

**The Low Income Home Energy
Assistance Program (LIHEAP)**

**Pennsylvania Advocates Manual
2019-2020 Edition**

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Preface

We are pleased to provide you with the 2019-2020 electronic edition of ***The Low Income Home Energy Assistance Program (LIHEAP) Pennsylvania Advocates Manual***. The manual is developed and produced by the Pennsylvania Utility Law Project (PULP) for use by members of the Pennsylvania Legal Aid Network and others who assist low income individuals. We hope that you find it to be of value to you and the members of your staff. Please feel free to copy as needed, circulate, and maintain a copy in your reference library.

The updated 2019-2020 Manual is different from earlier editions circulated in prior years. Please replace any older version. This year's edition reflects program changes, current forms, references, website links, as well as additional issues and advocacy suggestions. The footnotes contain citations to the 19-20 LIHEAP State Plan¹ and relevant legal authority for your reference. In the Appendices, you will find contact lists and resources to assist in your advocacy.

The different aspects and components of LIHEAP often change from year to year and can be confusing to advocates and applicants. Many eligible consumers do not apply, and those who do apply often receive less than their full potential benefits. We intend this Manual to be a working reference that aids understanding of and access to the benefits provided by Pennsylvania's LIHEAP. We value and request your input regarding the success of the Manual in meeting your needs and welcome any suggestions for modification.

¹ All references to the State Plan in this manual refer to the Final 2019-2020 State Plan. PA. DEP'T OF HUMAN SERVICES, LIHEAP STATE PLAN (FY 2019-2020) (hereinafter 19-20 LIHEAP STATE PLAN), available at http://www.dhs.pa.gov/cs/groups/webcontent/documents/document/c_279179.pdf.

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2019-2020 LIHEAP PROGRAM IN BRIEF**Summary of Updates and Changes for the 2019-2020 LIHEAP Program Year²**Program Dates:³

• Cash Grant	opens Nov. 1, 2019	closes April 10, 2020;
• Crisis Grant	opens Nov. 1, 2019	closes April 10, 2020;
• Crisis Interface	opens Nov. 1, 2019	closes April 10, 2020;

The Department of Human Services (DHS)⁴ may extend or shorten program dates depending on availability of funds.⁵

Eligibility: Eligibility is set at 150% of the Federal Poverty Income Guidelines for Cash Grants, Crisis Grants, and the Crisis Interface Program.⁶

FY 19-20 LIHEAP Household Income Limits⁷

Household Size	150% FPL for Cash & Crisis
1	\$ 18,735
2	\$ 25,365
3	\$ 31,995
4	\$ 38,625
5	\$ 45,255
6	\$ 51,885
7	\$ 58,515
8	\$ 65,145
9	\$ 71,775

² There may be modifications made during the 2019-2020 LIHEAP program year. Please be alert for any changes.

³ 19-20 LIHEAP STATE PLAN at ii.

⁴ The Department of Public Welfare changed its name to the Department of Human Services in November 2014.

⁵ 19-20 LIHEAP STATE PLAN at ii.

⁶ 19-20 LIHEAP STATE PLAN at § 601.31(1). Also, households may be eligible for additional assistance through the Weatherization Assistance Program, some of which is funded by LIHEAP, run through the Pennsylvania Department of Community and Economic Development (DCED). This program provides comprehensive energy efficiency and weatherization for households with income up to 200% of the federal poverty income guidelines. More information about WAP can be found here: <https://dced.pa.gov/programs/weatherization-assistance-program-wx/>

⁷ *Id.* at iv.

Grant Amounts:⁸**CASH**

- o Minimum Cash grant will be \$200.
- o Maximum Cash grant will be \$1,000.

CRISIS

- o Minimum Crisis grant will be \$25.
- o Maximum Crisis grant will be \$600.

Changes to LIHEAP in 2019-2020

Longer Program Year: The end date for the 2019-2020 LIHEAP program year has been extended to April 10, 2020.⁹

Supplemental Cash Grants for vulnerable households will not be available during the 2019-2020 LIHEAP season.¹⁰

No Fall Turn on Supplement:

The Supplemental Turn on Program will not be available during the 2019-2020 LIHEAP season.¹¹

Preseason Applications and Compass Postcards:

Preseason applications and COMPASS postcards were mailed out to all households who received LIHEAP last year. Preseason mailings are divided into three phases. Households are included in each phase depending on their approved program request date from the previous year.¹²

Phase I mailings began September 23, 2019. Phase II mailings began October 7, 2019. Phase III mailings began October 14, 2019.¹³

Instead of receiving a paper application, certain households will receive postcards in the mail which enables them to apply for LIHEAP on COMPASS. Households who receive a postcard can apply through COMPASS as soon as the mailing is received, and Cash grants may be issued early,

⁸ 19-20 LIHEAP STATE PLAN at v - vii.

⁹ *Id.* at iii.

¹⁰ DHS has indicated that, if additional funds remain after the season is concluded, DHS may issue supplements to vulnerable households at that time. See 19-20 LIHEAP STATE PLAN at v.

¹¹ *See id.*

¹² *See* DHS, Operations Memorandum #19-09-02, September 12, 2019, at 1-2.

¹³ *Id.*

any time after October 1, 2019.¹⁴ Households who do not wish to apply for LIHEAP on COMPASS can receive a paper application from either the LIHEAP Helpline at 1-866-857-7092 or their CAO.¹⁵

Cash Grant Formula: There has been a change to the Cash grant formula, which may increase the amount of grants by \$15 to \$20 dollars.¹⁶

Late Fees: DHS has clarified that LIHEAP funds can be used towards the payments of late fees.¹⁷

Temporary Census Income excluded from calculation:

Section 601.84 of the Pennsylvania State Plan specifically excludes certain income when calculating a household's gross yearly income for the purposes of establishing LIHEAP eligibility.¹⁸

DHS has revised the 2019-2020 State Plan to indicate that temporary census income will be excluded from LIHEAP benefit determinations.¹⁹

Clarifications that Continue to Require Attention

Public utilities that operate Customer Assistance Program (CAPs) are required to apply the LIHEAP cash component benefits only to the CAP customer's monthly 'Asked to Pay' or 'CAP Payment' amount. Specifically, it must be applied only to resolve past due CAP payments, then to current CAP payments. Any remaining funds must be applied to future CAP payments.²⁰ No LIHEAP funds may be applied to a CAP customer's pre-program arrearages or unbilled usage amounts.²¹ DHS makes no distinction between a Percentage of Income Payment Plan (PIP or PIPP) CAP program or a Rate Discount CAP program. The purpose of LIHEAP is to help low income households meet their home heating needs. The LIHEAP Federal statute, regulations and Pennsylvania's approved state plan all require that LIHEAP funds be applied in full to the account of those households determined LIHEAP eligible. A fuller discussion of this issue is found at pages 26 - 28 of this Manual.

DHS is obligated to provide assistance that would resolve a home-heating crisis within 48 hours, but has clarified that a **life-threatening crisis** that is a documented medical emergency must be

¹⁴ See *id.*

¹⁵ *Id.* at 2.

¹⁶ See PA. DEP'T OF HUMAN SERVICES, LIHEAP BENEFIT AMOUNT TABLE (2019), <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/liheapbenefitamounttable/index.htm>.

¹⁷ *Id.* at 4.

¹⁸ 19-20 LIHEAP STATE PLAN at app. B § 601.84.

¹⁹ *Id.* at app. B § 601.84 (24).

²⁰ *Id.* at app. B § 601.45.

²¹ *Id.*

resolved within 18 hours.²² DHS has not provided guidance as to how or if this documentation requirement will affect Crisis applicants with a life-threatening crisis situation. Please advise PULP if you have a client who has been negatively affected.

Furnace replacement is specifically designated as an appropriate activity within the Crisis Interface Program.²³ However, the Crisis Interface Policy of the State Plan states that **if the furnace has not been operating within past two heating seasons, it may not be eligible for Crisis services**, as a furnace that has not been working for that long of a period of time may not be considered to be a weather-related emergency. The applicant must provide proof of a home heating emergency to be eligible for Crisis Interface.²⁴ The State Plan allows for some consideration on a case by case basis.

²² See *id.* at app. B § 601.4.

²³ 19-20 LIHEAP STATE PLAN, at app. C § II.

²⁴ *Id.* at app. C § II.

LIHEAP: PA ADVOCATES MANUAL 2019-2020 EDITION*Prepared by the Pennsylvania Utility Law Project***Introduction**

This Manual is produced by the Pennsylvania Utility Law Project (PULP) for members of the Pennsylvania Legal Aid Network and others who assist low income individuals. It is intended as a general reference guide, and is not intended to be a substitute for direct legal advice in individual cases. The footnotes contain citations for your reference. The Appendices contain additional resources and contact information. Website references can be found throughout. The authors welcome your questions and comments on this manual.

LIHEAP in Brief

The Low Income Home Energy Assistance Program (LIHEAP) provides low income households with assistance to help pay the costs of home energy consumption. In Pennsylvania, LIHEAP grants are intended primarily to assist with paying the cost of heating a residence during the cold weather months.

LIHEAP is funded by the Federal Government through a block grant administered by the states. In Pennsylvania, the Department of Human Services (DHS) administers the LIHEAP program through local County Assistance Offices and other agencies.

In 2019-2020 LIHEAP assistance can take three different forms. A particular household may be eligible for more than one of these different forms of assistance, and advocates should consider each LIHEAP component for every household:

- **Cash Component:** a single grant, to assist a household in meeting heating costs. It is paid directly to either a heating fuel vendor/utility company or paid to an individual. The amount of the LIHEAP Cash grant to the household differs depending on various factors at the time of application including household size and income.²⁵ The set formula for the grant amount is discussed below. This year, a household may apply for the LIHEAP Cash component from November 1, 2019 until April 10, 2020.²⁶ The grant amount will range from a minimum of \$200 to a maximum of \$1000.²⁷
- **Crisis Component:** In 2019-2020, Cash grants of up to \$600 will be available to help qualified households resolve a home heating crisis caused by a lack of heating-related utility service, a pending utility termination notice, an actual or imminent (less than 15 days of fuel) lack of a deliverable fuel (such as home heating oil, propane, etc.), or a problem with a heating system

²⁵ *Id.* at app. B § 601.41.

²⁶ *Id.* at iii.

²⁷ *Id.* at v-vi.

(i.e., furnace), or a weather-related event.²⁸ Any household requiring less than \$25 to resolve a home heating emergency will not be eligible to receive a Crisis grant.²⁹

- Crisis Interface/Weatherization Assistance Component:³⁰ provides for the repair or replacement of the heating system or furnace for households with a heating system breakdown. Traditional weatherization and conservation services may supplement the repairs.³¹

The same application form may be used to apply for each of the LIHEAP components.

An individual may be able to designate a different vendor to receive different types of grant payments; for example, a Cash grant may be designated to an oil vendor and a Crisis grant to the electricity provider.

An individual may receive more than one Crisis benefit during the program year, subject to the minimum and maximum Crisis grant amount allowed and the amount of available federal funding.³²

LIHEAP is available to both renters and homeowners.³³ Renters who pay for heat for their residence indirectly (rather than directly to a fuel vendor or utility) as a part of rent will receive only 50% of the Cash benefit for which they would otherwise be eligible.³⁴ This benefit is **not** available to renters who pay for their heat indirectly **and** whose rent is based on a percentage of the household income. The LIHEAP State Plan says that these households do not have home heating responsibility and, thus, are not eligible for LIHEAP Cash grants. There are however, circumstances where they would be eligible for LIHEAP Crisis grants. Specifically, if they pay for a secondary heating source directly (typically, electricity) and that heating source is needed to run their primary heating source.

Eligible households may reapply for and receive Cash and Crisis assistance each program year.

No lien will attach to a home as a result of receiving any LIHEAP assistance.

²⁸ 19-20 LIHEAP STATE PLAN, at app. B § 601.62.

²⁹ See 19-20 LIHEAP STATE PLAN, at vii.

³⁰ This component is the only component not administered completely within DHS. DHS makes the Crisis eligibility determination, but the Department of Community and Economic Development (DCED) administers the repair and replacement segment. See 19-20 LIHEAP STATE PLAN, at app. C § I.

³¹ See *id.*

³² 19-20 LIHEAP STATE PLAN, at app. B § 601.63.

³³ See *id.* at app. B § 601.3.

³⁴ *Id.* at app. B § 601.42.

Resources and Authority

DHS maintains a Heating Assistance/LIHEAP website.³⁵

Every year, DHS must update the LIHEAP State Plan³⁶ with program guidelines and parameters, such as program opening and closing dates, funding levels, and eligibility criteria. DHS publishes a Proposed State Plan during the summer months which is subject to public comments and public hearings in which anyone may participate. After comments are received and reviewed, DHS publishes a Final State Plan that governs the LIHEAP operation for that program year. The LIHEAP Cash and Crisis rules for the program year are found in Appendix B of the Final State Plan. Information regarding Crisis Interface and the Weatherization Assistance Program may be found in Appendix C of the Final Plan. The current State Plan is found online at this link.³⁷



Advocacy Tip: Advocates should use rules found in Appendix B of the 19-20 LIHEAP STATE PLAN when making arguments to County Assistance Offices and LIHEAP administrators, as these are the most up to date.

DHS also provides a LIHEAP Policy Handbook for its caseworkers. The Handbook includes Operations Memoranda which are issued periodically and which indicate the most recent LIHEAP procedures and policies. The most recent publicly available Handbook is found online at: <http://services.dpw.state.pa.us/oimpolicymanuals/liheap/index.htm>.

The 2019-2020 Cash grant benefit tables, which indicate the amount of the Cash grant to which each household is entitled, may be found online at: <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/liheapbenefitamounttable/index.htm>.

A LIHEAP application may be completed online through the COMPASS program at www.compass.state.pa.us, or a paper application may be mailed or hand delivered to the local County Assistance Office.³⁸

Application assistance is available.³⁹ Upon request, LIHEAP staff will mail an application form or take other steps such as referral to other agencies that make home visits to help homebound persons apply for LIHEAP benefits.⁴⁰

³⁵ The LIHEAP website address is: <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/>

³⁶ The link address for the 2019-2020 LIHEAP State Plan is:

http://www.dhs.pa.gov/cs/groups/webcontent/documents/document/c_279179.pdf

³⁷ *Id.*

³⁸ 19-20 LIHEAP STATE PLAN at app. B §§ 601.21, 601.22.

³⁹ *See id.* at app. B § 601.24.

⁴⁰ *Id.*

Applicants may get an automated eligibility determination if they apply on COMPASS and the applicant's income is already known to DHS because they receive other benefits, such as SNAP (food stamps), medical assistance, or TANF (cash).⁴¹ Even with automated eligibility, applicants may still have to verify their home heating responsibility.⁴²

The English and Spanish versions of the paper application may be downloaded from the DHS website at: <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/index.htm>. They are also appended to this manual at Appendix B.

The addresses and phone numbers of local County Assistance Offices can be found online at: [local county assistance offices](#). Also, appended to this manual as Appendix D is a list of the LIHEAP Supervisors for each county.

Legal Authority

LIHEAP is a Federal block grant program through the U.S. Department of Health and Human Services.⁴³ It is authorized by the Low Income Home Energy Assistance Act (Pub. L. 97- 35, 42 U.S.C.A. §§8621-8629) as amended by the Human Services Reauthorization Act (Pub. L. 98-558, 98 Stat. 2878), the Human Services Reauthorization Act of 1986 (Pub. L. 99-425, 100 Stat. 966), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub. L. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub. L. 103-43), the Low Income Home Energy Assistance Amendments of 1994 (Pub. L. 103-252), the Coats Human Services Reauthorization Act of 1998 (Pub. L. 105-285), and the Energy Policy Act of 2005 (Pub. L. 109-58).⁴⁴

While Federal law forms the legislative basis for the LIHEAP program, the annual State Plan contains the policies governing implementation of the program each year. The State Plan includes Program Updates, DHS/DCED Crisis Interface, Assurances, and three appendices with rules governing the LIHEAP programs.

Advocates should pay special attention to LIHEAP State Plan “Appendix B – Determination of Eligibility for LIHEAP Cash and Crisis Benefits.” This section of the Plan provides guidelines for the Cash and Crisis grants, which are the most commonly accessed components of LIHEAP.

⁴¹ *Id.* at app. B § 601.22.

⁴² *See id.*

⁴³ The U.S. Department of Health and Human Services website page dedicated to LIHEAP can be found at: <http://www.acf.hhs.gov/programs/ocs/programs/liheap>.

⁴⁴ 19-20 LIHEAP STATE PLAN, at app. B § 601.1.

“Appendix C - Weatherization Assistance Program” contains information concerning both the Crisis Interface Program as well as the Department of Community and Economic Development (DCED) administered weatherization programs.

Administration

The Department of Human Services administers LIHEAP in Pennsylvania.⁴⁵

Cash Grants: For the most part, DHS uses the County Assistance Office (CAO) as the administering agency for the Cash grant.⁴⁶ DHS coordinates the activities of several counties and the State Processing Center typically processes LIHEAP applications for several counties.

Crisis Grants: DHS uses several different agencies to assist in the delivery of the Crisis program.⁴⁷ These agencies include CAOs, community action agencies, the Department of Community and Economic Development, and other local organizations.

Crisis Interface: DHS and the Department of Community and Economic Development (DCED) jointly administer the Crisis Interface/Weatherization Assistance component.⁴⁸ DHS makes the Crisis eligibility determination, and DCED administers the heating system repairs, furnace replacements where warranted, and any appropriate weatherization treatments.⁴⁹

County staff members administering LIHEAP may not always be fully aware of the details of the current year’s program. LIHEAP is only one of many programs the CAOs implement; it is available only part of the year; and its operations and guidelines are often modified within the course of a single year. In addition, many of the CAOs hire temporary energy assistance workers to staff the LIHEAP program, and these workers often become familiar with program guidelines at the same time the first applicants enter the system. Application delays beyond the mandated 30 day determination period are therefore not surprising.



