



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #07-44-ELI

(This Policy Directive Replaces PD #06-32-ELI)

UTILIZING THE EMERGENCY HEAP PROGRAM TO MEET ENERGY EMERGENCIES

Date: November 19, 2007	Subtopic(s): HEAP
AUDIENCE	The instructions in this policy directive are for staff in Job Centers and Non-Cash Assistance (NCA) Food Stamp (FS) Offices and are informational for all other staff.
REVISIONS TO PRIOR PROCEDURE	<p>This policy directive has been revised to include the following:</p> <ul style="list-style-type: none"> • Revision to Emergency Home Energy Assistance Program (“E” HEAP) criteria • New section regarding “E” HEAP for oil applications • Revision to Required Action section for Job Center staff • Updated Response to Question Paperless Office System (POS) screen in POS Implications section • Revised Utility Arrears/Emergency Heating form (M-858m)
POLICY	The Emergency Home Energy Assistance Program (“E” HEAP) provides grants to low-income families and individuals who pay separately for heat and/or heat-related utility service.
PROGRAM DESCRIPTION Emergency HEAP criteria	<p>The 2007–2008 “E” HEAP season began on November 1, 2007. Emergency assistance is available when the following criteria apply:</p> <ul style="list-style-type: none"> • The household meets HEAP income eligibility and resource criteria.

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center*

- The applicant is a U.S. citizen or qualified alien. However, emergency assistance may be provided to a tenant of record who is a nonqualified alien, on behalf of members of the household who are citizens or qualified aliens.
- The applicant is the tenant and customer of record or the spouse/surviving spouse of such tenant or customer who is living in the household.
- The household is in any of the following emergency situations:

Revised information

- Heat-related utility service used to operate the heating equipment has been disconnected or scheduled for disconnection.
 - There is no heating fuel, or the family has less than a ten-day supply of fuel.
 - There is a scheduled turnoff of electric heating or gas heating service.
 - Heating equipment owned by the applicant is inoperable or unsafe and in need of repair or replacement.
 - The household is in a verified emergency home heating situation that is detrimental to the health and/or safety of the household members and the household cannot make alternative arrangements.
- The household does not have any nonexempt liquid resources available to meet the emergency need. All available nonexempt liquid resources must be used to help meet the emergency. However, “E” HEAP cannot be denied if available resources are not sufficient to completely resolve the emergency situation.
 - The household’s regular HEAP benefit is insufficient or unavailable to help meet the emergency situation.

Although it is the responsibility of the Job Center to initiate HEAP applications for individuals who present utility/heat-related emergencies, individuals may also obtain information on applying for “E” HEAP by calling HEAP at (800) 692-0557 or by visiting one of the HEAP offices. See **Attachment A** for a list of HEAP offices.

New information

Effective for the 2007-2008 HEAP season, all applicants who use oil or kerosene must be signed up with a participating oil vendor.

Emergency HEAP criteria for oil applications

Emergency assistance for oil applications is available when the following additional eligibility criteria apply:

- The applicant has a participating oil vendor, or
- The applicant has a nonparticipating oil vendor, and:

- is currently enrolled in a price protection plan
- has a current service contract in place
- has a current pre-buy agreement
- has a current budget plan with cap price

REQUIRED ACTION

NCA FS Offices

An NCA FS applicant/participant who has a heat or heat-related emergency or questions or problems regarding his/her HEAP benefit must be advised to call HEAP at (800) 692-0557 or the HRA InfoLine at (877) 472-8411 for assistance.

Job Centers

Revised information

The Job Center administration is responsible for ensuring that any person requesting a grant for a heat or heat-related emergency is assessed for HEAP eligibility. This includes requests for payment to repair/replace a boiler or payment of a utility bill to restore electric services needed to operate a furnace/boiler or when the household has less than ten days' worth of fuel or no fuel at all.

Once the request is received, it must be forwarded to the Utility Liaison via the Utility Arrears/Emergency Heating form (**M-858m**). The Utility Liaison will contact HEAP to initiate an "E" HEAP application over the telephone. If the case is active, the request must be annotated on the Client Request Control Card (**W-111F**). Before considering an application for "E" HEAP, HEAP will first determine if the household has already applied for and/or received the regular HEAP grant. If it has not, the application will first be evaluated for regular HEAP and then, if still necessary to meet the current emergency need, evaluated for an "E" HEAP grant.

