

FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #08-41-ELI

(This Policy Directive Replaces PB #00-12, PD #00-13, PD #01-01, PD #01-72-ELI, PB #01-09, and PD #07-44-ELI)

UTILIZING THE EMERGENCY HEAP PROGRAM TO MEET ENERGY EMERGENCIES

Date: November 14, 2008	Subtopic(s): HEAP		
AUDIENCE	The instructions in this policy directive are for staff in Job Centers and Non Cash Assistance Food Stamp (NCA FS) Centers and are informational for all other staff.		
REVISIONS TO THE PRIOR DIRECTIVE	This policy directive has been revised to include the following changes. • The Program Description section has been updated to include:		
	 a statement that for Emergency Home Energy Assistance Program ("E" HEAP) applicants who have already received a Regular Home Energy Assistance Program (HEAP) benefit in the current season, a face-to-face interview is not required except for furnace replacements. a requirement for all heating service contracts for applicants to include: 		
	 a cost to the customer specifically for the contract. a clause stating that ongoing service beyond single cleaning and adjustment is not covered by the service contract. a clause that voids the contract with no refund to the customer if delivery is taken from an alternative supplier. 		
	 a statement that applicants who use oil, kerosene, or propane for heating will now receive a one-time flat benefit of \$800 		

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

- a statement that effective January 1, 2009, a \$100 regular benefit supplement will be implemented for all HEAP households who pay directly to a fuel vendor or utility company for heat.
- The Food Stamp (FS) Implications section has been revised to add that a \$1.00 Regular HEAP benefit will now be available for FS participants residing in subsidized housing with heat-included (Shelter Type Code 02, 38, or 40); those residing in a congregate care facility or group home with Shelter Type Code 10, 12, 13, 15, 16, 17, or 42; and New York State Nutrition Improvement Project (NYSNIP) cases with Shelter Type Code 96 or 97.

POLICY

"E" HEAP provides grants to low-income families and individuals who pay separately for heat and/or heat-related utility service and are facing a heat-related emergency.

PROGRAM DESCRIPTION

The 2008–2009 "E" HEAP season began on November 3, 2008. Emergency assistance is available when the following criteria apply:

- The household meets HEAP income eligibility and resource criteria
- The applicant is a U.S. citizen or qualified alien. However, emergency assistance may be provided to a customer of record who is a nonqualified alien, on behalf of members of the household who are citizens or qualified aliens.
- The applicant is the customer of record or the spouse/surviving spouse of such customer who is living in the household.
- The household is in any of the following emergency situations:
 - Heat-related utility service used to operate the heating equipment has been disconnected or scheduled for disconnection.
 - Utility service necessary to operate the primary heating equipment is terminated or scheduled for termination, including:
 - service to start or run the furnace or boiler;
 - electricity necessary to distribute the heat; or
 - electricity to operate the thermostat.

NOTE: Portable space heaters are not considered primary heating equipment. The primary heating equipment does not need to be operable in order for the household to apply for a heat-related utility grant.

- The household is without heating fuel, or has a heating fuel supply that is equal to or less than one quarter of the household's fuel tank.
- The electric heating or gas heating service is scheduled for turnoff.
- Heating equipment owned by the applicant is inoperable or unsafe and in need of repair or replacement.
- 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.

NOTE: If available resources are insufficient to completely resolve the emergency situation, "E" HEAP may be issued.

• 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.

Whenever a household facing an emergency heating situation applies for assistance, the availability of a Regular HEAP benefit must be explored first.

Emergency HEAP criteria for oil applications

All applicants who use oil or kerosene for heating must be signed up with a participating oil vendor.

New Information

The service contract must include:

- a cost to the customer specifically for the contract.
- a clause stating that ongoing service beyond single cleaning and adjustment is not covered by the service contract.
- a clause that voids the contract with no refund to the customer if delivery is taken from an alternative supplier.

New Information

Applicants who use oil, kerosene, or propane for heating will receive a one-time flat benefit of \$800. Benefits for all other heating methods will continue to be calculated according to the point system.

New Information

Effective January 1, 2009, a \$100 regular benefit supplement will be implemented for all HEAP households who pay directly to a fuel vendor or utility company for heat. For new applicants, the supplement will be administered by a system change that will automatically add the \$100 to the regular benefit amount. For participants whose applications have been processed prior to the effective date, a State-level rebudgeting will allow the Agency to administer the supplemental payments.

