



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #03-62-ELI

2003-2004 REGULAR HEAP PROGRAM

Date: November 28, 2003	Subtopic(s): HEAP
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AUDIENCE

The instructions in this Policy Directive are for all staff in the Job Centers and Non-PA Food Stamp Centers and are informational for all other staff.

POLICY

The 2003-2004 Regular Home Energy Assistance Program (HEAP) year opened November 3, 2003. Regular HEAP benefits are available to low-income households that meet the criteria as described in this policy directive.

PROGRAM DESCRIPTION

The Office of Temporary and Disability Assistance (OTDA) has authorized the agency to provide HEAP benefits to assist low-income households in offsetting winter heating costs. Some low-income households that have heating costs included in their rental payments may also be eligible for a HEAP grant.

HEAP eligibility criteria

Refer to the Alien Eligibility Desk Aid (W-205V)

Individuals in receipt of PA, FS and/or SSI do not have to verify alien status.

HEAP Eligibility

One of the main eligibility requirements for HEAP benefits is that the individual must be a United States citizen, or an alien whose status qualifies him/her for federal benefits such as family assistance (FA), food stamps (FS) or Supplemental Security Income (SSI). Individuals not in receipt of federal benefits who apply for HEAP are required to declare their U.S. citizenship or alien status in order to receive a HEAP benefit. Individuals in receipt of federal benefits do not need to declare their U.S. citizenship or verify their alien status as they already have done so as a condition of eligibility for federal benefits.

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 2 at the prompt followed by 765 or
send an e-mail to *FIA Call Center*

Distribution: X

Public Assistance Households

An automatic regular HEAP payment of \$50 will be issued to public assistance households that meet the following criteria:

- Participant's household received a regular grant during the month of September 2003.
- Participant must be a U.S. citizen, national or a qualified alien. (See previous section defining qualified aliens.)
- Participant's rent payment includes heat. (Participants who pay for heat separately from their rent and are the customers of record will receive an automatic HEAP payment greater than \$50.)
- Participant is not a tenant of government subsidized housing. (Some government-subsidized housing may be exempt. An application must be filed with HEAP, who will make the determination.)

Participants meeting the above criteria will receive an automatic \$50 HEAP payment. These automatic payments are expected to be paid by January 31, 2004. Participants who did not have their home energy allowance restricted or a utility guarantee in effect will receive the payment directly. These payments will appear on WMS as issuance code **98**.

Participants who have their home energy allowance restricted or have a utility guarantee in effect will have a HEAP payment sent directly to their utility/fuel company for credit to their account. The payments will appear on WMS as issuance codes **82** (LILCO, also known as LIPA) **90** (Con Ed) or **91** (KeySpan). Those participants whose payments were sent directly to the utility company or fuel vendor will receive letters advising them of the HEAP payment credit.

Households not meeting the criteria will not receive an automatic HEAP payment. A HEAP application must be filed.

Public Assistance Participants Who Do Not Receive an Automated HEAP Payment

Public assistance participants who do not receive an automatic payment but may be categorically income-eligible for a HEAP payment must complete and file a HEAP application at a HEAP field office to receive a HEAP benefit. A list of the HEAP field offices is attached. Participants are required to present a copy of the Public Assistance/Medicaid/Food Stamp Notice of Decision (**M-3**), WMS budget printout and a current utility/fuel bill to get the HEAP benefit.

Households that received EAA, EAF, E-Safety Net (emergency assistance only) or a special grant code **54, 56** and/or **70** in the month of September 2003 must complete and file a HEAP application to determine their eligibility for a HEAP benefit.

