



Office of Temporary and Disability Assistance

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Local Commissioners Memorandum

Section 1

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| Transmittal: | 18-LCM-08 |
| To: | Social Services District Commissioners |
| Issuing Division/Office: | Integrated Family Assistance Programs / Employment and Income Support Programs |
| Date: | April 26, 2018 |
| Subject: | 2017 - 2018 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC) |
| Contact Person(s): | HEAP Bureau at: (518) 473-0332 |
| Attachments: | Attachment 1: LDSS-4992 HEAP Cooling Assistance Application Attachment 2: LDSS-2642 Documentation Requirements Attachment 3: LDSS-4993 HEAP Cooling Assistance Notice of Eligibility Decision Attachment 4: LDSS-5044 Cooling Assistance Services Invoice Attachment 5: LDSS-5043 HEAP Vendor Refund Form |
| Attachment Available Online: | <input checked="" type="checkbox"/> |

Section 2

I. Purpose

This memorandum provides social services districts (districts) with instructions on administering the 2017 – 2018 Home Energy Assistance Program (HEAP) Cooling Assistance Component (CAC), including information on 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. HEAP is comprised of several different components including the HEAP CAC which provides for the purchase and installation of air conditioners or fans. Cooling benefits are available for HEAP eligible households containing at least one individual with a documented medical condition that is exacerbated by extreme heat. No additional HEAP cash benefits are available.

III. Program Implications

Districts must implement the HEAP CAC as outlined below and in accordance with the 2017 – 2018 New York State HEAP State Plan which may be accessed at the following link (<https://otda.ny.gov/programs/heap/stateplan.asp>). Program requirements and eligibility criteria for the HEAP CAC must be met by applicant households before the household is eligible for cooling benefits and services.

A. Program Dates

Districts must accept applications for the HEAP CAC beginning on Tuesday, May 1, 2018 through Friday, August 31, 2018, or until funds allocated to this component are exhausted, whichever comes first. If the dates of operation are revised, districts will be notified via the General Information System (GIS).

B. Application Requirements

- If the applicant household received a regular HEAP benefit greater than \$21 during the current program year or is currently in receipt of Temporary Assistance (TA) or Supplemental Nutrition Assistance Program (SNAP) benefits, the applicant may apply by completing, signing, dating and submitting to the district the HEAP Cooling Assistance Application ([LDSS-4992, Attachment 1](#)). Applicant households for which the preceding does not apply must complete both the HEAP Application ([LDSS-3421](#)) **and** the Cooling Assistance Application (LDSS-4992). Districts must check the box “Cooling” in the agency use section on page one of the HEAP Application (LDSS-3421) upon receipt.
- An authorized representative or an individual with power of attorney may apply on behalf of the applicant. Page 4 of the HEAP Application (LDSS-3421), may 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 (LDSS-3421) is not filled out.
- Applicants for the HEAP CAC who received a regular HEAP benefit greater than \$21 during the 2017 – 2018 HEAP season are not required to have an interview.
- Applicants for the HEAP CAC who **did not** receive a regular HEAP benefit during the 2017 – 2018 HEAP season must have an eligibility interview conducted either in person or by telephone.
- Applicants for the HEAP CAC cannot apply on-line through myBenefits.
- Any applicant who is denied may reapply for the HEAP CAC.
- Each application must be date-stamped upon receipt.

C. Eligibility Requirements

Applicants must meet all HEAP eligibility criteria in order to be eligible for the HEAP CAC. See the [HEAP Manual](#), Chapter 7 – Basic Eligibility for specific eligibility criteria.

In addition to basic eligibility, all applicants for the HEAP CAC must meet the following criteria:

- The household income must not exceed the established income guidelines for the 2017 - 2018 heating season.
- The applicant or a household member must have a documented medical condition that is exacerbated by extreme heat. The medical documentation must be issued in writing and signed by a physician, physician’s assistant, or a nurse practitioner and clearly state

the medical 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). If the applicant is having difficulty in obtaining medical documentation, the districts must assist the individual in obtaining the documentation.