Advocacy Tip: Although DHS has modified its training and monitoring process in order to expedite the processing of applications, advocates should encourage individuals to apply for Cash grants early in order to reduce any negative effect on applicants as a result of processing delays.

In the 19-20 Plan, DHS anticipates receiving \$209.1 million, based on the previous year’s allocation.⁵⁰ At the time the State Plan was finalized, DHS anticipates carrying forward a balance of \$16.6 million. This results in a total anticipated budget of \$225.7 million. Approximately \$173.4 million of the \$225.7 million will be allocated to LIHEAP Grants.

⁴⁵ 19-20 LIHEAP STATE PLAN at i.

⁴⁶ *Id* at app. B § 601.5.

⁴⁷ *See id.*

⁴⁸ *Id* at app. C § I.

⁴⁹ *See id.*

⁵⁰ 19-20 LIHEAP STATE PLAN at i.

An appeal process is available for individuals to challenge CAO decisions or failures to act on LIHEAP applications.⁵¹ A Fair Hearing can be requested through the local LIHEAP office.⁵² Individuals have 30 days to file an appeal with their local CAO in a process that is further detailed in the “Appeals” section of this manual.⁵³

Timetable

In 2019-2020, DHS’s opening date for both the Cash and Crisis components, including Crisis Interface, is November 1, 2019 with a closing date estimated to be April 10, 2020.⁵⁴

The length of the program is dependent on the availability of funds as the program year progresses, so DHS may shorten or extend the closing date.⁵⁵ In some previous years, DHS has often extended the program closing date several weeks into April, when funding was available.

General Eligibility

To qualify for and receive Cash or Crisis benefits, an individual must meet several eligibility requirements: household income, home heating responsibility, Pennsylvania residency, and immigration status.⁵⁶ Crisis eligibility additionally requires that there be an actual or imminent home heating emergency that will be resolved through receipt of grants, or in the case of the Crisis Interface program, through the repair or replacement of home heating equipment.⁵⁷

Household Income

For 2019-2020, Pennsylvania has set the income eligibility level for both Cash and Crisis at 150% of the 2019 Federal Poverty Guidelines.⁵⁸ The income eligibility level for the Crisis Interface program is 150% of the Federal Poverty Income Guidelines.⁵⁹ However, the income eligibility level for the Weatherization Assistance Program is 200% of the 2019 Federal Poverty Income Guidelines.⁶⁰ Income eligibility levels for the 2019-2020 LIHEAP program year can be found in Appendix A of this Manual or DHS eligibility charts.⁶¹

⁵¹ 19-20 LIHEAP STATE PLAN AT app. B § 601.123.

⁵² *See id.*

⁵³ *See* 55 PA. CODE § 275.3(b)(1) (1981); PA. DEP’T OF HUMAN SERVICES, SUPPLEMENTAL HANDBOOK § 870.12 (Sept. 27, 2012), <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

⁵⁴ 19-20 LIHEAP STATE PLAN AT iii.

⁵⁵ 19-20 LIHEAP STATE PLAN, AT app. B § 601.6(b).

⁵⁶ *See id.* at app. B § 601.31.

⁵⁷ *See id.* at app. B § 601.32 (details regarding the specific eligibility requirements for Crisis grants).

⁵⁸ *Id.* at app. B § 601.31(1).

⁵⁹ 19-20 LIHEAP STATE PLAN, at 2.

⁶⁰ *Id.*

⁶¹ PA. DEP’T OF HUMAN SERVICES, LIHEAP ELIGIBILITY INCOME CHART (2019-2020), <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/homeheatingassistanceliheapeligibility/index.htm>.

Income Calculation

Gross annual income is used to determine both a household's eligibility and Cash grant amount.⁶²

The **applicant** is given the discretion to choose between two time periods to be used in calculating their gross annual income.⁶³ **The applicant may choose to:**

- use their income from the previous 12 months or
- use their income from the calendar month immediately prior to the date of the application, multiplied by 12 (monthly amounts are converted to a yearly figure).⁶⁴



Advocacy Tip: Advocates should help the applicant determine which of the time frames (12 months or past calendar month) yields the income level most advantageous for the household.

In some cases, the selection of the time frame to be used, as well as the timing of the Cash grant application, may help lead to a determination of eligibility and may lead to significantly different benefit amounts.

Income for recipients of SNAP, Cash, or Medical benefits from DHS will be annualized based on the gross income on DHS's Client Information System.⁶⁵ Applicants in this situation who would have a lower income based on the previous month's income can ask the CAO to use monthly income if the system automatically calculates a benefit amount and the applicant believes that it should be a higher amount because of lower income based on a different method.⁶⁶

Household Size

For the purposes of LIHEAP, a household is defined as an individual or a group of individuals, including related roomers,⁶⁷ who live together as one economic unit and customarily pay for home heating energy.⁶⁸ However, an individual who has previously received a LIHEAP cash benefit as a member of another household during the program year is not included in the household size.⁶⁹ Neither are temporary visitors, institutional residents, individuals who do not meet the immigration requirements, or individuals who are currently incarcerated or considered a fleeing felon.⁷⁰

⁶² See 19-20 LIHEAP STATE PLAN at app. B §§ 601.81 – 84.

⁶³ See *id.* at app. B § 601.83(a).

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ See *id.*

⁶⁷ 19-20 LIHEAP STATE PLAN at app. B §§ 601.3 and 601.81. Note that unrelated roomers are treated as a separate household and may qualify for LIHEAP assistance separately – provided the other eligibility requirements (such as home heating responsibility) are met.

⁶⁸ 19-20 LIHEAP STATE PLAN, at app. B § 601.3.

⁶⁹ *Id.* at app. B § 601.41.

⁷⁰ See *id.*

Whose Income Counts?

Income level for an applicant household includes the gross annual income from **all** of the following people:

- all household members, regardless of relationship,⁷¹
- a roomer related by blood, marriage, or adoption to a household member,⁷² and
- a person living with the applicant who, as a member of another household, has already received a LIHEAP Cash or Crisis grant during the present program year.⁷³

Note: The fact that certain individuals do not count for purposes of household size (i.e. fleeing felons, those not meeting immigration status, etc.) but their income does count for the purposes of determining eligibility may result in a household being placed on a higher FPL scale, resulting in a lower grant amount.

Gross income is the total earned and unearned income of the household, including:

- employee earnings,
- profit from self-employment,
- income from roomers, boarders or apartment renters, and
- unearned income.⁷⁴

Note: Each of these categories of earnings has multiple subcategories.⁷⁵ For example, DHS has specifically stated that funds withdrawn from Individual Retirement Accounts, Certificates of Deposit and proceeds from the sale of stock certificates are to be counted as unearned income.⁷⁶

Some income sources, such as educational assistance, food stamps, and cash or in-kind heating assistance from public or private agencies, are **excluded** from the calculation of household income for the purposes of establishing eligibility for LIHEAP.⁷⁷ DHS has clarified that *all* students, not

⁷¹ Same sex marriage became legal in the Commonwealth of Pennsylvania on May 20, 2014, when a decision rendered by the United States District Court for the Middle District of Pennsylvania struck down Pennsylvania's 1996 law banning the recognition of same gender marriage as unconstitutional. According to the Operations Memorandum (#14-10-02) dated on October 9, 2014, LIHEAP policy has not changed regarding mandatory household members. Spouses are mandatory household members and must be included in the same LIHEAP household. Compass has been updated and allows applicants to input same-sex spouses.

⁷² Roomers who are not related to a household member should not be counted in the household and are eligible on their own for a Cash grant if they meet LIHEAP's eligibility requirement. 19-20 LIHEAP STATE PLAN, at app. B § 601.3.

⁷³ *Id.* at app. B § 601.81.

⁷⁴ *Id.* at app. B § 601.82.

⁷⁵ *See id.*

⁷⁶ *Id.* at app. B § 601.82(4)(xi).

⁷⁷ *Id.* at app. B § 601.84(1)-(25).

just undergraduate students, are able to exclude from household income educational assistance from scholarships, grants and loans.⁷⁸

Other income exclusions include:⁷⁹

- Earned Income Tax Credits, even when paid throughout the year
- Wage earnings of a dependent child under 18
- Medicare premiums deducted from Social Security benefit payments
- **Earned income from temporary census employment**
- Payments, including stipends, to volunteers for VISTA, Service Learning Programs, and Volunteer Programs under Title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C.A. §§ 4951 – 4994)
- Loans **which can be verified with a statement from the lender or a loan document specifying the repayment plan**
 - *Note:* Since 2017, the exclusion of loans from gross annual income no longer requires that the loans be designated for a specific purpose, **or** be from an established financial institution.⁸⁰

Home Heating Responsibility

Applicants must have a home heating responsibility to receive LIHEAP. The following qualify as having a home heating responsibility:

- Homeowners or renters (including subsidized housing tenants) who pay for home heating fuel or utility service **directly to a vendor**.⁸¹
 - *Note:* If someone outside the household pays the bill because the household has zero/minimal income, the household is still considered to have a heating responsibility and is eligible to receive LIHEAP unless the bill is always paid by someone outside the household.⁸²
- Renters who **pay for heat indirectly** as a part of their rent.⁸³
 - *Note:* if a LIHEAP applicant pays for heat as an undesignated portion of the rent - provided the rent itself is not based on a fixed percentage of their income - they are considered to have a heating responsibility.⁸⁴

⁷⁸ *Id.* at app. B § 601.84(1)-(2).

⁷⁹ *Id.* at app. B § 601.84.

⁸⁰ *Id.* at app. B § 601.84(13).

⁸¹ *Id.* at app. B § 601.31(2)(i)(A).

⁸² *Id.*

⁸³ *Id.* at app. B § 601.31(2)(i)(B).

⁸⁴ *Id.*

- Roomers⁸⁵ who pay for their lodging in either a commercial establishment or in a private home which is their permanent and primary home.⁸⁶

Cash grant: To establish home heating responsibility for a Cash grant, the household must show responsibility for paying for the **primary fuel type** either directly to a vendor or to a landlord as a part of rent.⁸⁷

Note: Once it shows responsibility for the primary fuel type, the household can choose to have the Cash grant issued to its primary **or** secondary fuel type, and in certain circumstances, to a supplemental fuel type.⁸⁸

- A Cash grant can only be directed to a supplemental fuel type where the main source of heat is inoperable and the supplemental fuel type is the source of energy used most by the household.⁸⁹
- A **secondary** fuel type is the source of energy necessary to operate the primary fuel type, while a **supplemental** fuel type is a source of energy used for heating in addition to the primary fuel type.⁹⁰

Crisis grant: To establish home heating responsibility for Crisis, the household must show it pays for either its primary **or** secondary fuel type either directly to a vendor or indirectly through a third party as a part of rent.⁹¹ For an important comparison of primary and secondary fuel types, as well as supplemental fuel types, please see the Special Issues section of this manual.

Per DHS policy, the following individuals **do not** have a home heating responsibility and cannot receive LIHEAP:

- Renters are ineligible if their rental charge includes an undesignated amount for heat **AND** their rental charge is based on a fixed percentage of their income or on their source of income.⁹² This would apply to subsidized-housing tenants whose heat is included in their rent.⁹³
 - However, if a renter in this situation pays for their secondary fuel type directly to a vendor **AND** that heating source is necessary for the operation of their primary fuel

⁸⁵ A roomer is defined as “[a]n individual who has an agreement with an **unrelated** landlord or property owner to rent a room whose payment for lodging includes heat and may include a private bathroom or one of the following: (i) Board. (ii) Kitchen or bathroom privileges on a shared basis. (iii) Light housekeeping facilities.” *Id.* at § 601.3 (emphasis added). DHS could request written verification from the property owner or landlord of the roomer’s occupancy. *Id.* at vi.

⁸⁶ *Id.* at app. B § 601.31(2)(i)(C).

⁸⁷ *Id.* at app. B § 601.31(2).

⁸⁸ *Id.* at app. B § 601.41(4).

⁸⁹ *Id.*

⁹⁰ *Id.* at app. B § 601.3.

⁹¹ *Id.* at app. B § 601.31(2).

⁹² *Id.* at app. B § 601.31(2)(i)(B).

⁹³ *Id.*

type, then the household would be eligible for a Crisis grant for their secondary fuel type.

- A roomer is ineligible if the charge for room/room & board includes an undesignated amount for the main fuel AND the charge for room and board is based on a fixed percentage of their income or on their source of income.⁹⁴
- A household is ineligible if some other person or agency is always responsible for the heating bill (for example, people in subsidized housing who have the bill paid by the housing agency; students).⁹⁵ However if the bill is paid by someone outside the household because the household has zero/minimal income, the household is still considered to have a heating responsibility and therefore eligible to receive LIHEAP.⁹⁶

Residency

Household members must permanently reside in Pennsylvania.⁹⁷

Temporary Living Arrangements

Individuals in a temporary living arrangement, such as a visit, vacation, or education, generally do not qualify for LIHEAP.⁹⁸ People living in institutions, dormitories, fraternity or sorority houses, or boarding homes are ineligible.⁹⁹

College students can apply for and must not be denied LIHEAP eligibility solely on the basis of the temporary living arrangement section of the LIHEAP State Plan.¹⁰⁰ College students with year-round leases or for the school year only are considered residents of the county where they go to school and can qualify for LIHEAP. Generally, a temporary living arrangement is intended to last only for a few days or weeks, while a permanent living arrangement may last months or years.¹⁰¹



Advocacy Tip: Individuals who have temporarily left their permanent residence as a result of a home heating crisis *are* eligible for a grant for their permanent residence.¹⁰²

Recreational Vehicles

Persons living in recreational vehicles (Campers and RVs) are only eligible for LIHEAP if they provide verification that the recreational vehicle is permanently located in Pennsylvania and they

⁹⁴ *Id.* at § 601.31(2)(i)(C).

⁹⁵ *Id.* at app. B § 601.31(2)(i)(A).

⁹⁶ *Id.*

⁹⁷ *Id.* at § 601.31(3).

⁹⁸ *Id.* at § 601.31(2)(ii).

⁹⁹ *Id.*

¹⁰⁰ See PA. DEP'T OF HUMAN SERVICES, LIHEAP HANDBOOK § 614.1 (Feb. 8, 2013), <http://services.dpw.state.pa.us/oimpolicymanuals/liheap/index.htm>.

¹⁰¹ See *id.* at § 614.2..

¹⁰² See 19-20 LIHEAP STATE PLAN app. B § 601.105.

have no other permanent residence, and the heating appliance is being used in accordance with the heating manufacturer’s specifications.¹⁰³

Operators of a Licensed Business

Persons operating a licensed business out of the LIHEAP household’s residence are ineligible for LIHEAP if they use the home’s utilities as a deduction on their business’ tax return **and** a majority (more than 50%) of the home is used for business.¹⁰⁴ DHS will use line 30 of Schedule C of IRS Form 1040 (Profit or Loss from Business) and block 7 of IRS Form 8829 (Expenses for Business Use of Your Home) to determine LIHEAP eligibility for household business owners.¹⁰⁵

Fleeing Felon

Persons who are currently incarcerated or fleeing to avoid prosecution, custody or confinement after a felony conviction (or high misdemeanor in New Jersey) are ineligible for LIHEAP.¹⁰⁶



Advocacy Tip: There is an open question as to whether it is DHS’s burden to demonstrate that the person is actually “fleeing.” Advocates should carefully scrutinize the facts and, if the situation merits it, file an appeal if the individual has an outstanding warrant for a reason other than fleeing prosecution, custody, or confinement.

Operation of Heating Appliance

The heating appliance must be installed and operating based on the manufacturer’s specifications or current code requirements, whichever is more stringent.¹⁰⁷ If not, or if the household isn’t following all applicable building and fire codes, that household is not eligible for LIHEAP.¹⁰⁸

Non-Citizen Status

Lawfully admitted non-citizens are eligible to receive LIHEAP regardless of when they arrived in the United States, so long as they meet LIHEAP eligibility requirements.¹⁰⁹ Eligible non-citizens include: lawful permanent residents, asylees, refugees, Cuban/Haitian entrants, and non-citizens who have been battered or subjected to extreme cruelty in the United States.¹¹⁰ Appendix B to the State Plan contains a full list of eligible statuses and acceptable documentation.¹¹¹

¹⁰³ *Id.* at app. B § 601.31(2) (iii).

¹⁰⁴ *Id.* at § 601.31(2)(iv).

¹⁰⁵ PA. DEP’T OF HUMAN SERVICES, POLICY CLARIFICATION OF LIHEAP ELIGIBILITY FOR HOUSEHOLD BUSINESS OWNERS (Nov. 7, 2011), http://services.dpw.state.pa.us/oimpolicymanuals/liheap/PLA15989605_.pdf.

¹⁰⁶ 19-20 LIHEAP STATE PLAN at app. B § 601.31(2)(v).

¹⁰⁷ *Id.* at app. B § 601.31(2)(vi).

¹⁰⁸ *Id.*

¹⁰⁹ *Id.* at app. B § 601.31(4).

¹¹⁰ *See id.*

¹¹¹ *Id.* at B-26. The last category (battered or subject to extreme cruelty) can be shown through collateral contacts, affidavits, and eye witness accounts.