Non-Public Assistance Food Stamp Households

An automatic HEAP payment of \$50 will be issued to non-public assistance Food Stamp households who meet the following criteria:

Automated payment
criteria for NPA
households

- At least one member of the household received non-public assistance food stamps during the month of September 2003.
- Participant resides in a household in which at least one member is in receipt of SSI as a couple or individual living alone.
- Participant must be a U.S. citizen, national or qualified alien.
- Participant's rent payments include heat. (Participants who pay for heat separately from their rent and are the customers of record will receive an automatic HEAP payment greater than \$50.)
- Participant is not a tenant of government-subsidized housing. (Some government-subsidized housing may be exempt. An application must be filed with HEAP Central, who will make the determination.)

These automatic payments are expected to be issued by January 31, 2004.

Food Stamp households not identified through the automatic payment process must file an application. The completed application must be submitted to HEAP Central.

Food Stamp Participants Who Do Not Receive an Automated HEAP Payment

NPA FS participants who do not receive an automated HEAP payment may be categorically income-eligible for HEAP. Participants must complete and file a HEAP application to receive a HEAP benefit. The participant is required to present a copy of the Action Taken On Your Food Stamp Case (**DSS-3152**) notice, a WMS budget printout and a current utility/fuel bill to get a HEAP payment.

Cases closed after
September 2003

Closed Cases

Public assistance/non-public assistance Food Stamp cases closed after September 2003 that meet the criteria for a HEAP payment will receive a check mailed to their home along with a notice explaining the reason for the benefit. If the case of an individual serviced by the Division of AIDS Services and Income Support (DASIS) is closed or in single-issue (SI) status, a check will be delivered to the participant's home by a DASIS Worker.

HEAP ineligible
households

Ineligible Households

The following households are ineligible for a HEAP grant:

- Living in a furnished room.
- Living as a boarder/lodger (room and board).
- Living in NYCHA, Section 8 or other government subsidized housing **where heat is not paid separately**. (Some government-subsidized housing may be exempt. A HEAP application must be filed with HEAP.)
- Living in congregate care facilities.
- Living in foster care homes for adults.
- Living in drug addiction or alcoholism treatment facilities.
- Living in a domestic violence shelter.
- Living in a homeless shelter.
- Living in temporary housing (such as hotel/motels).
- Living in military housing with no heat or heat-related expenses.
- Undomiciled.
- Having no shelter and heating expense.

In addition, the following individuals are ineligible for a HEAP payment:

- Migrant or seasonal farm workers who have no heating or heat-related expenses.
- A migrant or seasonal farm worker who is temporarily residing in a county for the express purpose of performing current, seasonal agricultural, field or processing work with the expectation of moving on after the work is completed.
- Students:
 - Individuals in the U.S. on a student visa
 - Students residing in dormitories
 - Dependent students residing in private housing (these students are members of their family's household)

HEAP Issuance Codes (WMS)

- 80 = Emergency HEAP
- 82 = Direct payment to LILCO (also known as LIPA)
- 84 = NPA-FS HEAP
- 90 = Direct payment to Con Edison
- 91 = Direct payment to KeySpan
- 96 = HEAP Fair Hearing
- 97 = Replacement of HEAP check
- 98 = Regular and fuel vendor HEAP

(FYI) In addition to the previous WMS codes:

- 88 = Low-income NPA/NFS/Non-SSI HEAP (this issuance code is used by HEAP for low-income individuals not in receipt of PA, FS or SSI but is not reflected on WMS)

REQUIRED ACTION

The amount of the Regular HEAP issuance is based on information contained in the WMS budget. Therefore, it is imperative that the household is assigned the correct shelter code and fuel type to ensure that the heating fuel allowance is included in the budget when the household pays separately for heat.

When a participant claims an error or discrepancy regarding HEAP eligibility or payment, proceed in the following manner:

Job Centers

Some households receiving their initial recurring PA or FS benefit after September 2003 may receive an automatic HEAP benefit. These additional payments will be authorized based on the availability of HEAP funds.

HEAP Payment Not Made

In instances where a participant claims they did not receive a HEAP benefit, the Worker must determine if the participant was eligible for an automated benefit. Participants in receipt of their first recurring public assistance grant or first recurring non-public assistance Food Stamp benefit after September 2003 must complete and file a HEAP application with a HEAP office to receive a HEAP benefit. See "Ineligible Households" for other disqualifying criteria.