- Households that received a 2017 – 2018 HEAP benefit in an amount less than or equal to \$21.00 are not eligible for the HEAP CAC. However, such households who move into an eligible living situation may apply for this component using both the Cooling Assistance Application ([LDSS-4992](#)) and the HEAP Application ([LDSS-3421](#)).
- The applicant household must not have a working air conditioner newer than five years old, as determined by the vendor.
- The applicant household must not have received a HEAP funded air conditioner within the past ten years.

D. Documentation

Applicants must meet all HEAP documentation requirements in order to be eligible for the HEAP CAC. See the HEAP Manual, Chapter 5 – Documentation Requirements for the Cooling Assistance Component.

- Applicants permitted to apply using only the Cooling Assistance Application (LDSS-4992) do not need to provide additional income documentation.
- Applicants must report any changes in circumstance (change of address, household composition, etc.) when applying for the HEAP CAC.
- Applicants required to apply using both the Cooling Assistance Application (LDSS-4992) and the HEAP Application (LDSS-3421) must provide documentation of residence, identity for each household member, documentation of household income and a valid Social Security number for each household member.
- Applicants in receipt of ongoing TA or SNAP or who are currently in receipt of SSI benefits which are designated as Federal Living Arrangement Code A and State Supplement Code A are categorically income eligible.
- Districts must use any permanent documentation available in the applicant's case record or in the agency.
- Applicants who are pended to provide documentation to determine eligibility must be provided with the Documentation Requirements form ([LDSS-2642 - Attachment 2](#)). A copy must be retained in the case record.
- Applications may be pended for a maximum of ten business days for documentation. If the applicant fails to provide the requested documentation by the due date, the application must be denied.

E. Scope of Benefits and Equipment Specifications

HEAP CAC benefits and services are provided on a first come, first served basis to eligible households through August 31, 2018, or until funding allocated to this component are exhausted, whichever comes first. The following is a listing of equipment, benefit limits, and services that are provided 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 proper and safe installation. Funds may not be used for any other purpose.
- With client consent, vendors must remove and properly dispose of old air conditioner units.

- Only one HEAP funded air conditioner or fan will be provided in an eligible dwelling.
- If an eligible applicant received a HEAP funded fan when an air conditioner could not be safely installed, and subsequently moves into a dwelling that will support an air conditioner, one may be provided using HEAP funds.
- Vendors are required to determine the most appropriate living space for the creation of a cooling room.
- Vendors must calculate the BTUs of the cooling room to ensure the purchase of an appropriately sized air conditioning unit.
- 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.
- 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.
- Vendors are responsible for registering warranties with manufacturers and providing copies of the completed warranty and the manufacturer's owner's manual to clients.
- 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 is the responsibility of the client or dwelling owner to maintain the air conditioner. This includes removing, covering, storing and reinstalling the unit.
- Recipients of the HEAP CAC should be directed to contact the vendor directly for any issues that arise with the unit after installation.

F. Processing Timeframes and Client Notification

Districts must determine an applicant's eligibility for the HEAP CAC within 30 business days of receipt of the completed HEAP Cooling Assistance Application ([LDSS-4992](#)) and/or the HEAP Application ([LDSS-3421](#)).

Approval and denial notices through the Client Notification System (CNS) are now available for this program. The denial reason code M09 "Cooling Benefit Denial" has been added for the 2017 - 2018 season.

Applicants must be provided with written notice of the eligibility decision made on the application for HEAP CAC benefits no later than 30 business days from the date of receipt of the final vendor invoice for payment. A copy of all manual notices must be retained in the case record for six years including the current program year.

- Manual notices must be used for approvals and denials for the HEAP CAC benefit when CNS is not available. Districts must provide recipients with a completed HEAP Cooling Assistance Notice of Eligibility Decision ([LDSS-4993 - Attachment 3](#)) when using a manual notice for the HEAP CAC benefit.
- All manual HEAP CAC denial notices that are not processed through WMS or myWorkspace must be reported on the 2017 - 2018 HEAP Denied Applicant Report under Cooling.