Household may still be eligible for LIHEAP even with household members who don't qualify

The mere presence of non-eligible persons in the home does not disqualify the household from receiving LIHEAP. DHS has clarified that households with fleeing felons or members ineligible because of their immigration status, may still be eligible for LIHEAP if there are members of the household who meet the eligibility requirement. The caveat is that the income of all members of the household (even ineligible members) counts for income eligibility purposes, however, ineligible household members do not count for household size purposes. For example, if a household contains an undocumented father, a U.S. Citizen mother, and 2 U.S. citizen children, the income of all household members would count, but for determining whether the household meets the income eligibility guidelines, the household size would be three (3), not four (4).

Social Security Numbers

An applicant **does not** need a Social Security number to be eligible for LIHEAP. However, each household member one year of age or older who does not provide a Social Security number must be listed on the Energy Assistance Affidavit.¹¹² This Affidavit is in the Certification section of the LIHEAP application.

Note: The Energy Assistance Affidavit has been more prominently highlighted in the Certification section on page 3 of the LIHEAP application, however the instructions are still somewhat confusing.

Applications

An individual must complete and submit an application to receive LIHEAP.¹¹³ All households that received a LIHEAP grant in 2018-2019 should have had either an application or a postcard informing them of how to apply on-line mailed to their home in October. Applications are generally available upon request from different sources in the community, such as CAOs, a LIHEAP administering agency, utility companies, or online at DHS's website.¹¹⁴ They are also attached hereto at Appendix B.

Note: Because the income eligibility requirements for LIHEAP can differ from year to year and a household may have experienced changes (such as in income level or size), receipt of an application or postcard in the mail does not imply or indicate current eligibility.

An individual also may apply online through the COMPASS website.¹¹⁵ DHS strongly encourages applicants to apply online through COMPASS. Households using COMPASS may receive an automated eligibility determination, if the income is already known to and verified by DHS because of participation in other programs such as SNAP, MA, or TANF, and the household's

¹¹² 19-20 LIHEAP STATE PLAN at app. B § 601.106

¹¹³ *Id.* at app. B § 601.21.

¹¹⁴ See PA. DEP'T OF HUMAN SERVICES, LIHEAP BROCHURE - ENGLISH (2016); See also PA. DEP'T OF HUMAN SERVICES, LIHEAP BROCHURE - SPANISH (2016); PA Dep't of Human Services, *Heating Assistance/LIHEAP*, <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/index.htm> (last visited Oct. 11, 2019).

¹¹⁵ See www.compass.state.pa.us.

address and composition matches the information already in DHS' system.¹¹⁶ The household will still have to provide proof of home heating responsibility.¹¹⁷ Please let PULP know if applicants experience any difficulties with the automated eligibility determination.

The same form is used to apply for each of the LIHEAP components, including the Crisis Interface Program.

An individual may need assistance to complete the application. Homebound individuals have the right to request that LIHEAP staff mail an application to them at their home and may also request help in filling out the form.¹¹⁸

Timing of Application

The date of application is the date the County Assistance Office or administering agency receives the application.¹¹⁹ Where an individual is assisted by a utility, community group, or another party in filling out and forwarding an application, **the formal date of application is only when the local CAO or administering agency receives the application.**¹²⁰

DHS has indicated that all households submitting a LIHEAP Cash application in 2019-2020 will receive a system generated notice informing them that their application has been received. This notice will be triggered once the application has been data entered.

As noted above, households using COMPASS may receive an automated eligibility determination if income is already known to and verified by DHS because of participation in other programs such as SNAP, MA, or TANF, and the household's address and membership matches the information already in DHS' system.¹²¹

DHS Response

The CAO must provide the applicant with a written determination within 30 days of receiving a complete application for a Cash grant.¹²² If the Cash grant application is deemed incomplete, the administering agency must send the applicant a notice indicating what information is missing within 10 work days of receipt.¹²³ The applicant will then have 15 days from the date of that notice to return the missing information in order to avoid rejection of the application.¹²⁴



¹¹⁶ 19-20 LIHEAP STATE PLAN at app. B § 601.22.

¹¹⁷ *Id.*

¹¹⁸ *Id.* at § 601.24.

¹¹⁹ *Id.* at § 601.21(3).

¹²⁰ *Id.*

¹²¹ 19-20 LIHEAP STATE PLAN at app. B § 601.22.

¹²² *Id.*

¹²³ *Id.* at app. B § 601.23.

¹²⁴ *Id.*

Advocacy Tip: If you have a client who has not applied by or near the end of the LIHEAP season (April 10, 2020) have them apply even if they do not have all of their documentation with them at the time. An incomplete application is not rejected, it is deemed incomplete and the client will then have 15 days from the date of the incomplete notice to submit the documentation. This will allow households nearing the end of the season to have their grant considered.

Although significant Cash grant processing delays have occurred in previous years, DHS's obligation to provide a determination of eligibility within 30 days of receiving a completed application continues to exist.¹²⁵ If county offices are routinely failing to comply with this deadline, please alert PULP so that we can bring it to the attention of DHS.

Documentation vs. Verification

DHS uses two different classifications for information submitted in association with LIHEAP: “verification” and “documentation.”¹²⁶ “Verification” includes “any form of convincing information, including oral statements or documentation.”¹²⁷ “Documentation” meanwhile, is “written or printed evidence, such as fuel bills, rent receipts, or pay stubs, which is needed to determine LIHEAP eligibility and the type and amount of the LIHEAP benefit.”¹²⁸

Documenting Income

Applicants must **document** the amount and source of the income for: 1) all household members and 2) for anyone living in the residence who already received LIHEAP benefits during the program year as a member of another household.¹²⁹

If an applicant claims little or no income for the household, the applicant will be required to provide **evidence** explaining how the household is meeting its financial obligations and basic living needs.¹³⁰ While the Plan does not specify the form of this evidence, the 2019-2020 Application for LIHEAP requires applicants with no income in the past month, or with income that is less than the cost of the household’s monthly basic living needs (food, shelter, personal items, etc.), to explain in writing how the household is meeting its basic living needs.¹³¹ DHS generally applies a high level of scrutiny to applications of individuals who assert that they have no income.

Documenting Heating Responsibility

Cash grant: applicants must **document** their responsibility for the primary fuel type for the household.¹³² A household that pays a vendor directly can satisfy this responsibility by submitting

¹²⁵ See *id.* at app. B § 601.22.

¹²⁶ See *id.* at app. B § 601.101.

¹²⁷ *Id.* at app. B § 601.101(1).

¹²⁸ *Id.* at app. B § 601.101(2).

¹²⁹ *Id.* at app. B § 601.102(a).

¹³⁰ *Id.* at § 601.103.

¹³¹ See PA. DEP’T OF HUMAN SERVICES, LIHEAP APPLICATION.

¹³² 19-20 LIHEAP STATE PLAN, at app. B § 601.104(a).

a fuel bill or receipt issued within the two months prior to the date of the LIHEAP application.¹³³ Households can also submit receipts from vendors for fuel purchased since January 2019.¹³⁴

Note: Many utilities have established on-line portals that allow LIHEAP case workers to verify home heating responsibility directly through the portal. If a client does not have a bill from their primary heating source, they should still apply and this can be verified by the utility through the portal or through a phone call. Of course, for deliverable fuel vendors, the household will have to document their responsibility by providing a receipt for the delivery of home heating fuel. Since the purpose of this documentation is to prove home-heating responsibility, the receipt can be from a different vendor than the one that the client is electing to designate as the household's current LIHEAP vendor.

Households that pay for heat indirectly as an undesignated part of their rent can provide verification or documentation from the landlord or rental agent to show home heating responsibility.¹³⁵ Oral verification by the landlord is sufficient to meet this burden.¹³⁶

Note: If a household chooses to have a benefit paid to the vendor of a secondary fuel type, then the household must document its responsibility for both the primary and secondary fuel types.¹³⁷

Crisis grant: Applicants for Crisis grants must prove payment responsibility for *either* the primary or secondary fuel type.¹³⁸ If, as a result of a prior service termination, the applicant does not have a recent bill or receipt, the intended vendor must supply documentation that indicates the vendor will activate service upon a determination of LIHEAP eligibility.¹³⁹

Note: In certain situations, an applicant for a Cash or Crisis benefit can show proof of home heating responsibility despite the billing payment responsibility being in someone else's name.¹⁴⁰ This includes the death of the bill payer, credit problems of the applicant, and domestic violence safety concerns.¹⁴¹ The applicant must then provide written proof that he/she lives at the residence address, and explain why the bill is in another person's name.¹⁴²

- For example, if the LIHEAP applicant continues to have the utility bill in the name of her deceased spouse, she may then provide a driver's license documenting that she resides at the residence.¹⁴³

¹³³ *Id.*

¹³⁴ *Id.*

¹³⁵ *Id.* at app. B § 601.104(c).

¹³⁶ *Id.*

¹³⁷ *Id.* at app. B § 601.104(a).

¹³⁸ *Id.* at app. B § 601.104(b).

¹³⁹ *Id.*

¹⁴⁰ *Id.* at app. B § 601.104(d).

¹⁴¹ *See id.*

¹⁴² *See id.*

¹⁴³ *Id.*

Documenting Proof of Residence

Generally, an applicant must live at the residence being heated. However, an applicant temporarily living away from his or her actual residence can still apply for LIHEAP by providing some documentation of the emergency or extenuating circumstances requiring the household to live elsewhere.¹⁴⁴ The CAO is required, upon request, to assist in providing appropriate documentation for applicants in these situations.¹⁴⁵

Documenting a Crisis

To receive a Crisis grant, the applicant must prove that there is a home heating crisis.¹⁴⁶ Acceptable forms of proof include:

- A utility termination notice or verification of a scheduled termination,
- Verification that utility service has already been terminated, or
- A statement from the applicant that the household's deliverable fuel supply is depleted or will last less than 15 days.¹⁴⁷

Whether a crisis exists is fact specific. For example:

- A termination notice is generally sufficient proof to document a crisis for receipt of a Crisis grant.¹⁴⁸

Because regulated utility companies cannot terminate service to LIHEAP income-eligible households during the Winter Moratorium (December 1 through March 31), a termination notice issued by a regulated utility company during the Winter Moratorium is not, by itself, accepted by DHS as proof of a home heating emergency.¹⁴⁹ However, in past years, DHS has honored, as proof of a crisis, shut-off notices dated February 1 or later that are issued by regulated utilities.¹⁵⁰

- Subsidized housing tenants are not eligible for a Crisis grant if their rental charge includes an undesignated amount for heat AND is based on a fixed percentage of their income.¹⁵¹

¹⁴⁴ *Id.* at app. B § 601.105.

¹⁴⁵ *Id.*

¹⁴⁶ *Id.* at app. B § 601.108.

¹⁴⁷ *Id.*

¹⁴⁸ *E.g., Id.* at app. B § 601.62(2)(ii); 66 Pa C.S. § 1406(g).

¹⁴⁹ 19-20 LIHEAP STATE PLAN, AT app. B § 601.108.

¹⁵⁰ Shut-off notices are valid for sixty days from the date they are issued. 66 Pa. C.S. § 1406(b)(1)(i). As such, a shut-off notice issued after February 1st could be acted on by the utility in April, after the end of the winter moratorium.

¹⁵¹ 19-20 LIHEAP STATE PLAN, at app. B § 601.31(2)(i)(B).

However, if a subsidized housing tenant who has heat included in their rent has a direct relationship with electric company and the electricity is necessary to operate their primary fuel type, then they would be eligible for a Crisis grant to their secondary fuel type (electricity).



Advocacy Tips

An advocate may need to address:

- *Social Security Numbers*: A Social Security number is not required for eligibility, but if the applicant has a Social Security number and they are able to provide it, DHS has determined that it must be provided.¹⁵² Regulated vendors often request social security numbers in order to match the grant to the appropriate account. An applicant who does not have a Social Security number or is unable to provide one can complete an Energy Assistance Affidavit.¹⁵³ The Energy Assistance Affidavit is printed in the certification section on page three of the LIHEAP application.
- *Immigration Status*: Official documentation from the U.S. Citizenship and Immigration Services is generally sufficient to establish lawfully admitted non-citizen status.¹⁵⁴ A chart of acceptable documents for proving eligible non-citizen status is provided in the State Plan, at the end of appendix B.¹⁵⁵

Cash Grant

The LIHEAP Cash grant is available to all eligible individuals with a home heating responsibility.¹⁵⁶ An individual may be a renter or an owner and may use *any* type of fuel to provide heat to the residence, including but not limited to: gas, oil, electric, wood, propane.¹⁵⁷ The purpose of the Cash grant is to assist low income households with their financial home heating burden.¹⁵⁸ Therefore, to receive a Cash grant an individual:

- Need **not** be threatened with termination of service;
- Need **not** have an outstanding bill or be in debt to a utility or energy vendor; and
- Need **not** have a direct relationship with a utility or energy vendor.

Grants are calculated based upon a number of household characteristics that impact affordability:¹⁵⁹

- Household size,

¹⁵² *Id.* at app. B § 601.106.

¹⁵³ *Id.*

¹⁵⁴ *See d.* at app. B § 601.109.

¹⁵⁵ *Id.* at app. B.

¹⁵⁶ *See id.* at app. B § 601.31.(2)

¹⁵⁷ *See id.*

¹⁵⁸ *See id.* at app. B § 601.2.

¹⁵⁹ *Id.* at app. B § 601.41(a)(1-4).

- Household income,
- Heating Region, and
- Primary (or main) Fuel Type.

Based upon these household characteristics, Cash grants for 2019-2020 will range from \$200 to \$1,000 per household.¹⁶⁰ The LIHEAP Benefit Amount Table shows the size of the Cash grant a household may receive.¹⁶¹

Note: The Benefit Amount Table only includes income levels up through \$22,999. However, households with incomes above \$22,999 may still be eligible, depending on household size. Refer to Appendix A of this Manual for 2019-2020 PA LIHEAP Income Guidelines.

If the household pays for fuel directly, then DHS will send the Cash grant to the fuel vendor or utility on behalf of the household.¹⁶² The applicant receives the grant directly in the following situations: if the household pays for heat as an undesignated part of rent, the fuel vendor refuses to participate in the program or has been removed from the list of participating vendors, the heating bill is in the name of a non-household member, the applicant is a roomer, or the bill is paid to a third party such as in a master-metered situation.¹⁶³

Landlords, rental agents, housing authorities, or hotel or rooming house managers are not eligible to receive direct vendor payments.¹⁶⁴ Thus, an unscrupulous landlord is not able to intercept or coerce a LIHEAP grant from a tenant.

With the advent of competition in electric and natural gas utility service, some households may be purchasing their energy generation from an entity other than their local regulated distribution company. LIHEAP grants can only go to the local regulated distribution company. If a supplier bills customers separately for generation service, those customers cannot designate their LIHEAP grant to pay the generation bill.¹⁶⁵ However, in most cases, residential customers who use a supplier are billed through the distribution company. In that circumstance, LIHEAP can apply to the entire bill.

Crediting a Cash Grant to a CAP Customer's Account

¹⁶⁰ See 19-20 LIHEAP STATE PLAN, at ii.

¹⁶¹ See PA. DEP'T OF HUMAN SERVICES, LIHEAP BENEFIT AMOUNT TABLE (2019), <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/liheapbenefitamounttable/index.htm>.

¹⁶² 19-20 LIHEAP STATE PLAN, at app. B § 601.44(a).

¹⁶³ *Id.* at app. B § 601.44(b).

¹⁶⁴ *Id.* at app. B § 601.44(c).

¹⁶⁵ Note, however, that almost all competitive electric suppliers sell their receivables to the utility company and have that utility company bill the customer for the supply charges. In this case, applicants who direct their LIHEAP grant to the utility will indirectly pay for the competitive supply. This is because the utility retains the ability to terminate service for nonpayment of the energy costs that it purchases from the competitive supplier. It is only in those cases where a supplier separately bills the customer that the customer cannot direct the LIHEAP grant to the supplier.

Background

The purpose of LIHEAP is to help low income households meet their home heating needs. The LIHEAP Federal statute and regulations and Pennsylvania’s approved State Plan require that LIHEAP funds be applied in full to the account of LIHEAP eligible households.

Customer Assistance Programs (CAPs)

In addition, each large regulated electric and natural gas distribution company in Pennsylvania must provide a Customer Assistance Program (CAP) for low income consumers within its service territory.¹⁶⁶ CAPs generally serve payment-troubled households with incomes at or below 150% of the Federal poverty level, similar to the LIHEAP eligibility level. The Pennsylvania Public Utility Commission (PUC) oversees the CAP programs, which are administered by the individual utility companies. CAP programs protect consumers’ health and safety by helping low income customers maintain affordable utility service.¹⁶⁷ In CAP, monthly utility bills are lowered by providing a reduced rate through either a Percentage of Income Payment Program (PIPP or PIP), a rate discount, or some other PUC approved model. Entry into CAP will also generally freeze any collection activity of pre-program arrears and enable their eventual forgiveness.

Companies provide unique names for their CAP program. For example, PPL’s CAP is OnTrack, PGW’s is Customer Responsibility Program (CRP), and NFG’s is Low Income Rate Assistance (LIRA). Each program operates somewhat differently.

Intersection of LIHEAP and CAP

- CAP participants must apply for and designate one LIHEAP grant to the utility administering the CAP.
- LIHEAP Crisis recipients not already enrolled in CAP must be offered entrance into the CAP of the utility company designated to receive that Crisis grant, or a budget plan, depending on which is the most advantageous.¹⁶⁸

However, PUC policy, which governs utility accounting practices, had permitted utilities not to credit a CAP participant’s LIHEAP Cash grant specifically to that individual customer’s current bill. Instead, utilities could apply the grant to cover the general costs of the Customer Assistance Program, to frozen pre-program arrears or to the difference between the CAP “Asked to Pay” amount and the amount that the customer actually consumed.