REQUIRED ACTION

NCA FS Centers

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

Job Centers

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; 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 a request is received, the JOS/Worker must complete the Utility Arrears/Emergency Heating form (M-858m) and the Temporary Assistance and Food Stamp Recipient Request for Regular HEAP Benefits (LDSS-4889). Have the applicant/participant sign form LDSS-4889 and forward it along with form M-858m to the Utility Liaison. The Utility Liaison will contact HEAP to initiate an "E" HEAP application over the telephone.

Refer to PD #07-14-ELI

If the case is active, the request must be annotated in POS. Before considering an application for "E" HEAP, HEAP will 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.

Oil and Kerosene Households

For oil and kerosene households only, the Utility Liaison must ensure that form **M-858m** confirms that the applicant/participant has a participating oil vendor or has a non-participating oil vendor and:

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

The Job Center Worker should utilize Centraport to check whether a vendor participates in the HEAP program (See Guide to Accessing the HEAP Participating Vendor List from Centraport – **Attachment B**).

If an applicant's/participant's current vendor does not participate in the HEAP program, the applicant/participant must select a participating vendor from which to receive his/her emergency supply of fuel unless the applicant/participant is under a service contract plan with the vendor.

When a new vendor is selected, the Utility Liaison is responsible for obtaining verification from the new vendor that they will accept the applicant/participant as a customer. Information about the participating vendor or the applicant/participant's service contract exemption must be entered on form **M-858m** and faxed, along with the vendor's verification, to HEAPCentral.

If an eligible household is without power or fuel for heating, HEAP must resolve the emergency crisis within 18 hours and within 48 hours if the heat loss is imminent.

See the POS Implications section of this policy directive 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 Welfare Management System (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 by HEAP using Special Grant (code **80**).

New Information

If both Regular HEAP and "E" HEAP are unavailable (for example, the applicant/participant has exhausted his/her HEAP benefits for the current program year or the HEAP program has closed for the current program year), the Agency must determine the applicant's/participant's eligibility for CA benefits.

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.

Heat-related Utility Shutoffs

Individuals may be eligible for more than one Emergency HEAP benefit. 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 form **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 Utility Liaison must contact HEAP Central.

For those Utility 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 HEAP and "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 PD #07-14-ELI.

Heating Equipment Repair (Boiler/Furnace)

If the applicant/participant owns heating equipment and the heating equipment is unsafe or inoperable, he/she 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 \$3,000 in the program year without approval from the New York State 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/furnace, 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, he/she 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 Utility 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 Central to initiate the HEAP application. The Utility 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

Refer to PD #07-14-ELI for more information on the Utility Process

The Utility Liaison is responsible for:

- obtaining a breakdown of utility arrears
- determining if an applicant/participant should be referred to HEAP
- completing form M-858m, including the "Utility Liaison Recommendation" section of the form, and calling HEAP Central 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 the exemption criteria
- obtaining verification from the new participating vendor of applicant's acceptance as a client of the participating vendor
- faxing required information/documentation, if requested, and form M-858m to HEAP at (212) 227-2205

Weatherization

Weatherization enables low-income families to permanently reduce their energy bills by making their homes more energy efficient. Applicants/participants who need weatherization referral services should be advised to call the Division of Housing and Community Renewal at (866) 275-3427.

Assessment for 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 (EAA)/Emergency Assistance to Families (EAF)/Emergency Safety Net (ESN) programs.

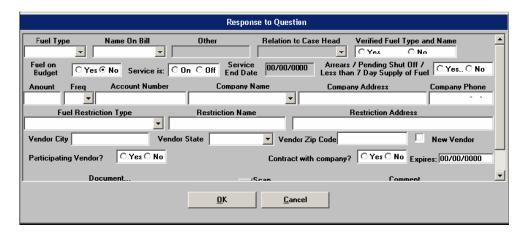
Homebound Applicants/Participants

Heat-Line, which functions as the homebound unit for HEAP, may forward completed CA applications to Job Centers from Non Cash Assistance (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 telephone number, (212) 331-3150, to homebound applicants/participants who contact the Center directly.

PROGRAM 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" drop-down window will appear.



 ensure that all information in the drop-down 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).

New Information

A \$1.00 Regular HEAP benefit will be provided for FS participants residing in subsidized housing with Shelter Type Code **02**, **38**, or **40**; those residing in a congregate care facility or group home with Shelter Type Code **10**,**12**, **13**, **15**, **16**, **17**, or **42**; and NYSNIP cases with Shelter Type Code **96** or **97**.

Medicaid Implications

There are no Medicaid implications.