G. Vendor Participation

All vendors providing CAC services must have a signed HEAP Cooling Assistance Services Vendor Agreement on file with the New York State Office of Temporary and Disability Assistance (OTDA) HEAP Bureau. This legally binding document provides both OTDA and participating vendors with assurances that vendors understand the scope of the work to be performed. In addition, it requires participating vendors to abide by the provisions

set forth in the document. Vendors must be directed to contact the OTDA HEAP Bureau at: (518) 473-0332 to become a provider of CAC services.

Each district can find a list of all its HEAP CAC participating vendors in the HEAP Participating Vendor list found in [CentraPort](#). This list is updated on a daily basis and districts must confirm vendor participation using this list prior to authorizing a benefit.

OTDA will be hosting a series of conference calls to provide additional information to participating vendors. Districts are encouraged, but not required to participate. A schedule of vendor conference calls and call details will be sent under separate cover.

H. Installation Scheduling

Participating HEAP CAC vendors are responsible to contact eligible households to schedule installation. If a vendor cannot schedule an installation with the household within ten days of the referral, the vendor must notify the district. The district must then send the household a Documentation Requirements form ([LDSS-2642](#)) with the “Other” box checked and the following language, “(vendor name) tried to contact you to schedule installation of cooling equipment, but was unsuccessful. Please contact us by (date) to resolve this.”

If the client does not contact the district within the ten-day pending period to arrange installation, the case must be denied using denial reason code M09 “Cooling Benefit Denial”. Workers should utilize the “other” selection and cite “you failed to make arrangements for installation of your cooling equipment by the due date of (date).” Manual denial notices must be used using a HEAP Cooling Assistance Notice of Eligibility Decision denial notice when CNS is not available.

I. HEAP Cooling Assistance Services Invoice (LDSS-5044)

The HEAP Cooling Assistance Services Invoice form, ([LDSS-5044 – Attachment 4](#)), is used by both the district and the vendor.

Districts use this form to notify a vendor that an individual is approved for services. Districts must complete the following sections:

- Customer contact section, which is used to communicate customer information to the vendor; and,
- Agency Use Section, which is used to record the Application Date, Date Approved, and Invoice Received Date.

In order to receive payment, vendors must return the completed form to the districts, with the client’s signature. The sections to be completed prior to returning to the districts are:

- The first Vendor Use Only section, Services Provided checklist, used to identify services performed by the vendor;
- The Customer Section to be completed by the client to attest that services have been completed; and,
- The second Vendor Use Only section with the total amount for the cooling equipment and installation, signed by the technician.

Districts must contact the recipient to confirm the satisfactory installation and operation of the cooling equipment upon job completion prior to authorizing payment.

J. Payment and Authorizations

Districts must not authorize any HEAP CAC payments to vendors prior to the HEAP CAC component opening on May 1, 2018.

All HEAP CAC benefits are paid directly to participating vendors.

Vendors must submit a completed HEAP Cooling Assistance Services Invoice ([LDSS-5044](#)) to the district in order for a payment to be authorized. Payments to vendors must not exceed \$800 per benefit.

All HEAP CAC payments are authorized by the districts through WMS or myWorkspace using payment type H2. These payments must be issued on a Case Type 60 (HEAP only) or an appropriate TA or SNAP Case Type (case type 11, 12, 16, 17, or 31).

Vendor direct payments for districts outside New York City, will be issued through the New York State Office of the State Comptroller (OSC) Statewide Financial System (SFS) payment process. Any vendor refunding a partial payment to the districts must use the Vendor Refund form ([LDSS-5043 - Attachment 5](#)). The form includes the HEAP CAC participant information, payments received by the vendor, and the amount refunded to the districts. All HEAP refunds (including district related HEAP refunds and HEAP OSC refunds) must be processed using CAMS (Cash Management Subsystem) cash receipts.

K. Income Budgeting

Districts must store a HEAP Automated Budgeting Eligibility Logic (ABEL) budget to determine income eligibility for the HEAP CAC. This budget must be stored for all approvals and denials.

The HEAP CAC ABEL budget must contain all of the following:

- Application Date
- Case Type
- Household Size
- Fuel Type
- Benefit Type 'C' – Cooling Assistance
- Categorical Eligibility Indicator
- Vulnerable Indicator
- Household gross income

L. Payment Type and System Requirements

The Payment Type used to authorize a HEAP CAC benefit is H2 and can be processed in either WMS or myWorkspace.