To address this questionable application of the CAP payment by utilities, DHS formulated a policy **requiring utilities to apply the LIHEAP Cash grant to the individual CAP customer’s asked-to-pay amount.**¹⁶⁹ The vendor copy of the Vendor Agreement for the 2019-2020 program year¹⁷⁰ also states the following:

¹⁶⁶ 66 Pa. C.S. §§ 2803 (electric), 2203 (gas).

¹⁶⁷ 52 Pa. CODE §§ 54.73 (electric), 62.3 (gas).

¹⁶⁸ 19-20 LIHEAP STATE PLAN at app. B § 601.61.

¹⁶⁹ *Id.* at app. B § 601.45.

¹⁷⁰ See Appendix F attached hereto.

3. Public utilities that operate Customer Assistance Programs (CAP) will apply the LIHEAP Cash grant in full to the customer's account:

- a) To resolve any past-due CAP payments;
- b) To the current CAP payment; and
- c) Any remaining funds credited to future CAP payments.

NOTE: A CAP payment is the amount the customer is required to pay under the terms of the utility's CAP agreement.

DHS continues to require that LIHEAP Cash grants be applied to a CAP household's "asked to pay" amount. The vendor agreement does not use that phrase, but instead talks about a household's "CAP payment", defined as "the amount the customer is required to pay under the utility's CAP agreement." Since each of the CAP programs operates slightly differently, advocates are encouraged to contact PULP staff with questions. Additionally, each of the utility's CAP plans can be found on the Public Utility Commission's website.¹⁷¹



Advocacy Tip: Advocates should remain vigilant and carefully review each customer's account to be certain that the LIHEAP Cash grant has, in fact, been credited properly to the "Asked to Pay" amount. The review process may be daunting since it is often difficult to trace how utilities are applying LIHEAP payments. If you have questions, please contact PULP staff.

Policy Aftermath:

In reaction to this policy change, many utilities have sought novel means to recover the value of the LIHEAP grants which formerly covered general operating costs of the Customer Assistance Program. One method, called "CAP-Plus," adds a flat fee to each customer's account based on the total value of LIHEAP grants obtained in the previous program year. The legality of this process had been challenged; however, the Commonwealth Court of Pennsylvania has affirmed the adoption of the CAP-Plus program.¹⁷² LIHEAP clients participating in CAPs at utilities that have implemented CAP-Plus **are required to pay** this additional charge and advocates should be aware that other companies may also petition the Commission to implement a CAP-Plus payment.

Crisis Grant

The LIHEAP Crisis grant assists households with a home heating related emergency, such as: loss of heat due to a heating system failure; actual or scheduled service shut-off; lack of fuel; or

¹⁷¹ See http://www.puc.pa.gov/consumer_info/electricity/energy_assistance_programs.aspx. Scroll down on the page to the section titled "Universal Service Plans and Evaluations."

¹⁷² Pa. Communities Org. for Change, Inc. v. Pa. Pub. Util. Comm'n, 89 A.3d 338 (Pa. Commw. Ct. 2014).

imminent depletion of fuel.¹⁷³ Crisis grants may be applied to either the primary or secondary heat source, or a supplemental heat source where the main source of heat is inoperable.¹⁷⁴ Although households should apply for both Cash and Crisis grants if they are eligible for both, the LIHEAP State Plan is clear that households may apply for and, if eligible, receive a Crisis grant regardless of whether they apply for and receive a Cash grant.¹⁷⁵

When a crisis arises, an individual may apply for a Crisis grant as well as for a Cash grant. DHS first looks to the Cash grant amount to resolve the crisis; if that amount is not enough, DHS then approves the Crisis grant only to the extent necessary to resolve the crisis, and only if the Crisis grant will resolve the emergency.¹⁷⁶

Cash grants and Crisis grants, as well as the Crisis Interface program, can be used individually or jointly to resolve the crisis. Types of assistance can include:

- Pipe thawing,
- Gas/fuel line repair,
- Purchase of a new furnace/heating system,
- Furnace repair,
- Water-heating system repair,
- Broken window repair,¹⁷⁷ or
- Payment of utility bills or for fuel delivery.¹⁷⁸

The State Plan notes these particular examples, but other heat related emergencies can also be addressed.

Other grants, such as from a regulated utility's Hardship Fund or other public or private sources of funding, can also be used in combination with LIHEAP to resolve a crisis.¹⁷⁹

In response to an advocate's request, or due to individual utility company policy, a utility may also accept less than the amount due to resolve a crisis. For instance, in 2019, PECO announced that it will accept a Crisis grant as sufficient to resolve a crisis and prevent termination of service

¹⁷³ See 19-20 LIHEAP STATE PLAN at app. B § 601.4(2).

¹⁷⁴ *Id.* at app. B § 601.61.

¹⁷⁵ *Id.* at app. B § 601.32.

¹⁷⁶ See *id.* at app. B § 601.32(3).

¹⁷⁷ Broken windows alone do not meet the definition of a home heating emergency unless their repair is necessary to ensure the effectiveness of other repairs or improvements. *Id.* at app. B § 601.62(vi).

¹⁷⁸ 19-20 LIHEAP STATE PLAN, at app. B § 601.62.

¹⁷⁹ Each regulated electric and gas utility has a hardship fund. See http://www.puc.state.pa.us/consumer_info/electricity/energy_assistance_programs.aspx. Some of those hardship fund programs – such as PPL's Operation HELP – allow utility customers to use those funds for other fuel types.

or restore service for all households with balances of \$3,000 or less. After application of the Crisis grant, PECO will place the balance of the arrears on a payment agreement.

Advocates are encouraged to be creative in combining and leveraging these grants – and requesting that utilities reduce up-front payment amounts - for the purpose of resolving a utility crisis.

Expedited Processing

The CAO or other administering agency must expedite processing of Crisis grant applications. Households that qualify for a Crisis grant must receive assistance within **48 hours** of submitting the application.¹⁸⁰ In life-threatening situations, assistance must be provided within **18 hours** of the application.¹⁸¹



Advocacy Tip: CAOs and administering agencies often fall behind on the processing of applications due to the volume of applications within a limited time period. If an applicant does not get a decision from the CAO within the 48 hour/18 hour Crisis deadlines (as well as the 30 day Cash deadline), the advocate should contact the CAO. Each CAO has a LIHEAP coordinator who can troubleshoot missed Crisis deadlines.¹⁸² Have your CAO identify that individual, and contact them immediately when an application is not processed within the 48 hour/18 hour window. We have provided the list of LIHEAP Coordinators as Appendix D of this document.

Crisis Grant Eligibility

Crisis applicants must meet distinct eligibility criteria to receive a grant:

- The household must meet all of the general eligibility requirements regarding income, home heating responsibility, residency, and citizen status.¹⁸³
- The household must be without heat or in imminent danger of being without heat due to a weather-related event, a home heating system breakdown, a utility shut-off or an energy supply shortage.¹⁸⁴ **DHS has clarified that a household that heats with a deliverable fuel will be considered to be in a home heating emergency if their heating fuel supply will last less than 15 calendar days.**¹⁸⁵
- The Crisis benefit must alone, or in conjunction with other resources, resolve the home heating emergency.¹⁸⁶
- The household must provide proof of the home heating emergency.¹⁸⁷

¹⁸⁰ 19-20 LIHEAP STATE PLAN, at app. B § 601.4(2).

¹⁸¹ *Id.*

¹⁸² A list of LIHEAP contacts at each CAO is attached to this manual as Exhibit D.

¹⁸³ 19-20 LIHEAP STATE PLAN, at app. B § 601.32(1).

¹⁸⁴ *Id.* at app. B § 601.32(2).

¹⁸⁵ *See id.* at app. B § 601.62(2)(i).

¹⁸⁶ *Id.* at app. B § 601.32(3).

¹⁸⁷ *Id.* at app. B § 601.32(4).

Grant Features

The amount of a Crisis grant is the amount needed to resolve the crisis subject to the minimum allowable Crisis grant of \$25 and the maximum allowable Crisis grant of \$600.¹⁸⁸ The amount of the Crisis grant cannot exceed whatever amount is needed to resolve the crisis.¹⁸⁹

Crisis grants are paid directly to the approved LIHEAP vendor or utility.¹⁹⁰ Exceptions in which Crisis grants are paid directly to the applicant are rare, but may arise situations when direct payment to the vendor cannot be made. In this case, DHS will pay the Crisis benefit to the applicant as a reimbursement after the purchase has been verified.¹⁹¹

Crisis funds can pay reconnection fees, re-start fees, and reasonable delivery charges.¹⁹² **They may not be used to pay security deposits or late fees.**¹⁹³ Advocates should note that as of January 2015, regulated utilities can no longer require CAP eligible customers to pay a security deposit and should advise PULP of any utilities that attempt to do so.¹⁹⁴ Most CAP programs use the same income guideline as LIHEAP - 150% of Federal Poverty and below - however, CAP programs may count income and household members that LIHEAP does not, and vice versa.

Heating System Repairs

Weather-related heating emergencies may include heating system repairs or heating system replacements.¹⁹⁵ A household can use a Crisis grant to pay for the repairs,¹⁹⁶ but PULP recommends that clients access the Crisis Interface/Weatherization Assistance Program for assistance in making the necessary repairs or replacing their heating system free of charge, provided the household is income eligible. This program is discussed in greater detail below.

Deliverable Fuels

Special rules apply to the payment of a Crisis grant for a shortage of deliverable fuels (e.g., oil, propane, kerosene, wood). In this situation, **an applicant's statement** that their fuel supply has been exhausted or will last fewer than 15 days is acceptable proof of an energy crisis.¹⁹⁷

In the case of deliverable fuels, the LIHEAP Crisis grant can include the cost of delivery up to the \$600 maximum payment.¹⁹⁸ If the fuel is not delivered by the vendor, the household will receive the amount needed to resolve the crisis or the maximum amount of fuel that can be transported by

¹⁸⁸ *Id.* at ii.

¹⁸⁹ *See id.* at app. B § 601.61.

¹⁹⁰ *Id.* at app. B § 601.64.

¹⁹¹ *Id.*

¹⁹² *See id.* at app. B § 601.62(2)(i-ii).

¹⁹³ *Id.* at app. B § 601.45.

¹⁹⁴ 66 Pa. C.S. § 1404(a.1).

¹⁹⁵ 19-20 LIHEAP STATE PLAN at app. B § 601.62(1).

¹⁹⁶ *See id.*

¹⁹⁷ *Id.* at app. B § 601.108.

¹⁹⁸ *See id.* at app. B § 601.61.

the household in one trip; again subject to the \$600 maximum Crisis payment.¹⁹⁹ A prior statement from the vendor is required to verify the cost of the non-vendor pick-up.²⁰⁰

DHS requires deliverable fuel vendors to charge the lowest price if the vendor has a variable pricing structure (i.e., one price for cash deliveries and one for credit deliveries), and requires that the household be charged the same amount as a non-LIHEAP household for an identical delivery based on quantity. In other words, if there is a minimum delivery fee (or a higher per unit price for a lesser amount of fuel) it must be assessed for LIHEAP and non-LIHEAP households equally.²⁰¹

Advocates should continue to watch out for this to ensure that households are paying the lowest possible price for deliverable fuel.

Crisis Resolution

A LIHEAP Crisis grant must resolve the crisis.²⁰² Households are **ineligible** for a Crisis grant if the grant, alone or combined with other resources available to the household, will not resolve the crisis.²⁰³ Given the fragile economic condition of LIHEAP Crisis applicants and the current cost of energy, a \$600 Crisis grant alone could very likely be insufficient to resolve the crisis.



Advocacy Tip: Applicants will still be eligible for Crisis grants if the grant will resolve the crisis **in combination with other resources**. Advocates should work with applicants, reach out to community organizations, and negotiate with utilities to identify additional resources that will complement the Crisis grant in resolving the home heating crisis. Resources can include, but are not limited to, supplemental funds from community organizations or friends and family, utility hardship funds, and negotiating a lower amount owed with the utility or a payment arrangement or deferral of debt by the utility.

Minimum Grant: If a household requires less than \$25 to resolve a home heating emergency, then it will not be eligible to receive a Crisis grant.

Maintenance of Service: When a regulated electric or natural gas vendor accepts a Crisis payment to prevent termination or reconnect service to the household, then that vendor must maintain ongoing service to the household for at least 30 calendar days following the resolution of the crisis.²⁰⁴ When a household receives a Crisis grant approval up to 30 days before the Winter

¹⁹⁹ *Id.*

²⁰⁰ *Id.*

²⁰¹ *See* Vendor Agreement – Liquid or Solid Fuels ¶ 5a.

²⁰² 19-20 LIHEAP STATE PLAN, at app. B § 601.61.

²⁰³ *Id.*

²⁰⁴ *Id.* at app. B § 601.61.

Moratorium or during the Winter Moratorium period, then service may not be terminated until either 30 days after the Crisis is resolved, or May 1st, whichever is later.²⁰⁵

Enrollment in CAP: If a utility accepts a Crisis grant, then that utility *must offer* that individual the opportunity to enroll in that utility’s Customer Assistance Program (CAP) or into a budget billing plan, whichever is more beneficial to the applicant.²⁰⁶

LIHEAP Crisis Grants and the Winter Moratorium

There are conflicting legal principles at work during the Winter moratorium. In general, customers of regulated electric and natural gas utilities with a household income at or below 250% of the Federal Poverty Level are protected from service termination from December 1 through March 31 of each year, unless the utility is specifically given permission to terminate by the PUC.²⁰⁷ A request for such permission by the utility is exceptionally rare. Customers of PGW have separate guidelines.²⁰⁸

On one hand, Chapter 14 (the Pennsylvania statute that governs terminations) specifically states that a notice of termination is sufficient proof of a crisis to enable a low income household to qualify for a Crisis grant.²⁰⁹ However, since the basis for receiving a Crisis grant rests with the household demonstrating the existence of an *imminent or actual crisis*, DHS does not generally consider a low income household protected by the Winter Moratorium to be in an imminent crisis and will not authorize a Crisis grant to such a household.

As a result, some confusing scenarios arise:

- **Scenario #1:** A regulated utility issues a termination notice, to take effect during the Winter Moratorium period. Because the Winter Moratorium prevents terminations, before the utility may act on that termination notice, it must petition the PUC for permission to do so.²¹⁰ In the extraordinarily rare case that the PUC grants permission to act on the notice and terminate the household, then a crisis exists and the household will be eligible for a Crisis grant. DHS does not consider the household to be in crisis until the PUC has given permission for the utility to act.²¹¹
- **Scenario #2:** Same facts as Scenario #1. The utility either does not seek PUC permission to act on the notice or seeks PUC permission and is denied. In either case, the applicant is not in an actual crisis, but Chapter 14 would appear to authorize the grant anyway.

²⁰⁵ *Id.*

²⁰⁶ *Id.*

²⁰⁷ 66 Pa. C.S. § 1406(e)(1).

²⁰⁸ 66 Pa. C.S. § 1406(e)(2).

²⁰⁹ 66 Pa. C.S. § 1406(g).

²¹⁰ 66 Pa. C.S. § 1406(e)(1).

²¹¹ 19-20 LIHEAP STATE PLAN, at app. B § 601.62(2)(ii)(A).

DHS treats this situation as a quasi-crisis. In past years, applicants in this situation did not receive an absolute denial, but DHS delayed processing of the grant until a later date, pending funding availability.

Note: The applicant may receive a notice from DHS informing her that she is not presently eligible for a Crisis grant because there is no imminent or immediate crisis, but that she may receive a grant if, towards the end of the program year, she remains in a crisis situation and there is sufficient funding available. This could cause confusion for LIHEAP Crisis applicants.

- **Scenario #3:** A utility issues a termination notice in February to a household protected by the winter termination moratorium. Because termination notices are effective for sixty days, it will still be in effect after the close of the Winter Moratorium. After April 1, utilities can terminate service without PUC permission.



Advocacy Tip: Whether DHS will provide a Crisis grant may depend on a number of factors, such as the availability of funds, the actual closing date of the Crisis component, or other policy determinations. Because the notice will still be in effect after the moratorium, advocates should argue the Crisis grant will resolve an imminent crisis.

Vendors not regulated by the PUC are not subject to Chapter 14 or to the Winter Moratorium.²¹² Therefore, DHS will examine crisis applications for customers of those vendors on a case by case basis. For example, some Rural Electric Cooperatives or municipal utilities preclude termination during certain winter months, while others do not.

Crisis Interface/Weatherization Assistance Program Component

The Crisis Interface/Weatherization Assistance Program component of LIHEAP is designed to help low income households who are in a crisis situation due to inoperability or faulty functioning of a heating source as a result, for example, of a heating system or furnace breakdown. The program provides a household with necessary repairs to a furnace or to replace the furnace outright. The program is open from November 1, 2019 until April 10, 2020.

The measures for which Weatherization Agencies will be responsible under the LIHEAP Crisis program are as follows:²¹³

- Repair of heating system

²¹² See 66 Pa. C.S. § 1406(e)(1).

²¹³ PA. DEP'T OF CMTY. & ECON. DEV., WEATHERIZATION ASSISTANCE PROGRAM STATE PLAN, at app. C § IV (2016).