New information

The Utility Arrears/Emergency Heating Form (**M-858m**) has been revised to include questions on vendor status and payment plan information for non-participating vendors.

For oil and kerosene households only, the Utility Liaison must ensure that the **M-858m** confirms that the applicant has a participating oil vendor or meets one of the exemption criteria. The Job Center worker should utilize Centraport to check whether a vendor participates in the HEAP program. If an applicant's current vendor does not participate, the applicant must select a participating vendor from which to receive his/her emergency supply of fuel unless the applicant is under a service contract, payment plan, or other type of contract plan with the vendor.

If a new vendor is selected, the Utility Liaison is responsible for obtaining verification from the new vendor that they will accept the applicant as a participant. Information about the participating vendor or the client's payment plan exemption must be entered on the **M-858m** and faxed, along with the vendor's verification, to HEAP Central.

If the eligible household is without power or fuel for heating, HEAP must resolve the emergency crisis within 18 hours from the time the HEAP application is filed. If the eligible household is experiencing imminent loss of a heat-related service or fuel supply, HEAP must alleviate the emergency within 48 hours from the time the HEAP application was filed.

See page 7 for additional instructions.

Workers in the Job Centers must ensure that applicants for Cash Assistance (CA) or participants who pay for heat separately from their rent have a fuel allowance included in their CA grant. The correct fuel type and shelter type code must be entered in the WMS budget. This coding will also ensure that HEAP issues the correct amount in the future.

After the HEAP program processes the application for an emergency grant, if the applicant/participant is eligible, a vendor payment will be issued using Special Grant Code **80**.

Applicants for "E" HEAP who fail to comply with a HEAP eligibility requirement are considered to have failed to apply for a benefit or resource and will be ineligible to receive an emergency CA grant to meet the same need.

Individuals may be eligible for more than one Emergency HEAP benefit.

Heat-Related Utility Shutoffs

When an individual informs the Job Center of a utility shutoff that affects the CA household's ability to provide heat or operate heating equipment (e.g., an oil furnace that runs on gas or electricity), refer the case to the Utility Liaison via the **M-858m**. Before considering any CA participant who pays separately for heat for a recoupable emergency heating or utility shutoff grant (code 41), the case must be evaluated for HEAP eligibility. The Utility Liaison will verify HEAP eligibility.

If a vendor has issued a shutoff notice or if the HEAP payment has not yet been processed, the Liaison must contact HEAP Central.

For those liaisons with HEAP access codes, check the HEAP system to see if a HEAP application is pending or has been processed.

Do not refer individuals with an emergency heating situation to a HEAP office. Initiate the application from the Job Center.

If the applicant/participant does not have an approval letter from HEAP and the **Benefits Issuance** screen indicates that a code **80** was not issued, an “E” HEAP application can be initiated through the Utility Liaison at the Job Center. The Utility Liaison will initiate an “E” HEAP application if the individual has not applied for “E” HEAP or if the “E” HEAP benefits have not been exhausted. HEAP Central will make a preliminary determination.

All “E” HEAP payments for heat-related utility shutoffs and “no heat” emergencies must be handled by HEAP.

Staff must evaluate the participant’s eligibility for the nonrecoupable special grant (code **50**) prior to considering a recoupable allowance.

If “E” HEAP benefits have been exhausted, the individual may be eligible for a nonrecoupable special grant (code **50**) or a recoupable special grant (code **41**).

For CA heating households with gas and electric needs who have exhausted their HEAP and “E” HEAP benefits, refer to the “Utility Shutoff” section of the Job Center Operations Manual.

Heating Equipment Repair (Boiler/Furnace)

If the applicant/participant owns heating equipment and the heating equipment is unsafe or inoperable, s/he may access emergency benefits for repair more than once in the program year. However, the cumulative total of benefits authorized for repair may not exceed \$2,500 in the program year without approval from the Office of Temporary and Disability Assistance (OTDA). In this instance HEAP is responsible for contacting OTDA.

For approval of an “E” HEAP grant for repairs, the applicant/participant must provide two estimates for the proposed repair work. The estimate must state what is wrong with the boiler, itemize the necessary repairs, itemize the cost and indicate the warranty for parts and labor.