LIMITED ENGLISH SPEAKING ABILITY (LESA) IMPLICATIONS For Limited English Speaking Ability (LESA) and hearing-impaired applicants/participants, make sure to obtain appropriate interpreter services in accordance with PD #08-18-OPE and PD #08-20-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 OTDA regarding the individual's request for an "E" HEAP payment, the Fair Hearing and Conference (FH&C) Supervisor I/ Associate Job Opportunity Specialist I (AJOS I) will place form **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. 3/6/08) 18 NYCRR 351.1(b)(2)(iii) 18 NYCRR 393.4

RELATED ITEM

PD #07-14-ELI

ATTACHMENTS

□ Please use Print on Demand to obtain copies of forms.

Attachment A List of HEAP Offices

Attachment B Guide to Accessing the HEAP Participating Vendor

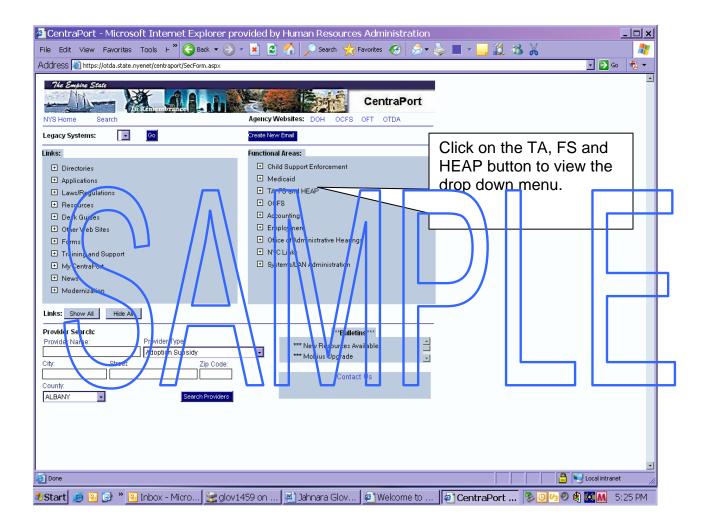
List from CentraPort

M-858m Utility Arrears/Emergency Heating (Rev. 11/14/08)

List of HEAP Offices

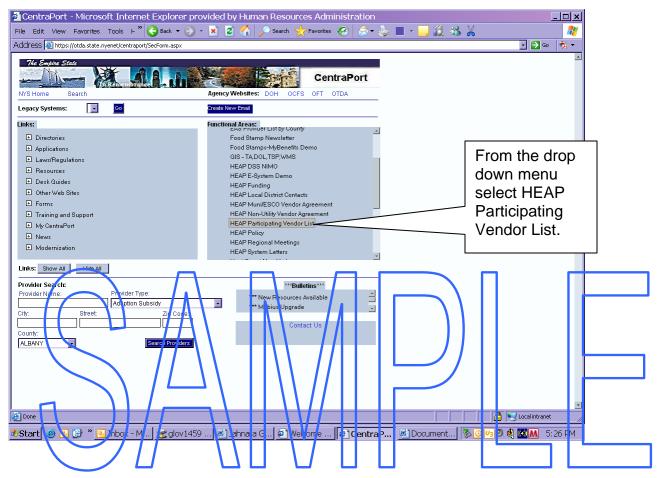
HEAP OFFICE	ADDRESS
Bronx Field Office	1932 Arthur Avenue, Bronx, NY 10457, Lobby
Brooklyn	1 Metrotech Center, Bklyn, NY 11201, Lobby
Brooklyn Field Office Brooklyn Job Center Brooklyn/Coney Island Job Center Manhattan Field Office Queens District 3/1 Council Member Mr. James Sanders, Jr.	1535 Pitkin Avenue, Bklyn, NY 11212, Lobby 98 Flatbush Avenue, Bklyn, NY 11217, Lobby 210 Livingstor Street Eklyn, NY 11201, 2nd Floor 3050 West 21st Street, Bklyn, NY 11224, 2nd Floor 340A West 34th Street, New York, NY 10001, Lobby 21-23 Birdsall Avenue, Far Rockaway, NY 11691
Queens	89-67 162nd Street Queens, NY 11432, Lobby
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, Suite 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