If the household meets the eligibility criteria and the participant claims nonreceipt of a HEAP benefit, check to see if the shelter code appropriately reflects a utility expense. If the participant is incorrectly coded as either paying separately for heat or having heat included in the rent:

- Correct the shelter code;
- Add or remove the heating allowance, as appropriate, in the budget;

- Inform the Utility Liaison to notify HEAP Central, at (212) 227-2696, that the case was incorrectly coded during the month of September 2003 and request a reevaluation of the household's eligibility for HEAP.

If a participant has a heating bill for the month of September 2003 and has not received a letter advising him/her of a credit, or a NPA HEAP application through the mail, the Utility Liaison should call HEAP Central at (212) 227-2696 for instructions.

Reasons for Nonreceipt of HEAP Benefit

Check the public assistance Benefits Issuance screen (**NQCS5B**), option **02**, to determine if a HEAP payment was made. For participants who pay for fuel for heat, have their home energy allowances restricted, or have a utility guarantee in effect, a routing designation (other than EBT) should be posted in the "RTG" column. To view the name of the vendor to whom payment was made, enter the selection number posted in the "Sel" column on the bottom of the screen in the "Enter Number in Selection Column to View Grant Details" field, then press enter. The **NQCS5J** screen will appear giving details.

If the HEAP payment was made, advise the participant. If the HEAP payment was not made, check the HEAP status code on the Case Composition Suffix Summary screen **NQCSO2** (option **5** of case inquiry). One of the following reasons will appear:

Accept codes:

<u>Display</u>	<u>Reason</u>
AC/\$00	AIDS fuel case
AC/\$50	Heat included in rent
AC/Amount greater than \$50	Household pays for heat separately from rent

The preceding acceptance codes indicate that the participant is eligible for a HEAP payment. However, if it does not appear on the Benefits Issuance screen, the grant may be waiting to be processed by OCP.

Reject codes:

RJ/ISSUED BY SSI	RJ/NYCHA UT INC
RJ/HOTEL	RJ/NYCHA UT NOT INC
RJ/EAA ONLY	RJ/ISSUED BY NPA
RJ/IMMED NEEDS ONLY	RJ/PREV ISSUED
RJ/DRUG - ALC	RJ/NO SHELUT UT FUEL
RJ/SEC 8 UT INC	RJ/SHELUT/UND
RJ/SEC 8 UT NOT INC	RJ/FURN RM
RJ/ISSUED BY HEAP CENTRAL	RJ/TIER II HOTEL
RJ/CONG CARE	RJ/ALIEN (All household
RJ/SP CLOSE CASE	members are unqualified
(Died/institutionalized)	aliens)

RJ/NV(Non-vulnerable household)
 RJ/NV&ALIEN (Non-vulnerable household with an ineligible alien)

These codes are operational but do not apply to the 2003-2004 HEAP season. If seen on WMS Case Inquiry option 05, the Utility Liaison should contact HEAP to initiate an application.

Inform the participant of the reason why the HEAP grant was not issued.

See PB #01-90-SYS For instructions on accessing the **WTRK17** screen and field descriptions.

HEAP payments can also be checked by viewing the HEAP Individual History (**WTRK17**) screen. This screen is accessible through the Time Limit Tracking Menu (option **11** on the WMS Host Menu). The screen shows the HEAP payments made to an adult individual in receipt of public assistance (PA) and/or food stamp (NPA/FS) benefits.

- **Failure to Send in Fuel Company Information**

Every year, HRA sends letters to public assistance participants who pay for fuel requesting that they provide OCP with the name, address and account number of their utility or fuel company. If the participant appears to be eligible for a HEAP grant, ask the participant if s/he returned the completed letter to OCP with the requested information.