“No Heat” Emergency Boiler/Furnace Replacement

If the applicant/participant owns the heating equipment and it is beyond repair, s/he may be considered for an emergency boiler/furnace replacement. If a boiler/furnace replacement is warranted, two different vendors must provide statements detailing the problem with the boiler/furnace and affirming that it is beyond repair. These statements must include the itemized cost and warranty for a replacement.

Criteria for emergency boiler/furnace repair or replacement

To qualify for an emergency boiler/furnace repair or replacement, the applicant/participant who applies for “E” HEAP must meet all of the following criteria:

- Own and reside in a one- or two-family house
- Be applying for repair/replacement of the heating equipment that provides the primary heat for the household
- Meet HEAP income eligibility criteria (refer all HEAP-eligible applicants/participants to the Utility Liaison to initiate a HEAP application; the Liaison must contact HEAP)
- Own the heating equipment for which the “E” HEAP grant is being requested
- Have no liquid resources in excess of \$3,000 per household

If a CA applicant/participant meets the above criteria, have the Utility Liaison call HEAP to initiate the HEAP application. The Liaison will then fax all required documentation (including two estimates for the proposed replacement) to HEAP. All “E” HEAP payments must be authorized and issued by HEAP. HRA HEAP is the only New York City agency authorized to approve a vendor and payment for HEAP boiler repair or replacement under the HEAP program.

Utility Liaison

Utility Liaisons are responsible for:

- obtaining a breakdown of utility arrears
- determining if an applicant/participant should be referred to HEAP
- completing the **M-858m**, including the “Utility Liaison Recommendation” section of the form, and calling HEAP at (212) 227-2696 for verification of HEAP information (calls are accepted from the Utility Liaison only)
- obtaining an extension of service
- ensuring that applicants with oil and kerosene households have a participating oil vendor or meet one of the exemption criteria
- obtaining verification from new participating vendors of applicant’s acceptance as a client of participating vendor
- faxing required information/documentation, if requested, and the **M-858m** to HEAP at (212) 227-2205

Weatherization

Weatherization referral services are also available. Advise applicants/participants who need this service to call the Division of Housing and Community Renewal at (866) 275-3427.

Refer to the "Emergency Situations" section of the Job Center Operations Manual for details (page 77).

Assessment for EAA/EAF/ESN Emergency Assistance

If an applicant/participant is ineligible for HEAP or has exhausted the "E" HEAP grant and has another shutoff, the Utility Liaison will assess his/her eligibility for a payment under the Emergency Assistance to Adults/Emergency Assistance to Families/Emergency Safety Net (EAA/EAF/ESN) programs.

Homebound Applicants/Participants

Heat-Line, which functions as the homebound unit for HEAP, may forward completed CA applications to Job Centers from NCA homebound families who have already received all "E" HEAP payments from HEAP and now have another utility emergency. Do not delay emergency assistance to this at-risk group. Provide Heat-Line's number, (212) 331-3150, to homebound applicants/participants who contact the Center directly.

PROGRAM IMPLICATIONS

Model Center Implications

There are no Model Center implications.

Paperless Office System (POS) Implications

In order for the fuel allowance to generate in the CA budget through POS, users must:

- click 'Yes' in the Shelter (Housing) Expenses window for the question: Do You (Or Anyone Who Lives With You) Have A Heat Bill Separate From Your Rent Or Shelter Expense? Once 'Yes' is clicked, a 'Response to Question' dropdown window will appear.

Updated screen

The screenshot shows a 'Response to Question' dialog box with the following fields and options:

- Fuel Type:** Dropdown menu.
- Name On Bill:** Text input field.
- Other:** Text input field.
- Relation to Case Head:** Dropdown menu.
- Verified Fuel Type and Name:** Radio buttons for Yes and No.
- Fuel on Budget:** Radio buttons for Yes and No.
- Service is:** Radio buttons for On and Off.
- Service End Date:** Text input field with value 00/00/0000.
- Atrears / Pending Shut Off / Less than 7 Day Supply of Fuel:** Radio buttons for Yes and No.
- Amount:** Text input field.
- Freq:** Dropdown menu.
- Account Number:** Text input field.
- Company Name:** Text input field.
- Company Address:** Text input field.
- Company Phone:** Text input field.
- Fuel Restriction Type:** Dropdown menu.
- Restriction Name:** Text input field.
- Restriction Address:** Text input field.
- Vendor City:** Text input field.
- Vendor State:** Dropdown menu.
- Vendor Zip Code:** Text input field.
- New Vendor:** Check box.
- Participating Vendor?:** Radio buttons for Yes and No.
- Contract with company?:** Radio buttons for Yes and No.
- Expires:** Text input field with value 00/00/0000.
- Document...:** Text input field.
- Scan:** Text input field.
- Comment:** Text input field.