- Loan of auxiliary heater
- Repair of gas or other fuel lines
- Replacement of un-repairable heating systems
- Repair of hot water heating system
- Heating system pipe thawing service
- Repair of broken windows²¹⁴
- Provide blankets

Because situations like the loss of a heat source represent crises, remedial action must be taken within an appropriate time frame of 48, or 18 hours in the case of life-threatening situation.²¹⁵ Initially, a non-permanent action, such as the provision of space heaters, may temporarily help to ameliorate the situation.²¹⁶ A more permanent solution should follow the temporary measure within a reasonable amount of time.²¹⁷ Unlike the Cash and Crisis components, the Crisis Interface program component provides services rather than grants.²¹⁸ It is administered jointly by DHS and the Department of Community and Economic Development (DCED) in the following manner:

- The applicant must be determined to be in a crisis and eligible for a Crisis Interface referral by the DHS administering agency (such as the CAO);
- The DHS administering agency refers the applicant to the appropriate local weatherization agency;
- The weatherization agency conducts a home visit to assess the heating system, proceeds to take appropriate action to resolve the crisis, and if appropriate, initiates additional weatherization measures.²¹⁹

Special eligibility rules apply for renters:

- In all cases, prior written permission must be granted by the landlord in addition to the applicant tenant for the agency to enter the premises to provide Crisis or Weatherization Services; and
- The landlord and tenant must sign an agreement, witnessed by the agency, that the tenant will not be evicted or suffer a rent increase for a reasonable time (not less than 18 months), unless the landlord can show the eviction or increase is not related to the weatherization work performed.²²⁰

²¹⁴ DHS policy states that broken windows alone do not meet the definition of a home-heating emergency, but can be repaired if the heating system is also being repaired or replaced. 19-20 LIHEAP STATE PLAN, at app. C § IV.

²¹⁵ PA. DEP'T OF CMTY. & ECON. DEV., WEATHERIZATION ASSISTANCE PROGRAM STATE PLAN, at app. C § IV (2016).

²¹⁶ *Id.* at § III.

²¹⁷ *Id.* at § IV.

²¹⁸ *Id.* at § I.

²¹⁹ *Id.*

²²⁰ 19-20 LIHEAP STATE PLAN, at app. C § VII.

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Appeals

Individuals can request fair hearings to challenge decisions of the CAO -- such as being improperly denied LIHEAP benefits; having benefits unjustly delayed; being approved for less than the correct amount; or being improperly assessed for an overpayment.²²¹ Individuals can complete and sign the appeal section of any notice, send a written or faxed request to the CAO or tell the CAO they are appealing. In the case of an oral appeal, there must be a written follow-up within 3 days.

Note: LIHEAP is not an entitlement program. Unlike other public benefits programs, an appeal will be ineffective if the individual applied for LIHEAP after the program closed or when there was a lack of funds.²²²

Detailed procedures for the appeal process are found in Chapter 870 of DHS's Supplemental Handbook, posted online at DHS's website.²²³



Advocacy Tip: There are several key time frames for the advocate to keep in mind:

- An appeal must be taken within 30 days of the date of written notice from the CAO.²²⁴
- An appeal must be taken within 60 days of the CAO's failure to act on a request or an application.²²⁵
- An appeal must be taken within 6 months of the date of the CAO's failure to send a required written notice or where there is an administrative error.²²⁶

As long as the program is open, failure to adhere to these time frames, as well as other appealable issues, may be resolved by an individual simply filing a new application. In these situations, an applicant may benefit from direct advocacy to CAO staff to ensure proper processing of the application.



Advocacy Tip: If a LIHEAP application is deemed incomplete, the administering agency must send the applicant a notice indicating what information is missing within 10 work days of receipt.²²⁷ The applicant will then have 15 days from the date of that notice to return the missing information in order to avoid rejection of the application.²²⁸

²²¹ *Id.* at app. B § 601.123(a).

²²² *Id.*

²²³ See <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

²²⁴ *E.g.*, 55 Pa Code § 275.3(b)(1); PA. DEP'T OF HUMAN SERVICES, SUPPLEMENTAL HANDBOOK § 870.12 (Jul. 21, 2015), <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

²²⁵ *E.g.*, 55 Pa Code § 275.3(b)(2); PA. DEP'T OF HUMAN SERVICES, SUPPLEMENTAL HANDBOOK § 870.12 (Jul. 21, 2015), <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

²²⁶ *E.g.*, 55 Pa Code § 275.3(b)(3); PA. DEP'T OF HUMAN SERVICES, SUPPLEMENTAL HANDBOOK § 870.12 (Jul. 21, 2015), <http://services.dpw.state.pa.us/oimpolicymanuals/supp/index.htm>.

²²⁷ *Id.* at app. B § 601.23.

²²⁸ *Id.*

If the applicant does not submit the missing information within 15 days and the application is rejected, the applicant may still submit the missing information within 60 days from the date of the original application, and the CAO will re-determine eligibility based on the information provided. After 60 days, the applicant must submit a new application.²²⁹

Special Issues to Watch for LIHEAP Advocates

The **primary fuel type** is “The central heating system used most by the household or, if the residence is not centrally heated or the central heating system is inoperable, the heat source used most by the household.”²³⁰

Primary, Secondary and Supplemental Fuel Types

LIHEAP designates three fuel types: main, secondary, and supplemental.²³¹

The **primary fuel type** is “the type of energy consumed by the primary heat source to create heat.”²³²

The **secondary fuel type** is “the source of energy that is necessary, in addition to the primary heat source, to operate the primary heating source.”²³³

A **supplemental fuel type** is “[a] source of energy that a household uses to provide heat in addition to the residence’s primary heat source.”²³⁴



Advocacy Tip: These definitions of secondary and supplemental fuel type can be helpful for a household. For example, if a household’s oil or gas furnace heating system needs electricity in order to operate, the loss of electric service to the residence will result in the shut-down of the furnace, and, therefore, loss of heat. In this instance, a household can apply for a LIHEAP grant citing electric as a “secondary fuel type.” The LIHEAP application specifically asks for information about secondary fuel types used to run primary fuel type.²³⁵ LIHEAP cash or Crisis grants can be directed to secondary fuel type. However, a Cash grant can be directed to a *supplemental* fuel type **only if** the main source of heat is inoperable and the supplemental fuel is the source of energy used most by the household for heating.²³⁶

²²⁹ *Id.*

²³⁰ 19-20 LIHEAP STATE PLAN app. B § 601.3

²³¹ *Id.*

²³² *Id.*

²³³ *Id.*

²³⁴ *Id.*

²³⁵ See PA. DEP’T OF HUMAN SERVICES, LIHEAP APPLICATION § 8.

²³⁶ 19-20 LIHEAP STATE PLAN, at app. B § 601.41(a)(4).

Additionally, note that the definition of **primary heat source** allows non-centralized heating if the centralized heating system is inoperable. In that case, the primary heat source becomes the heat source that is used most by the household.

Note: that DHS has issued an Operations Memorandum indicating that it does not consider water as a secondary heating source.²³⁷ However, advocates have been able to convince DHS in the past to issue grants for water if they are necessary for the operation of the primary heating source – such as through steam radiators or other such system. Advocates should contact PULP if they run into this situation.

Restrictions on use of LIHEAP funds

LIHEAP benefits may be used to pay reconnection fees and late fees, but may **not** be used for security deposits.²³⁸ When attempting to reconnect a household's utility service, advocates may need to look to other resources or to the utility itself to help generate funds for security deposits or late fees. However, as of January 2015, CAP-eligible customers cannot be charged security deposits.²³⁹ Most low income households that are eligible for LIHEAP will also be CAP eligible, subject to variations in household and income definitions between the utilities and DHS. PULP is interested in hearing about cases of LIHEAP recipients being charged security deposits for reconnection.



Advocacy Tip: In situations where the utility claims a LIHEAP recipient is not CAP eligible, it may still be worth advocacy to request that a utility waive security deposits or late fees. Particularly when the utility stands to receive a Crisis or Cash grant in exchange for the waiver, this request may receive a positive response. Additionally, each of the regulated utilities and some other energy vendors have Hardship Funds that assist struggling utility customers with their bills. Contact the household's local vendor to inquire about additional company-sponsored customer assistance mechanisms.

Transfer of Service or Initiation of Service at a new Address

For customers whose service has been disconnected at their previous address and who need services to be connected at their new address, a regulated utility may use a LIHEAP grant to cover 50% of the customer's back balance from the previous address plus a reconnection fee in order to restore service.²⁴⁰ If a LIHEAP Cash grant is more than this amount, the regulated utility must apply the remainder of the Cash grant to the household's future bills, and not to the remaining back balance.²⁴¹ Utilities must also agree to keep service on through the moratorium and enroll the

²³⁷ DHS Operations Memorandum 09-10-01, October 7, 2009.

²³⁸ 19-20 LIHEAP STATE PLAN, at app. B § 601.45.

²³⁹ 66 Pa C.S. § 1404 (a.1).

²⁴⁰ 19-20 LIHEAP STATE PLAN, at app. B § 601.31(2)(vii). See also 66 Pa C.S. § 1407 for general rules related to reconnection of service for regulated utilities.

²⁴¹ *Id.*

applicant in a CAP or budget program if eligible.²⁴² The choice of CAP or budget program is to be based upon which is most beneficial to the applicant.

Earned Income Incentive for Amount of Cash Grant

An individual with earned income is eligible to receive a larger Cash grant than an individual with unearned income. When calculating a household's total income for *eligibility* for a Cash grant, all income is included. However, once a household is deemed eligible to receive a Cash grant, the administering agency will reduce by 20% the amount of income earned from employment in order to determine the *grant amount*.²⁴³ The effect is to reward those households that have earned income from employment.

Improper Counting of Lump Sum Annual Payments

Sometimes, households receive an annual pension or annuity in one large annual payment, rather than smaller monthly payments. The 19-20 LIHEAP STATE PLAN clearly gives the applicant the option to choose the most favorable time period to use in calculating income for LIHEAP eligibility – the past calendar month or a 12 month period.²⁴⁴ However, DHS will often count the annual payment as part of the household income, regardless of when that payment is received. As a result, an eligible household will inappropriately be deemed ineligible and denied a LIHEAP grant or, if found eligible, that household will receive a lower Cash grant. Advocates should look out for this income counting practice and prepare to challenge it.

Refunds and Second Payments

Vendors receiving a LIHEAP grant must apply that grant to a customer's account within two program years.²⁴⁵ The two-year period ends no later than June 30th of the year *following* the year in which the grant was awarded.²⁴⁶ For example, if grants were awarded in the 2019-2020 program year, the two-year period to use those funds will end on June 30, 2021.

Any funds not used by the vendor or the grantee in that time period must be sent back to DHS.²⁴⁷ In addition, if an applicant is awarded a grant and then subsequently dies, changes vendor, or moves from the vendor's service area, then the vendor must refund to DHS any unexpended grant amounts.²⁴⁸

²⁴² *Id.*

²⁴³ *Id.* at app. B § 601.41(a)(2).

²⁴⁴ *See id.* at app. B § 601.83.

²⁴⁵ *Id.* at app. B § 601.46.

²⁴⁶ *See id.*

²⁴⁷ *Id.*

²⁴⁸ *Id.* at app. B §§ 601.46(1), 601.65(1).

A grantee can receive a second payment of these refunded amounts within that same two-year period if:

- the grantee’s whereabouts are known,
- the grantee continues to reside in the Commonwealth, and
- where the grantee retains heating responsibility²⁴⁹ or where the crisis for which benefits were authorized continues to exist.”²⁵⁰

A vendor can sometimes receive an overpayment that is not the result of fraud, error, or misrepresentation by the applicant. In those situations, the error is considered an administrative error for which the applicant cannot be held responsible.²⁵¹

Master Metering

Master metering is when a landlord or mobile home park owner receives utility service in his/her own name for a property in which multiple tenants live. This can present special challenges for tenants and their advocates. The premises may be sub-metered, or the landlord may pass along the utility costs to the tenants through a formula or calculation that assesses an energy use or heating charge to each tenant.

Where the landlord passes along the utility costs through a specific fee or charge, the utility charge is **not** an undesignated portion of the rent. Some CAOs in past years have concluded that these tenants do not have a home heating responsibility as it is defined in the State Plan.²⁵² While it may, on a superficial review, appear that the tenant is ineligible for LIHEAP that conclusion may not be accurate. DHS has clarified in previous years that “Households that are renting with heat included and have a specific portion of their rent used for their heating costs are considered to have a heating responsibility and are therefore eligible for benefits.”²⁵³

Landlords are not approved vendors for the purposes of LIHEAP.²⁵⁴ This means that the tenant here is making a utility payment to a non-vendor, and will qualify for a direct grant.²⁵⁵ The Plan specifically excludes landlords from the definition of vendors and precludes landlords from receiving a vendor payment.²⁵⁶ DHS may also provide Crisis grants directly to tenants or mobile home park residents in master-meter situations based upon a case by case review.²⁵⁷ “If DHS determines that crisis benefits cannot be paid directly to the vendor, DHS pays the crisis benefit to the applicant as reimbursement after verification of the purchase has been provided.”²⁵⁸

²⁴⁹ *Id.* at app. B § 601.46(2).

²⁵⁰ *Id.* at app. B § 601.65(2).

²⁵¹ *Id.* at app. B § 601.144(c).

²⁵² *See id.* at app. B § 601.31(2)(i)(B) (2016).

²⁵³ *See id.* at app. B § 601.3 (defining household).

²⁵⁴ *See id.* at app. B § 601.44(c).

²⁵⁵ *See id.* at app. B § 601.44(b).

²⁵⁶ *Id.* at app. B § 601.44(c).

²⁵⁷ *Id.* at app. B § 601.44(b).

²⁵⁸ *Id.* at app. B § 601.64.



Advocacy Tip: If tenants or mobile home park residents are denied LIHEAP Cash grants, advocates should demonstrate the applicant does have a home heating responsibility by showing that a failure to make the required payments will leave the tenant without heat.

Conclusion

LIHEAP provides critical home heating benefits to low income families. We hope that this manual is helpful in providing information and advocacy suggestions in securing those critical dollars for your clients. We welcome your questions and feedback, and if we at the Pennsylvania Utility Law Project can be of any assistance in your work, do not hesitate to contact us.

APPENDICES

Appendix A: 2019-2020 Pennsylvania LIHEAP Income Guidelines

Appendix B: Online Resources and Forms

Appendix C: Glossary of Common Terms and Abbreviations

Appendix D: 2019-2020 LIHEAP County Coordinator Telephone Numbers & E-mail Addresses

Appendix E: 2019-2020 LIHEAP Application (English and Spanish)

Appendix F: LIHEAP Vendor Agreements (Liquid and Solid Fuel, and Utility)

Appendix A: 2019-2020 Pennsylvania LIHEAP Income Guidelines

Household Size	Household Income 150% FPL for Cash & Crisis
1	\$ 18,735
2	\$25,365
3	\$ 31,995
4	\$ 38,625
5	\$ 45,255
6	\$ 51,885
7	\$ 58,515
8	\$ 65,145
9	\$ 71,775
10	\$ 78,405
For each additional person add	\$ 6,630

* Eligibility information from <http://www.dhs.pa.gov/citizens/heatingassistanceliheap/index.htm>

Appendix B: Online Resources and Forms

Attached are Application Forms (HSEA-1 and HSEA-1S) and the LIHEAP Vendor Agreement.

Online Resources:

DHS's Heating Assistance Web Page	PA Department of Human Services	http://www.dhs.pa.gov/citizens/heatingassistance/liheap/index.htm
2020 Final State Plan for PA LIHEAP	PA Department of Human Services	http://www.dhs.pa.gov/cs/groups/webcontent/documents/document/c_279179.pdf
COMPASS	PA Department of Human Services	www.compass.state.pa.us
LIHEAP Cash Benefit Table for PA	PA Department of Human Services	http://www.dhs.pa.gov/citizens/heatingassistance/liheap/liheapbenefitamounttable/index.htm
LIHEAP Clearinghouse	U.S. Dept. of Health & Human Services Admin. For Children & Families	https://liheapch.acf.hhs.gov/
HHS LIHEAP Homepage	U.S. Dept. of Health & Human Services Admin. For Children & Families	http://www.acf.hhs.gov/programs/ocs/programs/liheap
NEADA	National Energy Assistance Directors Association	http://neada.org/
PA PUC Homepage	Pa Public Utility Commission	http://www.puc.state.pa.us/
DHS LIHEAP Handbook	PA Department of Public Welfare	http://services.dpw.state.pa.us/oimpolicymanuals/liheap/LIHEAP_Handbook.htm
PULP	Pennsylvania Utility Law Project	http://www.pautilitylawproject.org/

DHS Online Forms:*

<u>HSEA 1 - LIHEAP Application Form (English)</u>	Application - English
<u>HSEA 1-S - LIHEAP Application Form (Spanish)</u>	Application - Español
<u>PWEA 18 - LIHEAP English Brochure</u>	LIHEAP Brochure - English
<u>PWEA 18-S - LIHEAP Brochure Spanish</u>	LIHEAP Brochure- Español
<u>PWEA 4</u>	Energy Assistance Affidavit
<u>PWEA 4-S</u>	Energy Assistance Affidavit (Español)
<u>HSEA 6</u>	Zero Income Statement
<u>HSEA 6-S</u>	Zero Income Statement (Español)
<u>PWEA 32</u>	Request for Additional Information
<u>PWEA 32-S</u>	Request for Additional Information (Español)
<u>PWEA 35</u>	LIHEAP Computation Worksheet
<u>HSEA 36</u>	Landlord Statement

<u>HSEA 36-S</u>	Landlord Statement (Español)
<u>HSEA 40</u>	DCED/DHS Crisis Interface Referral Form
<u>PWEA 41</u>	Low Income Home Energy Assistance Program (LIHEAP) Electronic Funds Transfer Application Form
<u>PWEA 51</u>	Conservation Tips to Reduce Energy Usage
<u>PWEA 51-S</u>	Conservation Tips to Reduce Energy Usage (Español)

***These are the forms available and online as of October 16, 2019.**

Appendix C: Glossary of Common Terms and Abbreviations

CAO – County Assistance Office are local offices where Pennsylvanians can access a range of services for themselves and their families from professionally trained staff members. CAOs are often but not always the LIHEAP administering agency.

