All forms are available to order, and all electronic forms were made available on e-forms on September 5, 2014.

How to order forms:

1. All forms with LDSS or PUB numbers are produced by OTDA and can be ordered. When ordering or reordering any HEAP form, be sure to order sufficient quantities for the entire HEAP season. SSDs must also take into consideration the form supply needs of Alternate Certifiers when placing orders. Please check the current supply at the SSD prior to placing an order.
2. HEAP forms and notices are also available on Centraport under Forms, titled "OTDA Forms," or at [https://otda.state.nyenet/ldss\\_eforms/](https://otda.state.nyenet/ldss_eforms/). Orders for all forms are placed through the SSD's ordering procedures using OTDA Form 876, "Request for Documents and Publications," or using the Bureau of Management Services Electronic Forms and Publications Online System.
3. The Systems Desk Guide was provided in the HEAP Regional Training meeting 2014 Participant Training Manual.

## How to request a Local Equivalent Form:

1. To make substantive changes to a mandated LDSS form, the HEAP Coordinator MUST submit to the OTDA HEAP Bureau a written request on county letterhead with a modified version of the form attached, prior to program opening. The request must include the reason for the change and a contact person. The request must receive written approval from the OTDA Bureau of Management Service (BMA) prior to using the local equivalent form.
2. Local equivalent forms are forms developed by SSDs which are designed to be used in place of State-mandated forms. Local equivalent forms must contain all of the information required on the State-mandated forms, but may also contain additional information required for the SSD's own purposes. Local equivalents may differ in format as well as media from the mandated forms. SSDs develop local equivalent forms for many reasons. These include producing forms to accommodate sight-impaired workers; producing different sized forms which better fit in local case folders; producing forms which have the agency address preprinted; and producing electronic forms to be used in place of hard copy forms. The goal of the local equivalent form approval process is to guarantee that SSDs are using forms which are legally, programmatically and systemically accurate and up-to-date.
3. SSDs interested in this procedure should consult 97-ADM-13 for guidance.

### **I. Case Supervisory Review Process**

In accordance with 12-LCM-12, SSDs are required to complete a supervisory review and approval on 100% of the cases on which HEAP benefits are authorized unless the SSD has a Case Supervisory Review (CSR) plan approved by OTDA. The CSR process permits SSDs supervisors to review and approve a targeted or random sampling of HEAP cases.

Each SSD which chooses to review their cases with an approved CSR plan may implement a plan specific to their district to ensure that cases are processed properly and that corrective action measures are instituted. In order to maintain accuracy standards, HEAP cases chosen for review must receive a thorough case review by a supervisor. The case review must be based upon all current information pertaining to eligibility and benefit levels, and the supervisor's approval must be indicated by including the supervisor's dated signature in the case record.

SSDs which elect to perform a targeted or random sample review should emphasize increased staff training, when appropriate, to address those areas which are identified through the supervisory review approval process as needing worker improvement.

All applications from known relatives of any SSD employee require two levels of review. Written SSD guidelines that provide for stricter protocol take precedence.

CSR plans must be submitted to and approved by OTDA. The Plan must include the following:

1. A description of which cases will be subject to supervisory review approval. SSDs must identify areas or types for cases that should be targeted for 100% review. For example:
  - a. Error prone areas (i.e. earned income cases);
  - b. New applications, new workers' cases; or
  - c. Emergency applications cases from an alternate certifier.

2. The minimum number of HEAP cases each supervisor will be required to review per worker, per week/month;
3. A description of how case processing errors will be addressed to assure accuracy; and
4. A description of how the plan will address alternate certifiers. Alternate certifiers must not review or approve HEAP cases.

### Plan Submission

Plans must be submitted to:

Phyllis Morris  
Deputy Commissioner  
Center for Employment and Economic Supports  
Office of Temporary and Disability Assistance  
40 North Pearl Street, 11-C  
Albany, NY 12243

Upon the submission of a CSR plan, OTDA will review each SSD's plan and approve the plan in whole or in part within 60 days of the date of submission by the SSD. The time frame may be extended with the agreement of both parties. If any or all components of the plan are not approved, OTDA will specify the reason(s) for the disapproval and will specify the steps, if any, the SSD must take to rectify the plan. Once a plan is approved by OTDA, a SSD does not need to submit another plan unless the SSD makes revisions to the originally approved plan.

SSDs which currently have a CSR plan approved by OTDA for HEAP do not need to re-submit a plan unless revisions are made to the originally approved plan.

### CSR and HERR Benefits

All applications for HERR benefits require two levels of review and a CSR process cannot be used for this component.