Buttons at the bottom: OK, Cancel.

- ensure that all information in the dropdown window is entered regarding the fuel type, account number, company’s name and address and click on the OK button.

Food Stamp Implications

FS applicants/participants who receive a regular and/or “E” HEAP grant are automatically eligible to receive a Level I Standard Utility Allowance (SUA).

Medicaid Implications

There are no Medicaid implications.

LIMITED ENGLISH SPEAKING ABILITY (LESA) AND HEARING-IMPAIRED IMPLICATIONS

For Limited English Speaking Ability (LESA) and hearing-impaired applicants/participants, make sure to obtain appropriate interpreter services in accordance with [PD #06-12-OPE](#) and [PD #06-13-OPE](#).


FAIR HEARING IMPLICATIONS

Individuals who request an “E” HEAP payment are entitled to a Fair Hearing. Upon receipt of a Fair Hearing Request form (**OAH-1891**) from the New York State Office of Temporary and Disability Assistance regarding the individual’s request for an “E” HEAP payment, the FH&C Supervisor I/AJOS I will place the **OAH-1891** in an Individual Record of Fair Hearing Activity folder (**W-98A**). HEAP Central prepares the packet and represents the Agency at Fair Hearings.

REFERENCES

- [HEAP Manual](#) (Rev. 5/30/06)
- [18 NYCRR 351.1\(b\)\(2\)\(iii\)](#)
- [18 NYCRR 393.4](#)

ATTACHMENTS

 Please use Print on Demand to obtain copies of forms.

- M-858m** Utility Arrears/Emergency Heating (Rev. 11/19/07)
- Attachment A** List of HEAP Offices



UTILITY ARREARS/EMERGENCY HEATING

Job Center No: _____

Date: _____

APPLICANT/PARTICIPANT INFORMATION

Case Name: _____ Case Number: _____ Caseload: _____

Social Security Number: _____ Telephone Number: _____

Address: _____ Program Type (check one):

CA NCA FS SSI

City: _____ State: _____ Zip: _____

UTILITY ARREARS

Utility Company: _____ Account Number: _____

Name on Account: _____ Service is: On Off Date: _____

HEAP payment received? Yes No Utility guarantee/restriction in effect - code:*

Is the utility service required to provide heat or operate heating equipment? Yes No

Additional Information: _____

JOS/Worker's Signature _____

Date _____

SAMPLE

EMERGENCY HEATING

Type of Heating Equipment: Boiler/Furnace Other: _____

Oil: Vendor's Name: _____ Account Number: _____

HEAP payment received? Yes, amount: \$ _____

No Pending: HEAP Application Date: _____

Emergency HEAP payment received? Yes, amount: \$ _____

No Pending: HEAP Application Date: _____

Resource Amount Available: _____ Other Household Income:† _____

Does the applicant/participant own the home? Yes No

Is the applicant/participant the tenant of record? Yes No

Vendor Status (check one) (Refer to Participating Vendor List):

Participating Vendor Non-Participation Vendor

Non-Participating Vendor Payment Plan Type (check the type of plan in which the applicant/participant is currently enrolled.)

Pre-Payment Purchase Plan Price Per Gallon Capped or Locked in Plan Monthly Budget Plan

Annual Service Contract Plan Other Type of Contract Plan

* Enter code from Element 044 of the TAD

† Verification required

EMERGENCY HEATING (continued)

If applicant/participant is **NOT ENROLLED** in a Price Protection Plan, Budget Plan or Service Contract with a Non-Participating Vendor, ask the applicant/participant to switch to a participating vendor.