CAP – Customer Assistance Programs assist eligible utility customers who are having difficulty paying their utility bills through provision of a special rate and the forgiveness of past debts by the utility. CAP customers must comply with program responsibilities in order to remain eligible for CAP.

Cash Grant (Component) – A onetime annual grant to assist eligible households with their regular heating costs. The amount of the grant is based upon household income, number of household members, fuel type, and geographic location.

COMPASS - COMPASS is the name of the website where individuals can apply for LIHEAP, the SNAP program, and many other services that may benefit low income households.

Crisis Grant (Component) – Provides a grant(s) to resolve imminent and current heating-related emergencies, including utility shutoffs, malfunctioning heat sources, depleted fuel, and other concerns.

DCED – Department of Community and Economic Development, which administers the Crisis Interface/Weatherization Assistance Program Component.

DHS – Department of Human Services (formerly the Department of Public Welfare) administers the LIHEAP program and other programs in Pennsylvania that are designed to assist low income households, including Medical Assistance, Supplemental Nutrition Assistance Program (SNAP), and Temporary Assistance to Needy Families (TANF).

FPG (FPL) – Federal Poverty Guidelines (Level) – A representation of the federal poverty measure, based upon household income, issued each year by the U.S. Department of Health and Human Services to assist agencies determine eligibility for certain benefits and programs. DHS uses FPG (FPL) to determine LIHEAP eligibility.

LIHEAP – Federally funded program designed to provide supplemental assistance to aid low income households afford the costs of energy, specifically residential heating, in the cold weather months.

Primary Fuel Type – The type of energy consumed by the primary heat source to create heat.

Primary Heat Source – The central heating system used most by the household or, if the residence is not centrally heated or the central heating system is inoperable, the heat source used most by the household.

PUC – The Pennsylvania Public Utility Commission provides oversight for a number of programs and policies implemented by utility companies operating within Pennsylvania, including CAP programs, and the approval of service termination.

PULP – The Pennsylvania Utility Law Project provides information, assistance, and advice about residential utility and energy matters affecting low income consumers.

Secondary Fuel Type – The source of energy that is necessary, in addition to the primary fuel type, to operate the primary heat source. For example, electricity is a secondary fuel type when it is necessary to enable the operation of an oil furnace when oil is the household’s primary heating source.

Supplementary Fuel – A source of energy that a household uses to provide heat in addition to the residence’s primary heat source.

SNAP – Supplemental Nutrition Assistance Program, formerly known as “food stamps,” is a program administered by the Department of Human Services, participants of which, if not already approved for LIHEAP, receive a minimal heating assistance benefit to maximize their Standard Utility Allowance for SNAP purposes.

SUA – Standard Utility Allowance refers to the fixed dollar amount for a household’s heating and utility expenses used in the calculation of shelter expenses for SNAP benefits.

Vendor – An agent or company that directly distributes home-heating energy or services. Vendors do not include landlords, hotel managers or proprietors, rental agents, energy suppliers or generators, or housing authorities.

Vendor Agreement – The Department of Human Services requires any fuel source vendor that wishes to participate in the LIHEAP program to complete and sign a contract known as a vendor agreement.

Weatherization Assistance Component (Crisis Interface) – This component addresses crises through repair or replacement of heating systems in cases of heating source malfunction or failure.

Winter Moratorium – Period from December 1st through March 31th that prohibits regulated gas and electric utilities from terminating residential service to households at or below 250% of the Federal Poverty Guidelines, unless granted specific permission by the Public Utility Commission.

Appendix D: County Coordinator Contact Information

County	LIHEAP Coordinator	Phone #	Email @ pa.gov	Alternate Coordinator	Phone #	Email @ pa.gov
Adams	Vicki Miller	717-338-2329	vicmiller@	Brandi Cole	717-338-2357	brcole@
Allegheny	Richard Galinowski	724-339-6817	rgalinowski@	Dorothy McCarthy	724-337-5618	dormccarth@
	Steven Lapata	412-565-2152	slapata@pa.g ov	Jayne Brymn	724-339-6815	jbrymn@
Armstrong	Stephanie Equihua	724-548-0231	sequihua@	Kimbel Kovatch	724-548-0238	kkovatch@
Beaver	Kara Barnes	724-773-7466	kabarnes@	Christina Steiner	724-773-7466	csteiner@
Bedford	Wendy Clevenger	814-624-4023	wclevenger@	Janice Leppert	814-624-4002	jleppert@
Berks	Robin Miley Johnson	610-736-4169	rmiley-joh@	Alicia Reid	610-736-4252	alreid@
	Vicki Strause	640-736-4040	vstrause@			
Blair	Jessica Long	814-941-6821	jeslong@	Robert Lee	814-946-7118	robelee@
Bradford	Suzette O’Neil	570-268-1902	soneil@	Dorothy Ayres	570-268-1901	dayres@
Bucks	Diane Haas	215-781-3385	dhaas@	Maureen Hahn	215-781-3388	mhahn@
Butler	Melissa Eppinger	724-284-8842	meppinger@	Darla Wiley	724-284-8847	dwiley@
Cambria	Judi Letzo	814-533-2328	jletzo@	Holly Burkhart	814-533-2341	hburkhart@
Cameron	Andrea Stahl	814-916-4112	anstahl@	Tara Hough	570-893-4503	tahough@
Carbon	Kristi Bower	570-271-3601	krbower@	Stacy Netznik	610-577-9040	snetznik@
Centre	Emily Gette-Doyle	814-861-1934	eggettedoyl@	Jarrold Stahlman	814-861-1933	jstahlman@
Chester	Bradley Canan	610-466-1111	bcanan@	Erica Dixon	610-466-1036	erdixon@
Clarion	Deb O’Neil	814-226-1791	deoneil@	Amy Ortiz	814-226-1795	aortz@
Clearfield	Victoria Phillips	814-205-1101	viphillips@	Jennifer Holt	814-205-1086	jeholt@

	Toni Rowles	814-205-1139	tonirowles@			
Clinton	Tara Hough	570-893-4503	tahough@	Stacey Shay	570-893-4552	stshay@
Columbia	Roxanne Yurkiewicz	570-271-3602	ryurkiewic@	Wendy Townsend	570-912-1132	wtownsend@
				Tammy Feudale	570-912-1145	tfeudale@
Crawford	Renee Colinear	814-333-3447	rcolinear@	Fredrick Oakman	814-333-3526	froakman@
Cumberland	Addrienne McGinley	717-240-2727	admccginley@	Kim Showaker	717-240-2772	kshowaker@
Dauphin	Norma Torres	717-787-1028	ntorres@	Britain Roda	717-787-4555	broda@
Delaware	Brandon Primeaux	610-447-5587	brprimeaux@	Patricia Weldon - Crosby	610-461-3810	paweldon@
	Hao Dinh	610-461-3901	hdinh@	Patricia Weldon - Darby	610-461-3810	paweldon@
Elk	Pamela Freeburg	814-776-4340	pfreeburg@	Barbara Hetrick	814-776-4303	bahetrick@
Erie	Laurie Kubaney	814-461-2114	lkubaney@	Tamara Ganzer	814-461-2074	tganzer@
Fayette	Scott Patterson	724-439-7047	scopatters@	Desiree Colgan	724-852-3526	dcolgan@
Forest	Sandra Zacherl	814-755-2105	szacherl@	Kimberly Hahn	814-362-5340	kihahn@
Franklin	Tom Walsh	717-262-6570	thowalsh@	Lisa Hunt	717-262-6539	lhunt@
Fulton	Danelle Flood	717-325-1212	dflood@	Wendy Clevenger	814-624-4023	wclevenger@
Greene	Mary Yoders	724-852-3528	myoders@	Desiree Colgan	724-852-3526	dcolgan@
Huntingdon	Juanita Randoll	814-641-6450	jrandoll@	Brad Norris	814-641-6449	bnorris@
Indiana	Patricia Davis	724-357-1920	patdavis@	Vicki Howells	724-357-2922	vhowells@
Jefferson	Stacy Volchko	814-938-1341	svolchko@	Rebecca Mitchell	814-938-1302	remitchell@
Juniata	Lance Musser	717-320-1074	lmusser@			

Lackawanna	Genese Ash	570-963-3321	gash@	Gina Brink	570-963-3246	gibrink@
Lancaster	Lindsey Corson	717- 666-0130	lcorsen@	Andraya Stewart	717-299-7628	andrastewa@
Lawrence	Timothy Quigley	724-656-3044	timquigley@	Alberta Dean	724-656-3027	adean@
Lebanon	Carol Maya	717-270-3672	cmaya@	Erin Fickes	717-270-3645	erfickes@
Lehigh	Katrina Myricks	570-271-3650	kmyricks@	Peter Romanyshyn	610-821-6580	promanyshy@
			-	Shannon Eisenhauer	610-821-6510	seisenhaue@
Luzerne	Sue Kwiatkowski	570-301-1160	@	Dave Zurek	570-301-1155	dzurek@
Luzerne	Ted Christian - Alternate	570-826-2573	tchristian@			
Lycoming	Patricia English	570-327-3305	penglish@	Alisia Troxell	570-327-3332	atroxell@
Mckean	Kimberly Hahn	814-362-5340	kihahn@	Dusty Carl	814-362-5312	ducarl@
Mercer	Lori Gill	724-983-5175	logill@	Theresa Gilliland	724-983-5013	tgillian@
	Tracie Montanari	724-983-5020	tmontanari@			
Mifflin	Jamie Morrison	717-242-6075	jamimorris@	Holly Ughetto	717-242-6067	hughetto@
Monroe	Kristi Bower	570-271-3601	krbower@	Charles Deubler	570-424-3900	cdeubler@
Montgomery	April Mocarsky	610-270-3557	amocarsky@	Teresa Murphy	610-270-3579	temurphy@
Montour	Roxanne Yurkiewicz	570-271-3602	ryurkewic@	Hope Enright	570-849-2073	henright@
Northampton	Courtney Williams	610-250-1872	courtwilli@	Tamara Fernandes	610-250-1772	tfernandes@
Northumberland	Sheila Ruiz	570-271-3623	sruiz@	Kristopher Willard	570-988-5950	krwillard@
Perry	Charlotte Noel-Klunk	717-582-5018	cnoelklunk@	Cortney Kolak	717-528-5014	ckolak@
Philadelphia	Linda Alvarado	215-560-4733	lalvarado@	Melvin Neal	215-560-4713	meneal@
Philadelphia	David Keller	215-560-2603	davkeller@	PW, PCAO LIHEAP VM		
Pike	Sheila Ruiz	570-271-3623	sruiz@	Corie Brubaker	570-409-8387	cobrubaker@

			-	Brookelynn Gilleeny	570-409-8361	bgilleeny@
Potter	Michelle Valenti	814-274-4106	mvalenti@	Tara Hough	570-893-4503	tahough@
Schuylkill	Christina Bright	570-271-3637	chbright@	Joan Stoudt	570-621-3007	jstoudt@
			-	Kristine Herbst	570-621-3090	kherbst@
Snyder	Christine Beaver	570-372-1722	chbeaver@	Julie Eister	570-372-1723	jeister@
Somerset	Christina Biertman	814-445-1152	cbiertman@	Michele Peters	814-445-1114	mipeters@
Sullivan	Terrie Smith	570-946-8255	terriesmit@	Suzette O’Neil	570-268-1902	soneil@
Susquehanna	Dyan Leslie	570-271-3638	dleslie@	Danielle Shortt	570-278-5612	dshortt@
Tioga	Brenda Kline	570-724-9502	brkline@	Maria Eckart	570-724-9543	meckart@
Union	Kathy Smith	570-522-8708	kathysmith@	Kelly Ramsey	570-522-8709	kramsey@
Venango	Kim Irwin	814-437-4360	kiirwin@	Jodi Villmer	814-437-4409	jvillmer@
Warren	Meghan Dahl	814-726-8853	mdahl@	Brenda Ruhlman	814-726-8802	bruhlman@
Washington	Andrew Hartt	724-223-4419	ahartt@	Cynthia McCann	724-223-4511	cymccann@
Washington	Todd Pilkington	724-379-1512	tpilkingto@	Gary Ailes	724-379-1511	gailes@
Wayne	Dyan Leslie	570-271-3638	dleslie@	Thomas O'Neill	570-253-7123	thoneill@
			-	Pat Werner	570-253-7120	pwerner@
Westmoreland	Mike Enick	724-832-5238	menick@	Jon Shogan	724-832-7991	jshogan@
Westmoreland			-	Jen Eicher	724-261-3556	jeeicher@
Westmoreland	Crisis send to: PW, Westmoreland LIHEAP Crisis			CASH send to: PW, Westmoreland LIHEAP		
Wyoming	Dyan Leslie	570-271-3638	dleslie@	Linda Greene	570-996-5403	lingreene@

York	Gina Burrows	717-849-6435	gburrows@	Cathy Kioussis	717-771-1275	ckioussis@
York	Florian Knox	717-849-6400	fknox@			
	PW, LIHEAP York Regional Center					

APPLICATION FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIEAP)

To apply for Energy Assistance, you must complete all questions front and back and sign at the red "X". Be sure your correct and complete name and address is entered below. If incorrect, cross out and PRINT correctly in space provided below. **YOU CAN ALSO APPLY ONLINE AT WWW.COMPASS.STATE.PA.US.**

YOUR NAME AND ADDRESS

Your county assistance office address

If you do not understand these instructions, contact your local county assistance office.

1 Please complete this section for the head of household.

**Use the codes from page 2 to help provide the details.*

Name (Include Last, First Middle Initial)		Date of Birth	Sex	Social Security Number	
Home Address (Include Street, Apt. Number, City, State & ZIP Code+4)					
Mailing Address if different (Include Street, Apt. Number, City, State & ZIP Code+4)					
County You Live In	Phone Number: ()	Citizenship*	Race (Optional)*	Ethnicity (Optional)*	Marital Status*
If you are currently receiving Cash, Medical Assistance, or SNAP benefits, may we use the income you have on file? <input type="checkbox"/> Yes <input type="checkbox"/> No					

DHS USE ONLY

☐ CRISIS ☐ CASH

Application Registration Number

County

District

Record Number

Worker I.D.

☐ Rejected ☐ Approved

Date

2 Do you read, write and understand English? ☐ Yes ☐ No If no, what language? _____

3 Are You:

<input type="checkbox"/> Renting with heat included	<input type="checkbox"/> Renting subsidized housing/Section 8 housing with heat included
<input type="checkbox"/> Renting with heat not included	<input type="checkbox"/> Renting subsidized housing/Section 8 housing with heat not included
<input type="checkbox"/> An unrelated roomer	<input type="checkbox"/> An owner or are you buying your home <input type="checkbox"/> Other: _____

If heat is included in your rent, attach a note from your landlord stating that heat is included and what type of heat is used.

4 What is your main heating source? Choose the type of energy that heats your home or is being used if your main heating source is not working. Attach a copy of your last bill or a statement from a utility or fuel dealer stating the type of fuel and that you are accepted as a customer.

☐ Electric ☐ Fuel Oil ☐ Coal ☐ Natural Gas ☐ Kerosene ☐ Propane or Bottled Gas ☐ Blended Fuel ☐ Wood/Other

4a Do you need electricity to run your main heating source (secondary heat)? ☐ Yes ☐ No

5 Check if any of the following apply and provide explanation if needed:

<input type="checkbox"/> Electricity is shut off	<input type="checkbox"/> Have a shut-off notice for electricity	<input type="checkbox"/> Main heating source is not working
<input type="checkbox"/> Gas is shut off	<input type="checkbox"/> Have a shut-off notice for gas	Explain: _____
<input type="checkbox"/> Ran out of fuel	<input type="checkbox"/> Will run out of fuel within 15 days	_____



6

Which utility company or fuel dealer do you want to receive your LIHEAP grant? Write their name and address, and your account information.

Name of Utility Company or Fuel Dealer	Account Number
Address (Include Street, City, State & ZIP Code+4)	Name on Account

7

Please list your electric company if not listed above

Name of Electric Company	Account Number
--------------------------	----------------

8

Do you use any other heating source in your home? ☐ Yes ☐ No

If **yes**, please explain: _____

9

If you are in subsidized/public housing, do you receive a utility allowance check? ☐ Yes ☐ No

If **yes**, how much? \$ _____

10

Does anyone in your household receive financial assistance for a disability? ☐ Yes ☐ No

If **yes**, who? _____

11

List the people who live with you at this address. Include all children and adults. Include related roomers. Include all unrelated roomers who share household expenses. Do not include anyone in jail/prison. Do not include the household member listed in block 1. **See "Did you remember to..." on page 4.**

Use the codes below to help provide the details for each individual in your household.

CITIZENSHIP*: (1) U.S. Citizen, (2) Permanent Alien, (3) Temporary Alien, (4) Refugee, (5) Other-not eligible for benefits (All non-U.S. citizens must provide proof of citizenship status.)

RACE*: (optional) (1) Black or African American, (3) American Indian or Alaskan Native:, (4) Asian, (5) White, (7) Native Hawaiian or other Pacific Islander. List all groups that apply.