- If the participant failed to mail in the name, address and account number of the utility/fuel company, advise the participant to mail in the letter so that a HEAP credit can be issued.
- If the participant lost or discarded the letter, obtain the name, address and account number of the utility/fuel company. Enter this information on a **W-113E** and forward it to the Utility Liaison, who will in turn forward it to OCP.

- **HEAP Payment Credited to Incorrect Name/Account Number**
If a participant claims that a credit was not issued to the utility/fuel company, check the Benefits Issuance screen (**NQCS5J**) to determine if the payment was credited to the wrong name/account number. If it was, prepare a **W-113E** to advise OCP of the correct information.

If the credit was issued with the correct name/account number, advise the participant to contact the utility/fuel company directly.

- **HEAP Payment Lost, Stolen or Not Received**
 - If a public assistance participant claims a public assistance HEAP check lost, stolen or not received:
 - Prepare a Stop Payment Order form (**M-325v**);
 - Tell the participant to return in five working days;
 - Check the SCU cumulative report in the Control unit. If the check appears on the report and the report indicates the stop payment is in effect and the check was **not** cashed, contact HEAP Central at (212) 227-2696 to request reissuance of the check.
 - If the case is closed, reopen in **SI** status and contact HEAP Central at (212) 227-2696 to reissue the grant. Close the case immediately after the benefit is issued.
 - If an eligible participant claims the HEAP benefit was stolen from the EBT system, please follow the current EBT procedure. Only HEAP Central (with authorization from the HEAP administration) can replace stolen HEAP benefits.
- **Other HEAP Payment Errors**
Workers must resolve HEAP payment errors brought to their attention by participants by having the Utility Liaison call HEAP Central.

If a participant complains of receiving an incorrect amount of HEAP benefits and has proof that they pay separately for heat:

- Correct the shelter code.
- Add the correct fuel type to generate the heating/fuel in the budget.
- Inform the Utility Liaison to contact HEAP Central, at (212) 227-2696, for a reevaluation of the HEAP benefit.

NPA FS Centers

If a non-public assistance Food Stamp participant claims a HEAP payment lost, stolen or not received, or if s/he has questions or problems regarding his/her HEAP benefit, have the participant call HRA InfoLine at (877) 472-8411.

PROGRAM IMPLICATIONS

Paperless Office System (POS) Implications
Food Stamp Implications

There are no POS implications.

There are no Food Stamp implications.

Medicaid Implications

There are no Medicaid implications.

LIMITED ENGLISH SPEAKING ABILITY (LESA) IMPLICATIONS

For Limited English Speaking Ability (LESA) applicants/participants, make sure to obtain appropriate interpreter services in accordance with Policy Directive 02-43-OPE.

FAIR HEARING IMPLICATIONS

Upon receipt of a Fair Hearing Request (**OAH-1891**) from the New York State Office of Temporary and Disability Assistance regarding the participant's request for a HEAP grant, the FH&C Supervisor I will place the **OAH-1891** in a **W-98A** folder. No further action is required at the Job Center because HEAP Central prepares for and represents the Agency at all HEAP fair hearings. File the folder in the **W-98A** active file cabinet.

REFERENCES

2002-2003 HEAP Manual
18 NYCRR Part 393.4

ATTACHMENT

Attachment 1 List of HEAP Offices

LIST OF HEAP OFFICES

FIELD OFFICE	ADDRESS
<u>MANHATTAN</u> HEAP Office 101	216 Ft. Washington Avenue New York, NY Lobby
<u>BROOKLYN</u> HEAP Office 201	98 Flatbush Avenue Brooklyn, NY Main Lobby
<u>BRONX</u> HEAP Office 301	1932 Arthur Avenue Bronx, NY Main Lobby
<u>QUEENS</u> HEAP Office 401	161-10 Jamaica Avenue Jamaica, NY 2nd Floor
<u>STATEN ISLAND</u> HEAP Office 501	10 Richmond Terrace Staten Island, NY Room 422A Staten Island Borough Hall