Guide to Accessing the HEAP Participating Vendor List from CentraPort



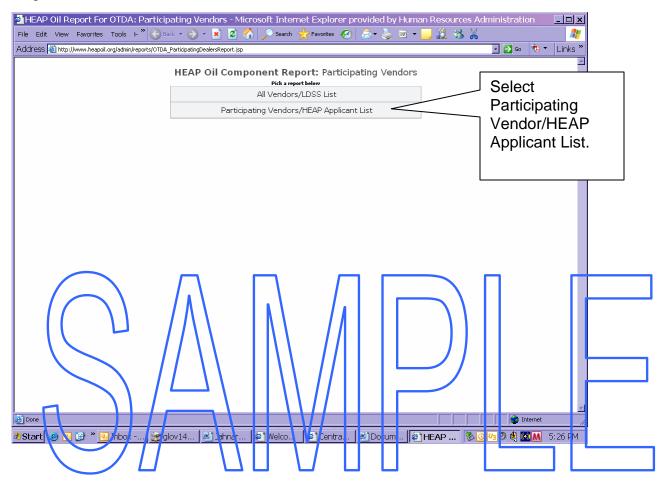
- Log into CentraPort to access the CentraPort home page
- From the home page, click the "+" next to TA, FS and HEAP to view the drop-down box

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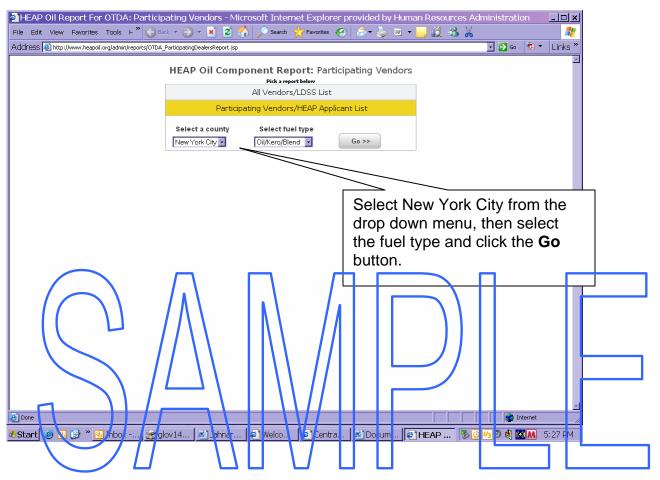
• From the drop-down menu, select "HEAP Participating Vendor List"

Page 3



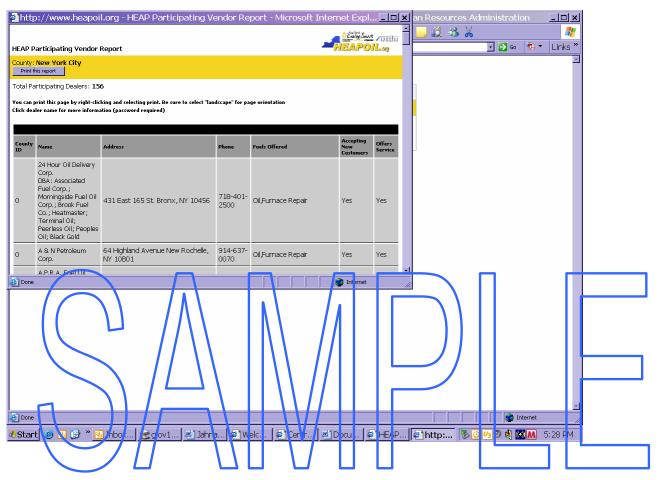
- Selecting the Participating Vendor/HEAP Applicant List will give you a list of participating vendors in the county you select, without the need for an additional password.
- Selecting All Vendor/LDSS List requires the entry of a password.

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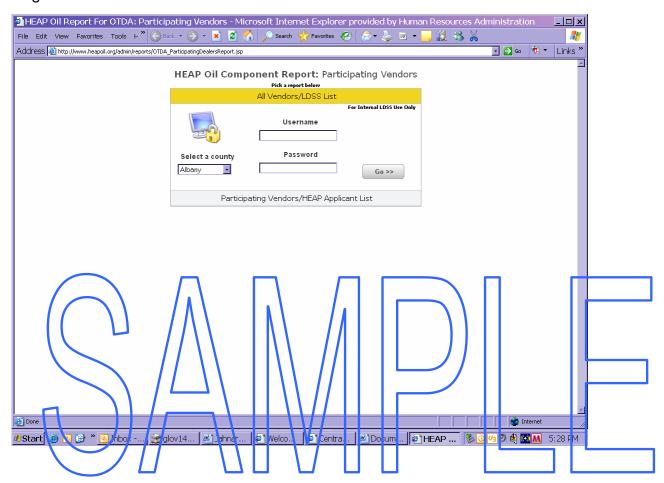
- Select "New York City" from the drop-down menu in the "Select a County" field.
- Select the appropriate fuel type from the drop-down menu in the "Select a Fuel Type" field.