ETHNICITY*: (optional) (1) Non-Hispanic, (2) Hispanic or Latino

MARITAL STATUS*: (1) Single, (2) Married, (3) Common Law Marriage, (4) Separated, (5) Divorced, (6) Widow/Widower

Name (Include Last, First, Middle Initial)	Birthdate (MM/DD/YY)	Sex M/F	Social Security Number	Citizenship*	Race* (Optional)	Ethnicity* (Optional)	Marital Status *	Relationship to You
Person 1								

If this person is currently receiving Cash, Medical Assistance, or SNAP benefits, may we use the income we have on file for this person? ☐ Yes ☐ No

Name (Include Last, First, Middle Initial)	Birthdate (MM/DD/YY)	Sex M/F	Social Security Number	Citizenship*	Race* (Optional)	Ethnicity* (Optional)	Marital Status *	Relationship to You
Person 2								

If this person is currently receiving Cash, Medical Assistance, or SNAP benefits, may we use the income we have on file for this person? ☐ Yes ☐ No

Name (Include Last, First, Middle Initial)	Birthdate (MM/DD/YY)	Sex M/F	Social Security Number	Citizenship*	Race* (Optional)	Ethnicity* (Optional)	Marital Status *	Relationship to You
Person 3								

If this person is currently receiving Cash, Medical Assistance, or SNAP benefits, may we use the income we have on file for this person? ☐ Yes ☐ No

Name (Include Last, First, Middle Initial)	Birthdate (MM/DD/YY)	Sex M/F	Social Security Number	Citizenship*	Race* (Optional)	Ethnicity* (Optional)	Marital Status *	Relationship to You
Person 4								

If this person is currently receiving Cash, Medical Assistance, or SNAP benefits, may we use the income we have on file for this person? ☐ Yes ☐ No

If you have additional people in your house, please provide their information on a separate piece of paper and send it along with this application.

Apply online at www.compass.state.pa.us



Using income on file for someone? You don't need to list them or their income in question 12.

12

Tell us about income for the people in your household. Please tell us about all income, before taxes and deductions. **Types/sources of income include money from:** Employment, Veteran's Benefits, Unemployment Compensation, Black Lung benefits, Social Security, Support, Workers Compensation, Interest/Dividends, Rental Income. **See "Did you remember to..." on page 4.**

Name of person with income	Type/source of income	Start Date	Date of First Paycheck	How much each month?
Name of person with income	Type/source of income	Start Date	Date of First Paycheck	How much each month?
Name of person with income	Type/source of income	Start Date	Date of First Paycheck	How much each month?
Name of person with income	Type/source of income	Start Date	Date of First Paycheck	How much each month?

13

Are you interested in free weatherization service? Weatherization services include home insulation and heating system evaluation.

☐ Yes ☐ No

14

Are you or anyone in your household fleeing to avoid prosecution or custody for a crime, or an attempt to commit a crime that would be classified as a felony?

☐ Yes ☐ No

If **yes**, who? _____

15

Is anyone in the U.S. Military or has anyone been in the U.S. Military?

☐ Yes ☐ No

If **yes**, who? _____

Is anyone a widow, spouse or child (under age 18) of anyone in the U.S. Military or anyone who has been in the U.S. Military?

☐ Yes ☐ No

If **yes**, who? _____

Certification

- My signature on this application gives my permission to the Department of Human Services or its authorized agent to: (a) check any information I give about where I live, my jobs, income, resources, energy supply and energy supplier; (b) share information with my energy supplier and receive information from my energy supplier to allow DHS to obtain a record of my annual energy consumption, cost and billing information for purposes of program evaluation, operation, or reporting; and (c) complete any survey in connection with energy assistance.
- If you fail to provide a Social Security number or fail to complete the Energy Assistance Affidavit below, you are ineligible for benefits.

Energy Assistance Affidavit

I certify that: (check all that apply)

- ☐ I provided Social Security numbers for all household members.
- ☐ To the best of my knowledge, these household members do not have Social Security numbers:

Print Name

Print Name

Print Name

Print Name

- ☐ The following household members are exercising their rights under Section 7 of the Privacy Act of 1974, and refuse to disclose their Social Security Number or may be unable to because they are a victim of domestic violence:

Print Name

Print Name

Print Name

Print Name

- I authorize the release of LIHEAP eligibility information to and from my energy suppliers or weatherization agencies and allow them to seek assistance for which I may be eligible. The assistance may include LIHEAP Cash, Crisis, or Weatherization benefits.
- I understand I have the right to appeal any decision or undue delay in decision which I consider improper regarding this application.
- I affirm that Pennsylvania is my legal residence.
- I understand any Social Security number(s) given will be used in the administration of this program, including cross matches with other programs.
- I understand that I will be sent a notice of eligibility or ineligibility and, if eligible, the notice will state the amount of my benefit.
- I further understand that if my household is eligible for a LIHEAP cash benefit, it must be sent directly to my utility company or fuel dealer unless I am a renter and my heat is included in my rent or my fuel is supplied by a fuel dealer who does not accept vendor payment.
- I certify that, subject to penalties provided by law, the information I gave is true, correct and complete to the best of my knowledge.
- I know that if I give false information, I can be penalized by fine and/or imprisonment.
- I understand by signing this application, I may not qualify because LIHEAP money has run out.
- If your household is eligible for LIHEAP, you may receive a Fast Track consent form in the mail that could allow you and your household members to be automatically enrolled in Medical Assistance.

Please Sign Here - Use Ink

X

Signature

Date

Apply online at www.compass.state.pa.us

Did you remember to...

- | | |
|--|---|
| <input type="checkbox"/> Fill out all required information clearly and completely. | <input type="checkbox"/> Send proof of all household income. |
| <input type="checkbox"/> Provide Social Security numbers for all household members or complete the Energy Assistance Affidavit in the Certification section on page 3. | Example: If you apply in November and are sending: |
| <input type="checkbox"/> Send proof of immigration status if you are a non-U.S. citizen. | a) one month of income – send proof for October, the month prior to application. |
| <input type="checkbox"/> If you rent with heat included, send a copy of your lease or a signed, written statement from your landlord explaining how you pay for heat and the type of heat used. | b) 12 months of income – send proof for November of the previous year through October of the current year. |
| <input type="checkbox"/> If you pay for heat, send a bill for your main heating source. Attach a copy of your utility bill dated within 2 months of the date you submit your application. For other fuels provide a bill/receipt of a purchase from January of the previous heating season to present. | PROOF INCLUDES PAY STUBS, AWARD LETTERS, EMPLOYER STATEMENTS, ETC. |
| <input type="checkbox"/> If you would like payment sent to your secondary heating provider, enclose a copy of your main AND secondary heating bills. | <input type="checkbox"/> If you told us you have no income or if your income is less than the cost of your monthly basic living needs, send a statement explaining how your household pays for basic living needs (food, rent, etc.). |
| | <input type="checkbox"/> Sign and date your application. |
| | <input type="checkbox"/> Mail your completed application and all documents to your local county assistance office. If you are not sure where that is, call 1-866-857-7095. |

**IF YOU DO NOT SEND THE PROOF WE NEED WITH THIS FORM,
WE WILL NOT BE ABLE TO PROCESS YOUR APPLICATION.**

Voter Registration (Optional)

If you are not registered to vote where you live now, would you like to apply to register to vote here today? ☐ Yes ☐ No

IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

To register, you must: 1) Be at least 18 on the day of the next election; 2) Be a citizen of the United States for at least one month PRIOR TO THE NEXT ELECTION; 3) Reside in Pennsylvania and the voting district at least 30 days prior to the next election.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private. Please contact the county assistance office if you would like help. If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Secretary of the Commonwealth, PA Department of State, Harrisburg, PA 17120. (Toll-free telephone number 1-877-VOTESPA.)

COUNTY ASSISTANCE OFFICE STAFF WILL COMPLETE THIS BOX BASED UPON YOUR RESPONSE ABOVE

- | | | |
|--|--|--|
| <input type="checkbox"/> Given to Client __/__/__ | <input type="checkbox"/> Sent to voter registration __/__/__ | <input type="checkbox"/> Mailed to Client __/__/__ |
| <input type="checkbox"/> Declined, not interested __/__/__ | <input type="checkbox"/> Not a U.S. citizen __/__/__ | <input type="checkbox"/> Declined, already registered __/__/__ |

If you have a disability and need this application in large print or another format,
please call our **Helpline** at **1-800-692-7462**.

TDD Services are available by calling PA Relay at **711**.

NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

This notice contains important information about the privacy of your medical information. If you need this notice in another language or someone to interpret, please contact your local county assistance office. Language assistance will be provided free of charge.

Este aviso contiene información importante acerca de la privacidad de su información médica. Si necesita este aviso en otro idioma o alguien para que interprete, comuníquese con la Oficina de Asistencia de su Condado. La asistencia bilingüe será gratuita.

Данное уведомление содержит важные сведения относительно конфиденциальности вашей медицинской информации. Если вам нужно данное уведомление на другом языке или вам нужны услуги устного переводчика, обращайтесь в Бюро помощи вашего округа (County Assistance Office). Переводческие услуги предоставляются бесплатно.

此通知包括关于您的医疗信息的个人隐私方面的重要资料。如果您需要此通知译成其它语言或需要有人替您翻译，请联系您所在地区的郡县援助办事处。可提供免费语言协助。

Thông báo này gồm những thông tin quan trọng về việc bảo mật các chi tiết y tế cá nhân của quý vị. Nếu cần có thông báo này bằng một ngôn ngữ khác hay người để thông dịch, xin quý vị liên lạc với Văn Phòng Trợ Cấp Địa Phương. Trợ giúp ngôn ngữ sẽ được cung cấp miễn phí.

សំបុត្រនេះមានព័ត៌មានសំខាន់អំពីការរក្សាទុកព័ត៌មានផ្ទាល់ខ្លួនអ្នក។
បើអ្នកមិនយល់ ឬចង់បានការបកប្រែសំបុត្រនេះ ក៏អាចសុំបានឡែង។
ប្រសិនបើអ្នកមិនយល់អំពីអ្វីៗក្នុងសំបុត្រនេះ
សូមទាក់ទងការណ៍ជាមួយការិយាល័យជំនួយសំបុត្ររបស់យើង។ ជំនួយនេះ
អាចផ្តល់ជូនដោយឥតគិតថ្លៃ។

حتوي هذا الإخطار على معلومات هامة حول خصوصية المعلومات الطبية المتعلقة بك. إذا
تحتاج إلى هذا الإخطار بلغة أخرى أو إلى شخص خاص لترجمته لك، فيرجى الاتصال بمكتب
مغونة المقاطعة المحلي. وستقدم المساعدة اللغوية مجاناً.

The Department of Human Services (DHS) provides and pays for many types of benefits and social services. We also determine an individual's eligibility to receive benefits and services. To do these things, we have to collect personal and health information about you and/or your family. The information we collect about you and/or your family is private. We call this information "protected health information."

DHS does not use or disclose DHS health information unless it is permitted or required by law. DHS is required by law to maintain the privacy of protected health information, to provide individuals with notice of its legal duties and privacy practices concerning protected health information and to notify affected individuals in the case of a breach of unsecured protected health information. As a "covered entity," DHS must follow applicable laws protecting the privacy of your protected health information which include the Health Insurance Portability and Accountability Act (HIPAA) privacy rules. Under HIPAA, Medicaid agencies, certain health plans and health care providers are examples of covered entities that must comply with HIPAA. Other laws that may apply include rules concerning confidential information about Medical Assistance, other benefits, behavioral health, substance abuse/treatment and HIV/AIDS. When we use or disclose protected health information, we make every reasonable effort to limit its use or disclosure to the minimum necessary to accomplish the intended purpose. This notice explains your right to privacy of your protected health information and how we may use and disclose that information. For more information on DHS privacy practices, or to receive another copy of this notice, please contact us. For information on how to contact us, see the "Questions or Complaints" section on the last page of this notice.

We are required by law to follow the terms of this notice. We reserve the right to change the terms of this notice and to make the new notice provisions effective for all protected health information we maintain. If we make an important change in our privacy policies or procedures, we will post a revised copy of the notice on our website and/or provide you with a new privacy notice by mail or in person. You may request and receive a paper copy of this notice at any time.

What is protected health information?

Protected health information is information about you that relates to a past, present or future physical or mental health condition, treatment or payment for treatment, and that can be used to identify you. This information includes any information, whether verbal or recorded in any form, that is created or received by DHS or persons or organizations that contract with DHS. This includes electronic information and information in any other form or medium that could identify you, for example:

Your name (or names of your children)
Address
Date of birth
Admission/discharge date
Diagnostic code

Telephone number
DHS case number
Social Security number
Medical procedure code

Who sees and shares my health information?

DHS professionals (such as caseworkers and other county assistance office and program staff) and people outside of DHS (such as our contractors, health maintenance organization (HMO) staff, nurses, doctors, therapists, social workers and administrators) may see and use your health information to determine your eligibility for benefits, treatment, payment or for other required or permitted reasons. Sharing your health information may relate to services and benefits you had before, receive now, or may receive later. DHS will not use or share genetic information about you when deciding if you are eligible for Medicaid.

Why is my protected health information used and disclosed by DHS?

There are different reasons why we may use or disclose your protected health information. The law says that we may use or disclose information without your consent or authorization for the reasons described below.

For Treatment: We may use or disclose information so that you can receive medical treatment or services. For example, we may disclose information your doctor, hospital or therapist needs to know to give you quality care and to coordinate your treatment with others helping with your care.

For Payment: We may use or disclose information to pay for your treatment and other services. For example, we may exchange information about you with your doctor, hospital, nursing home, or another government agency to pay the bills for your treatment and services.

For Operating Our Programs: We may use or disclose information in the course of our ordinary business as we manage our various programs. For example, we may use your health information to contact you to provide information about appointments, health-related information and benefits and services. We may also review information we receive from your doctor, hospital, nursing home and other health care providers to review how our programs are working or to review the need for and quality of health care services provided to you and/or your family.

For Public Health Activities: We report public health information to other government agencies concerning such things as contagious diseases, immunization information, and the tracking of some diseases such as cancer.

For Law Enforcement Purposes and As Required by Legal Proceedings: We will disclose information to the police or other law enforcement authorities as required by court order.

For Government Programs: We may disclose information to a provider, government agency or other organization that needs to know if you are enrolled in one of our programs or receiving benefits under other programs such as the Workers' Compensation Program.

For National Security: We may disclose information requested by the federal government when they are investigating something important to protect our country.

For Public Health and Safety: We may disclose information to prevent serious threats to health or safety of a person or the public.

For Research: We may disclose information for permitted research purposes and to develop reports. These reports do not identify specific people.

For Coroners, Funeral Directors and Organ Donation: We may disclose information to a coroner or medical examiner for identification purposes, cause of death determinations, organ donation and related reasons. We may also disclose information to funeral directors to carry out funeral-related duties.

For Reasons Otherwise Required By Law: DHS may use or disclose your protected health information to the extent that the use or disclosure is otherwise required by law. The use or disclosure is made in compliance with the law and is limited to the requirements of the law.

Do other laws also protect certain health information about me?

DHS also follows other federal and state laws that provide additional privacy protections for the use and disclosure of information about you. For example, if we have HIV or substance abuse information, with a few exceptions, we may not release it without special, signed written permission that complies with the law. In some situations, the law also requires us to obtain written permission before we use or release information concerning mental health or intellectual disabilities and certain other information.

Can I ask DHS to use or disclose my health information?

Sometimes, you may need or want to have your protected health information sent or otherwise disclosed to someone or somewhere for reasons other than treatment, payment, operating our programs, or other permitted or required purpose not needing your written authorization. If so, you may be asked to sign an authorization form, allowing us to send or otherwise disclose your protected health care information as you request.

The authorization form tells us what, where and to whom the information will be sent or otherwise disclosed. You may revoke your authorization or limit the amount of information to be disclosed at any time by letting us know in writing, except to the extent that DHS has already taken action in reliance upon the authorization.

If you are younger than 18 years old and, by law, you are able to consent for your own health care, then you will have control of that health information. You may ask to have your health information sent to any person who is helping you with your health care.

Except as described in this Notice, we will not use or disclose your health information without your written authorization. For example, HIPAA generally requires written authorization before a covered entity may use or disclose an individual's psychotherapy notes. In most cases, HIPAA also requires written authorization before a covered entity may use or disclose protected health information for marketing purposes or before it sells it.

What are my rights regarding my health information?

As a DHS client, you have the following rights regarding your protected health information that we use and disclose:

Right to See and Copy Your Health Information: You have the right to see most of your protected health information and to receive a copy of it. If you want copies of information you have a right to see, you may be charged a small fee. However, generally, you may not see or receive a copy of: (1) psychotherapy notes; or (2) information that may not be released to you under federal law.

If we deny your request for protected health information, we will provide you a written explanation for the denial and your rights regarding the denial.

DHS does not receive or keep a file of all of your protected health information. Doctors, hospitals, nursing homes and other health care providers (including an HMO, if you are enrolled in one) may also have your protected health information. You also have a right to your health information through your doctor or other provider who has these records.

Right to Correct or Add Information: If you think some of the protected health information we have is wrong, you may ask us in writing to correct or add new information. You may ask us to send the corrected or new information to others who have received your health information from us. In certain cases, we may deny your request to correct or add information. If we deny your request, we will provide you a written explanation of why we denied your request. We will also explain what you can do if you disagree with our decision.

Right to Receive a List of Disclosures: You have the right to receive a list of where your protected health information has been sent, unless it was sent for purposes relating to treatment, payment, operating our programs, or if the law says we are not required to add the disclosure to the list. For example, the law does not require us to add to the list any disclosures we may have made to you, to family or persons involved in your care, to others you have authorized us to disclose to, or for information disclosed before April 14, 2003.

Right to Request Restrictions on Use and Disclosure: You have the right to ask us to restrict the use and disclosure of your protected health information. We may not be able to agree to your request. In fact, in some situations, we are not permitted to restrict the use or disclosure of the information. If we cannot comply with your request, we will tell you why. Except as otherwise required by law, we must grant your request to restrict disclosure to a health plan if the purpose of disclosure is not for treatment and the medical services to which the request applies have been paid out-of-pocket in full.

Right to Request Confidential Communication: You may ask us to communicate with you in a certain way or at a certain location. For example, you may ask us to contact you only by mail.

Right to Receive Notification of a Breach: You have the right to receive notification if there is a breach of your unsecured protected health information

Whom do I contact about my rights or to ask questions about this notice?