In order to write a Payment Line with an H2 Payment Type, districts must follow these rules:

- Only Case Types 11, 12, 16, 17, 31, and 60 may be used
- Payment Type H2 is valid with all Transaction Types except 03 – Denial
- Only two Methods of Payment may be used – either 02 (Vendor as Authorized) or 04 (Vendor as Bill Subject to Limit)
- Special Claiming Code H must be used

- From date: Application date of 5/1/18 or greater, to date: 09/30/18
- EMPLOYER NO/SSN appears in the BICS vendor record and must consist of nine non-equal numeric digits (for example: digits cannot be all zeroes or all nines)
- A valid Customer Account Number (cannot be blank or inactive)
- Valid SFS Vendor data

Vendor Direct Pay-line 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 | 050118 | 093018 | | H | AC SERV |
| 02 | | | | | | | | | | | | |
| 03 | | | | | | | | | | | | |
| Energy Rst HVnd/Acct Replace LN | | | | | | | | | | | | |
| | | | CHK/FSB | | | | LN | | CHK/FSB | | ACSERV | 1234 |

M. District Reporting Requirements

Districts are required to complete and submit the number of pending HEAP CAC applications weekly, using the established HEAP Pending Case Report in eReports. Districts must start reporting HEAP CAC pending applications effective Friday, May 4, 2018.

Districts must include HEAP CAC cases that fall into the following categories:

- Applications that have been received, but do not have a transaction through WMS or myWorkspace (either a payment or denial transaction);
- Cases that are waiting for an interview or documentation and/or have not had eligibility determined;
- Cases where eligibility has been determined, but the WMS or myWorkspace transaction has not yet been conducted; and,
- Applications awaiting district certification at Alternate Certifiers.

Districts who do not submit their HEAP Pending Case Report by COB Tuesday may email Emily Urban and Anna Vitolins with their pending numbers at: Emily.Urban@otda.ny.gov and Anna.Vitolins@otda.ny.gov.

Each district must have at least one person designated to submit data to the HEAP Pending Case Report and Erroneous Payment Report.

If a district has any changes in their pending report designee, please provide the HEAP Bureau with the following information for the person or persons that you would like to have access to eReports: (a) name; (b) user ID; (c) email address; and, (d) phone number. Changes can be e-mailed to Emily Urban or Anna Vitolins.

Please contact Emily Urban or Anna Vitolins with any questions at: (518) 473-0332.

N. Fair Hearings

Applicants for and recipients of the HEAP CAC may seek review of their eligibility determination at an administrative fair hearing in accordance with the requirements of, and within the time limits specified in, 18 NYCRR §§358-1.1 through 358-6.5 and §393.5.

O. Forms Information

The following forms used to administer the HEAP CAC have been revised for the 2017 – 2018 program year:

- [LDSS-4992](#) HEAP Cooling Assistance Application (Rev 5/17)
- [LDSS-4993](#) HEAP Cooling Assistance Notice of Eligibility Decision (Rev 5/17)
- [LDSS-5044](#) Cooling Assistance Services Invoice (Rev 5/17)

All forms are currently available and should be ordered by districts as needed. Districts may also access electronic forms for download and printing at: http://otda.state.ny.net/ldss_eforms/. Questions concerning ordering forms should be directed to the OTDA Bureau of Management Services Document Services at: (518) 474-9522.

P. Program/Administrative Funds

A total of \$3M of program funds have been allocated to operate the 2017 – 2018 HEAP CAC. Districts were provided with additional administrative funds to operate this component. Administrative funds are to be used to meet staffing and operational costs incurred by September 30, 2018 for the 2017 – 2018 HEAP CAC benefit. Information regarding these allocations was sent out to districts on April 19, 2018 via [18-LCM-07](#).

Q. Phone Conference

The HEAP Bureau has scheduled two conference calls to provide districts with updated information on the 2017 – 2018 HEAP CAC and to answer any questions. Information regarding these conference calls will be sent to local district HEAP Coordinators under separate cover.

Issued By

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