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• A separate window appears showing all of the participating vendors that match the entered search criteria.

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• If All Vendors/LDSS List is selected, enter the appropriate Username and Password, select the county from the drop down menu and click on the **Go** button.

Form M-858m (page 1) Rev. 11/14/08



Date:	
Case Number:	
Case Name:	
Job Center:	

UTILITY ARREARS/EMERGENCY HEATING

	APPLICANT/PARTICII	DANT INCODMATI	ON
	Case I	<u></u>	Caseload:
•	Telephone Number:		
Address:			Program Type (check ☑ one):
			□ CA □ NCA FS □ SSI
City:	State: Z	'ip:	
Utility Company:	Account	nt Number:	
Name on Account:		e is: On Dof	
HEAP payment received? Ye	/ \ \ \ / / /	1. 1	ic <mark>tio</mark> n in effect – code.*
Is the utility service required to pro Additional Information:	vi de hea t dr operate heating e	equipment? 🗌 Ye	s No
JOS/Worker's Signature		Date	
	EMERGENC	Y HEATING	
Type of Heating Equipment:	☐ Boiler/Furnace ☐ Other	r:	
Oil: Vendor's Name:			nber:
	Yes, amount: \$		
. ,			e:
ı	INO E Felluling. TIEA	AF Application Date	
Emergency HEAP payment rece		\$	
	☐ No ☐ Per	nding: HEAP Appli	cation Date:
Resource Amount Available: _		Other Household I	ncome: [†]
Does the applicant/participant own	the home?	No	
Is the applicant/participant the ten	ant of record? Yes 1	No	

^{*} Enter code from Element 044 of the TAD

[†] Verification required

Human Resources Administration Family Independence Administration

Form M-858m (page 2) Rev. 11/14/08

EMERGENCY HEATING (continued)

Vendor Status (check ☑ one) (Refer to Participating Vendor □ Participating Vendor □ Non-Participation Vendor	·		
Non-Participating Vendor Payment Plan Type (check ☑ enrolled.)	the type of plan in which the applicant/participant is currently		
☐ Pre-Payment Purchase Plan ☐ Price Per Gallon C	apped or Locked in Plan		
\square Annual Service Contract Plan \square Other Type of Con	itract Plan		
If applicant/participant is NOT ENROLLED in a Price Protect Participating Vendor, ask the applicant/participant to switch			
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:			
Telephone Number:	Telephone Number:		
Additional Information:			
Worker's Signature	Date		
	N RECOMMENDATION eakdown)		
Amount From V			
\$			
\$			
\$			
\$			
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.

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UTILITY LIAISON RECOMMENDATION (continued)

Extension Granted at Center: Yes Exp	iration date:		
_	ison:		
PAYMENT RECOMMENDED: Code:	Amount: \$	Perio	od Covered:
Abeyance a	mount: \$	F	Forms/letters required:
HEATING EQUIPMENT: ☐ Replacement a	mount: \$	Rep	air Amount: \$
Additional Information			
Additional Information:			
UTI	LITY LIAISON INFO	ORMATION	
Name:	Telephone No:		
Fax No:		·	
Group Supervisor's Name:			
Group Supervisor's Telephone No:			
Group Supervisor's E-mail Address:			
Utility Liaison's Signature	 	Date	
	EAP REFERRAL O	UTCOME	
Date HC Sent to Job Center:		Time:	
	sys. populates n real tim		HEAP comp. sys. popula es in real time)
Regular Approved:	\\ //		
Primary (Heating) Emergency/Approved:	 		
Heat-Related Emergency Approved:			
Daniel III AD Casa Dandadi Dassani			
Case Denied: Reason:			
	SUPERVISORY R	EVIEW	
Applicant/participant eligible for HEAP?	☐ Yes If	Yes, amount:	Code:
	_		
		No, is a payment a ☐ Yes ☐ No	authorized by Center?
Is verification of HEAP evaluation in the case	record? Yes	□ No	
Additional Information:			
Supervisor's Signature	E-Mail Address		Date

Form M-858m (page 4)
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Human Resources Administration
Family Independence Administration

MANAGERIAL REVIEW				
☐ Evidence of emergency HEAP evaluation in case record*	\square Case action correct			
☐ Issuance code is correct				
REMINDER				
*DO NOT provide authorization for payment of a heat-related emergend was first evaluated and has been determined ineligible				
☐ Approved				
Signature of Assistant to the Deputy Director	Date			
	- Inappropriate issuance code			
Signature of Assistant to the Deputy Director	Date			