Is the applicant/participant willing to select a new vendor? Yes No If Yes, complete vendor information below:

New Vendor Name: _____ Old Vendor Name: _____
 Address: _____ Address: _____
 Telephone Number: _____ Telephone Number: _____

Additional Information: _____

Worker's Signature _____ Date _____

UTILITY LIAISON RECOMMENDATION
(Breakdown)

SAMPLE

Amount	From	To
\$		
\$		
\$		
\$		

Service is: On Off Date of termination: _____
 Turn-off notice: Yes No Heating Heat Related

If applicant/participant has a payment plan with a non-participating vendor, obtain verification from vendor and indicate how plan was verified:

If applicant/participant has chosen a participating vendor, obtain verification that the new vendor will accept the applicant/participant as a customer.

Refer applicant/participant to HEAP Central? Yes Application initiated on _____ No
(date)

***If yes,** do not request an extension from the utility company; an extension will be obtained at HEAP Central. If the emergency is imminent, obtain the extension and notify HEAP Central. If **no,** provide reason and additional information.

Extension Granted at Center: Yes Expiration date: _____
Reason Requested: _____
 No Reason: _____

PAYMENT RECOMMENDED: Code: _____ Amount: \$ _____ Period Covered: _____
Abeyance amount: \$ _____ Forms/letters required: _____

HEATING EQUIPMENT: Replacement amount: \$ _____ Repair Amount: \$ _____

Additional Information: _____

UTILITY LIAISON INFORMATION

Name: _____ Telephone No: _____

Fax No: _____ E-mail Address: _____

Group Supervisor's Name: _____

Group Supervisor's Telephone No: _____

Group Supervisor's E-mail Address: _____

Utility Liaison's Signature Date

HEAP REFERRAL OUTCOME

Date HC Sent to Job Center: _____ Time: _____

(HEAP comp. sys. populates in real time)

(HEAP comp. sys. populates in real time)

Regular Approved: _____

Primary (Heating) Emergency Approved: _____

Heat-Related Emergency Approved: _____

Regular HEAP Case Pended: Reason: _____

Case Denied: Reason: _____

SAMPLE

SUPERVISORY REVIEW

Applicant/participant eligible for HEAP? Yes No If yes, amount: _____ Code: _____

If no, is a payment authorized by Center?

Yes No

Is verification of HEAP evaluation in the case record? Yes No

Additional Information: _____

Supervisor's Signature E-Mail Address Date

MANAGERIAL REVIEW

Evidence of emergency HEAP evaluation in case record* Case action correct

Issuance code is correct

REMINDER

***DO NOT** provide authorization for payment of a heat-related emergency unless there is verification that the household was **first** evaluated and has been determined **ineligible** for emergency HEAP benefits.

Approved

Signature of Assistant to the Deputy Director Date

Not Approved (HEAP evaluation required) **Not Approved** – Inappropriate issuance code

Signature of Assistant to the Deputy Director Date

Attachment A

LIST OF HEAP OFFICES

HEAP OFFICE	ADDRESS
Bronx Field Office	1932 Arthur Avenue, Bronx, NY 10457 Lobby
Brooklyn	1 Metrotech Center, Bklyn, NY 11201 Lobby
Brooklyn	1535 Pitkin Avenue, Bklyn, NY 11212 Lobby
Brooklyn Field Office	98 Flatbush Avenue, Bklyn, NY 11217 Lobby
Brooklyn Job Center	210 Livingston Street, Bklyn, NY 11201 2nd Floor
Brooklyn/Coney Island Job Center	3050 West 21st Street, Bklyn, NY 11224 3rd Floor
Manhattan Field Office	330 West 34th Street, New York, NY 10001 2nd Floor
Queens NYC Councilmember Mr. James Sanders Jr., 31 st District	21-23 Birdsall Avenue, Far Rockaway, NY 11691
Queens	89-67 162nd Street, Queens, NY 11432
Queens Field Office	33-28 Northern Blvd, Queens, NY 11101 Mezzanine
Queens Job Center	165-08 88th Avenue, Jamaica, NY 11432 4th Floor
Queens Borough Office	120-55 Queens Blvd, Queens, NY 11424 Room 223
Staten Island Field Office	10 Richmond Terrace, S.I., NY 10301 4th Floor
Staten Island	2031 Forest Avenue, S.I., NY 10303 Lobby
Staten Island Job Center	201 Bay Street, S.I., NY 10301 1st Floor