It is recommended that the SSD designated HEAP Coordinator perform review and sign-off on all heating equipment repair and replacement benefit applications, unless the HEAP Coordinator has determined eligibility. In that case a supervisor one level up must sign off.

### **J. Required Signatures on Authorization**

SSDs are required to provide 100% supervisory review and approval of the authorization document for HEAP. Generally, SSDs use the LDSS-3209 to authorize assistance; however, a SSD may request a waiver to use a different process to authorize assistance (05-LCM-09). An alternative method of authorization must be approved by OTDA. The LDSS-3209 is signed by the worker who prepared the authorization and the supervisor who approved it. Once both signatures are obtained, the LDSS-3209 becomes the official authorization. The exception for this procedure would be for SSDs operating under an approved CSR plan.

## **K. Pending Report Information**

SSDs are required to complete and submit "Pending Reports," for the 2014-15 program year to the HEAP Bureau via electronic reporting effective Friday, September 12, 2014 as outlined in GIS 14 TA/DC017 "Home Energy Assistance Program (HEAP) Benefit Pending Report."

## **L. HEAP Participating Vendor List**

The HEAP database for commodity vendors is available through Centraport. Each SSD has a unique password for the participating list. These will remain unchanged, unless an SSD requests a new password. SSDs must contact their OTDA HEAP Bureau liaison if a new password is required.

SSDs must check the vendor list when processing applications to ensure that only participating vendors are issued benefits.

## **M. Notice Production**

Use of the Client Notice System (CNS) is required. Manual notices must only be used when the CNS does not support the action taken. Proper use of CNS ensures accuracy and further supports consistency of program rules and policy across the state.

Approval notices will be produced via CNS when the payment file is sent to Office of the State Comptroller (OSC) or when the SSD sets the HEAP BICS locks to "off" to produce EBT payments and locally issued two party checks.

SSDs may process denial transactions beginning November 17, 2014.

## **N. Subscription to Policy Directives**

SSD staff, as appropriate, can subscribe to receive Administrative Directives (ADM), Information letters (INF), Local Commissioner Letters (LCM), and General Information Systems (GIS) messages via email by going to: <http://otda.state.nyenet/dta/subscription.htm>. See the Dear CNS-WMS Coordinators letter dated May 1, 2014 for more information.

## **O. Systems**

It is strongly suggested that SSDs outside of NYC use myWorkspace as the primary computer application to complete eligibility processing for regular applications submitted via myBenefits.

System access for SSD employees including granting entitlements to myWorkspace and the resetting of passwords is performed at the local level by a SSD LAN Administrator. The LAN Administrator will be responsible for granting entitlements and setting up Lightweight Directory Access Protocol (LDAP) accounts to all users including alternate certifiers. Instructions for LAN Administrators can be found in GIS 14 TA/myB013 "Protocols for HEAP Alternate Certifiers and myWorkspace Access for Alternate Certifiers."

### **1. Alternate Certifiers' (AC) Access to myWorkspace**

The AC's role and responsibilities have not changed from previous years. **ACs cannot determine final HEAP eligibility, complete final HEAP authorizations in myWorkspace or resolve energy emergencies by guaranteeing payment to energy vendors.** Applicants may apply for a regular benefit using myBenefits and SSDs (including their ACs) may use myWorkspace to process regular HEAP applications.

The SSD identifies the AC role that works best for their operations and is responsible to communicate the roles and responsibilities to the AC. SSDs can grant one of two levels of entitlements in myWorkspace; either an AC worker or an AC supervisor. A listing of the AC worker and supervisor functionality in myWorkspace is found in the GIS 13 TA/DCO26.

AC staff experiencing problems accessing myWorkspace and/or having HEAP policy questions must contact the SSD HEAP Coordinator.

## 2. MyWorkspace Problem Solving

SSD HEAP Coordinators experiencing problems accessing myWorkspace must contact their Systems Administrator.

The SSD Staff utilizes the “**Contact Us**” button in myWorkspace (located on the myWorkspace Homepage – External links) to report problems with myWorkspace. When reporting problems using the “**Contact Us**” functionality, please include as much information as possible, including at a minimum the registry/case number, and any error number and message you receive.

SSD staff may access information regarding updates to myWorkspace, and a document that answers certain basic “How Do I?” questions by using an SSD accessible SharePoint site at <http://sharepoint.otda.state.nyenet/districts/mbmw/default.aspx>.

AC staff experiencing problems accessing myWorkspace and/or having HEAP policy questions must contact the SSD HEAP Coordinator.

### **Issued By**

**Name: Phyllis Morris**

**Title: Deputy Commissioner**

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