You can contact the DHS HIPAA helpline, toll-free at 800-692-7462 to discuss your rights or to ask questions about this notice. You can also contact your caseworker or health care provider or write to DHS's Privacy Office, 3rd Floor West, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA 17120.

You can receive important information or updates to this notice by visiting DHS's Web site at www.dhs.pa.gov.

How do I file a complaint?

You may contact either office listed below if you want to file a complaint about how DHS has used or disclosed information about you. There is no penalty for filing a complaint. Your benefits will not be affected or changed if you file a complaint. DHS and its employees and contractors cannot and will not retaliate against you for filing a complaint.

PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES PRIVACY OFFICE
3RD FLOOR WEST, HEALTH AND WELFARE BUILDING
7TH AND FORSTER STREETS
HARRISBURG, PA 17120

REGION III
U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE FOR CIVIL RIGHTS
150 S. INDEPENDENCE MALL WEST - SUITE 372
PHILADELPHIA, PA 19106-9111

Effective: April, 2003 – Revised July 28, 2015



pennsylvania
DEPARTMENT OF HUMAN SERVICES

SOLICITUD PARA EL PROGRAMA PARA ASISTENCIA DE ENERGÍA PARA HOGARES DE BAJOS INGRESOS (LIHEAP)

Para solicitar el beneficio de asistencia para energía, debe completar todas las preguntas del frente y reverso y firmar donde está la "X" de color rojo. Asegúrese de que su nombre y dirección completos estén escritos correctamente a continuación. En caso de no estar escritos correctamente, tache y ESCRIBALOS correctamente con letra de imprenta en el espacio provisto a continuación. **TAMBIEN PUEDE SOLICITAR EL BENEFICIO EN LINEA EN WWW.COMPASS.STATE.PA.US.**

SU NOMBRE Y DIRECCIÓN

Dirección de su Oficina de Asistencia del Condado

Si no comprende estas instrucciones, comuníquese con la oficina de asistencia del condado de su área.

1 Complete esta sección con los datos del cabeza de familia.

**Use los códigos de la página 2 para ayudar a proporcionar los detalles.*

Nombre (incluya apellido, nombre, inicial del segundo nombre)	Fecha de nacimiento	Sexo	Número de Seguro Social
Dirección particular (incluya calle y número, núm. de apartamento, ciudad, estado y código postal+4)			
Dirección postal, si es diferente (incluya calle, núm. de apartamento, ciudad, estado y código postal+4)			
Condado en el que reside	Número de teléfono: ()	Ciudadanía*	Raza (opcional)*
		Grupo étnico (opcional)*	Estado civil*
Si usted actualmente recibe beneficios en efectivo, de asistencia médica o de SNAP ¿podemos basarnos en los ingresos que tiene registrados? <input type="checkbox"/> Sí <input type="checkbox"/> No			

2 ¿Lee, escribe y entiende el idioma inglés? ☐ Sí ☐ No
Si la respuesta es no, ¿qué idioma lee, escribe y entiende? _____

3 Usted:

<input type="checkbox"/> alquila y los gastos de calefacción están incluidos	<input type="checkbox"/> alquila una vivienda subsidiada/del programa "Section 8" con gastos de calefacción incluidos
<input type="checkbox"/> alquila y los gastos de calefacción no están incluidos	<input type="checkbox"/> alquila una vivienda subsidiada/del programa "Section 8" con gastos de calefacción no incluidos
<input type="checkbox"/> vive con este grupo familiar sin ser pariente	<input type="checkbox"/> es propietario o está comprando su vivienda <input type="checkbox"/> Otros: _____

Si el gasto de calefacción está incluido en su alquiler, adjunte una nota del propietario que le alquila la vivienda en la que declare que el gasto de calefacción está incluido, así como el tipo de combustible utilizado.

4 ¿Cuál es su fuente principal de calefacción? **Escoja el tipo de energía que calienta su casa o que se está usando si su fuente de calor no funciona. Adjunte una copia de su último recibo o una carta de la compañía de luz o combustible que indique el tipo de combustible y que usted ha sido aceptado como cliente.**

<input type="checkbox"/> Electricidad	<input type="checkbox"/> Gasóleo	<input type="checkbox"/> Carbón	<input type="checkbox"/> Gas natural	<input type="checkbox"/> Querosén	<input type="checkbox"/> Gas propano o envasado	<input type="checkbox"/> Combustibles mixtos	<input type="checkbox"/> Madera/Otros
---------------------------------------	----------------------------------	---------------------------------	--------------------------------------	-----------------------------------	---	--	---------------------------------------

4a ¿Necesita electricidad para el funcionamiento de su fuente de calor principal (calor secundario)? ☐ Sí ☐ No

5 Marque si algo de lo siguiente se aplica y explique si es necesario:

<input type="checkbox"/> Servicio de electricidad suspendido	<input type="checkbox"/> Tiene un aviso de suspensión para la electricidad	<input type="checkbox"/> La fuente de calor principal no funciona
<input type="checkbox"/> Servicio de gas suspendido	<input type="checkbox"/> Tiene un aviso de suspensión para el gas	Explique: _____
<input type="checkbox"/> Se acabó el combustible	<input type="checkbox"/> Se acabará el combustible en 15 días	_____



6

¿Qué compañía de servicios públicos o proveedor de combustible desea usted que reciba su subsidio LIHEAP? Especifique el nombre y dirección y la información de su cuenta.

Nombre de la empresa proveedora del servicio público o del proveedor de combustible	Número de cuenta
Dirección (incluya calle y número, ciudad, estado y código postal+4)	Nombre en la cuenta

7

Indique el nombre de su compañía de electricidad si no figura arriba.

Nombre de la empresa de electricidad	Número de cuenta
--------------------------------------	------------------

8

¿Usa usted otra fuente de calor en su hogar? ☐ Sí ☐ No

Si respondió **que sí**, explique: _____

9

Si vive en una vivienda subsidiada/pública, ¿recibe un cheque en concepto de asignación para servicios públicos? ☐ Sí ☐ No
Si la respuesta **es sí**, ¿cuánto recibe? \$ _____

10

¿Alguien en su grupo familiar recibe asistencia económica por una discapacidad? ☐ Sí ☐ No

Si la respuesta **es sí**, ¿quién? _____

11

Enumere las personas que viven con usted en esta dirección. Incluya a todos los niños y adultos. Incluya a las personas que son parientes. Incluya a todas las personas que no son parientes, pero que comparten los gastos del grupo familiar. No incluya a ninguna persona que esté en la cárcel/prisión. No incluya al miembro del grupo familiar indicado en el bloque 1. **Vea recordatorio de la página 4.**

Use los códigos a continuación para ayudar a proporcionar los detalles para cada persona en su grupo familiar.

CIUDADANÍA*: (1) Ciudadano de los Estados Unidos, (2) Extranjero residente permanente, (3) Extranjero residente temporal, (4) Refugiado, (5) Otros –no elegibles para recibir beneficios (Quienes no son ciudadanos de los EE.UU. deben proporcionar comprobantes de su estado migratorio).

RAZA*: (opcional) (1) Negro o afroamericano, (3) Indígena norteamericano o nativa de Alaska, (4) Asiático, (5) Blanco, (7) Nativo de Hawái u otra raza de las Islas del Pacífico. Liste todos los grupos que correspondan.

GRUPO ÉTNICO*: (opcional) (1) No hispano, (2) Hispano o latino

ESTADO CIVIL*: (1) Soltero/a, (2) Casado/a, (3) Unión de hecho, (4) Separado/a, (5) Divorciado/a, (6) Viudo/a

Nombre y apellido (incluya apellido, nombre, inicial del segundo nombre)	Fecha de nacimiento (MM/DD/AA)	Sexo M/F	Número de Seguro Social	Ciudadanía*	Raza* (opcional)	Grupo étnico* (opcional)	Estado civil *	Relación con usted
Persona 1								

Si usted actualmente recibe beneficios en efectivo, de asistencia médica o de SNAP ¿podemos basarnos en los ingresos que tiene registrados? ☐ Sí ☐ No

Nombre y apellido (incluya apellido, nombre, inicial del segundo nombre)	Fecha de nacimiento (MM/DD/AA)	Sexo M/F	Número de Seguro Social	Ciudadanía*	Raza* (opcional)	Grupo étnico* (opcional)	Estado civil *	Relación con usted
Persona 2								

Si usted actualmente recibe beneficios en efectivo, de asistencia médica o de SNAP ¿podemos basarnos en los ingresos que tiene registrados? ☐ Sí ☐ No

Nombre y apellido (incluya apellido, nombre, inicial del segundo nombre)	Fecha de nacimiento (MM/DD/AA)	Sexo M/F	Número de Seguro Social	Ciudadanía*	Raza* (opcional)	Grupo étnico* (opcional)	Estado civil *	Relación con usted
Persona 3								

Si usted actualmente recibe beneficios en efectivo, de asistencia médica o de SNAP ¿podemos basarnos en los ingresos que tiene registrados? ☐ Sí ☐ No

Nombre y apellido (incluya apellido, nombre, inicial del segundo nombre)	Fecha de nacimiento (MM/DD/AA)	Sexo M/F	Número de Seguro Social	Ciudadanía*	Raza* (opcional)	Grupo étnico* (opcional)	Estado civil *	Relación con usted
Persona 4								

Si usted actualmente recibe beneficios en efectivo, de asistencia médica o de SNAP ¿podemos basarnos en los ingresos que tiene registrados? ☐ Sí ☐ No

Si viven otras personas en su hogar, proporcione la información correspondiente de dichas personas en una hoja de papel adicional y envíela junto con esta solicitud.

Solicite el beneficio en línea en www.compass.state.pa.us



¿Está utilizando los ingresos que alguien tiene registrados en su expediente? No necesita mencionar dicha persona ni sus ingresos en la pregunta 12.

- 12** Proporcione información sobre los ingresos de las personas de su grupo familiar. Proporcione información sobre todos los ingresos, antes de impuestos y deducciones. Los tipos/fuentes de ingresos incluyen dinero proveniente de: empleo, beneficios para veteranos, compensación por desempleo, beneficios por neumoconiosis o pulmón negro, Seguro Social, manutención, compensación a trabajadores, intereses/dividendos, ingresos de alquileres. **Vea recordatorio de la página 4.**

Nombre de la persona con ingresos	Tipo/fuente del ingreso	Fecha de inicio	Fecha del primer cheque de pago	¿Cuánto por mes?
Nombre de la persona con ingresos	Tipo/fuente del ingreso	Fecha de inicio	Fecha del primer cheque de pago	¿Cuánto por mes?
Nombre de la persona con ingresos	Tipo/fuente del ingreso	Fecha de inicio	Fecha del primer cheque de pago	¿Cuánto por mes?
Nombre de la persona con ingresos	Tipo/fuente del ingreso	Fecha de inicio	Fecha del primer cheque de pago	¿Cuánto por mes?

- 13** ¿Le interesa el servicio gratuito de aclimatación? Los servicios de aclimatación incluyen colocar aislamiento en el hogar y la evaluación del sistema de calefacción. ☐ Sí ☐ No

- 14** ¿Está usted, o alguna persona de su grupo familiar, fugándose para evitar acciones legales o para evitar ser detenido por un delito, o por un intento de delito que sería clasificado como un delito grave? ☐ Sí ☐ No
Si la respuesta **es sí**, ¿quién? _____

- 15** ¿Alguna de las personas está o ha estado en las Fuerzas Armadas de los EE.UU.? ☐ Sí ☐ No
Si la respuesta **es sí**, ¿quién? _____
¿Alguna de las personas es la viuda, cónyuge o hijo/a (menor de 18 años de edad) de alguien que esté o haya estado en las Fuerzas Armadas de los EE.UU.? ☐ Sí ☐ No
Si la respuesta **es sí**, ¿quién? _____

Certificación

- Mediante mi firma en esta solicitud le doy mi permiso al Departamento de Servicios Humanos (DHS) o a su agente autorizado para: (a) verificar cualquier información que proporcione relativa a mi residencia, mis empleos, ingresos, recursos, suministro de energía y proveedor de energía; (b) compartir información con mi proveedor de energía y recibir la información de mi proveedor de energía para permitir que el DHS obtenga un registro de mi información anual del consumo de energía, el costo y la facturación a efectos de la evaluación de programas, el funcionamiento o la elaboración de informes; y (c) completar encuestas relacionadas con la asistencia para energía.
- Si no proporciona un número de Seguro Social o no completa la declaración jurada de asistencia para energía a continuación, usted no es elegible para recibir los beneficios.
Declaración jurada de asistencia de energía
Certifico que: (marque todas las opciones que correspondan)
☐ Proporcioné los números de Seguro Social de todos los miembros del grupo familiar.
☐ A mi leal saber y entender, estos miembros del grupo familiar no tienen números de Seguro Social:

Nombre en letra de imprenta _____ Nombre en letra de imprenta _____
Nombre en letra de imprenta _____ Nombre en letra de imprenta _____
☐ Los siguientes miembros del grupo familiar, en ejercicio de sus derechos según la Sección 7 de la Ley de Privacidad de 1974, se niegan a divulgar sus números de Seguro Social o no pueden hacerlo por ser víctimas de violencia doméstica:

Nombre en letra de imprenta _____ Nombre en letra de imprenta _____
Nombre en letra de imprenta _____ Nombre en letra de imprenta _____
- Autorizo la divulgación de la Información de elegibilidad de LIHEAP a mis proveedores de energía o agencias de aclimatación o que ellos la divulguen con el fin de que puedan solicitar asistencia, para la cual yo pueda ser elegible. La asistencia puede comprender recibir los beneficios de dinero en efectivo, de crisis o de aclimatación de LIHEAP.
- Entiendo que tengo el derecho de apelar cualquier decisión o demora excesiva en la decisión que considere incorrecta con respecto a esta solicitud.
- Declaro que mi residencia legal es en Pennsylvania.
- Entiendo que el/los número(s) de Seguro Social provisto(s) será(n) utilizado(s) en la administración de este programa, incluyendo referencias cruzadas con otros programas.
- Entiendo que me enviarán una notificación de aprobación o de denegación y que, si soy aprobado, dicha notificación indicará la cantidad de mi beneficio.
- También entiendo que si mi grupo familiar es aprobado para recibir un beneficio en efectivo del programa LIHEAP, el dinero se enviará directamente a la empresa que me provee los servicios públicos o al proveedor de combustible, a menos que yo sea inquilino/arrendatario y que el gasto de calefacción esté incluido en el alquiler, o que el combustible sea proporcionado por un proveedor que no acepta pago a proveedores.
- Certifico que, sujeto a las penalizaciones previstas por ley, la información que brinde es, a mi leal saber y entender, verdadera, correcta y completa.
- Sé que si proporciono información falsa, puedo ser penado con multa o prisión.
- Entiendo, al firmar esta solicitud, que quizás no sea aprobado debido a que el dinero del programa LIHEAP se haya agotado.
- Si su hogar es elegible para LIHEAP, puede recibir un formulario de consentimiento Vía Rápida por correo que podría permitir que usted y los integrantes de su hogar se inscriban automáticamente en Asistencia Médica.

Firme aquí – Use tinta



Firma

Fecha

Solicite el beneficio en línea en www.compass.state.pa.us

Recordatorio...

- ☐ Completar toda la información requerida de manera clara y completa.
 - ☐ Proporcionar los números de Seguro Social de **todos** los miembros del grupo familiar o completar el declaración jurada de asistencia para energía incluida en la sección Certificación en la página 3.
 - ☐ Enviar comprobantes de su situación migratoria si usted no es ciudadano de los EE.UU.
 - ☐ Enviar una copia del contrato de alquiler o una declaración escrita y firmada por su arrendador explicando cómo paga los gastos de calefacción, si usted alquila y los gastos de calefacción están incluidos.
 - ☐ Si usted paga por su calefacción, envíe una factura de su fuente principal de calefacción. Adjunte una copia de su factura de servicios públicos fechada en un plazo de 2 meses de la fecha en que usted presentó su solicitud. Para otros combustibles debe proporcionar una factura/recibo de una compra a partir de enero de la temporada de calefacción anterior a la presente.
 - ☐ Si desea que se envíe el pago a su proveedor de calefacción secundaria, adjunte una copia de sus facturas de calefacción principal Y secundaria.
 - ☐ Enviar comprobantes de todos los ingresos del grupo familiar.
- Ejemplo:** Si solicita en noviembre y envía:
- a) un mes de ingresos - enviar prueba para octubre, el mes anterior a la solicitud.
 - b) 12 meses de ingresos - enviar prueba de noviembre del año anterior a octubre del año en curso.
- LOS COMPROBANTES INCLUYEN TALONES DE CHEQUES DE PAGO DE NÓMINA, CARTAS DE OTORGAMIENTO DE BENEFICIOS, DECLARACIONES DE EMPLEADORES, ETC.**
- ☐ Enviar una declaración explicando cómo su grupo familiar paga las necesidades básicas de mantenimiento (comida, alquiler, etc.), en caso de que nos haya informado que no tiene ingresos o que sus ingresos son inferiores al costo de sus necesidades básicas de mantenimiento.
 - ☐ Firmar y fechar su solicitud.
 - ☐ Enviar por correo su solicitud completa y todos los documentos a la oficina de asistencia del condado de su área. Si no está seguro dónde está esto, llame al 1-866-857-7095.

SI NO ENVÍA LOS COMPROBANTES QUE NECESITAMOS JUNTO CON ESTE FORMULARIO, NO PODREMOS PROCESAR SU SOLICITUD.

Inscripción de electores (opcional)

Si no está inscrito para votar en el lugar donde vive actualmente, ¿desea presentar una solicitud para inscribirse para votar aquí hoy? ☐ Sí ☐ No

SI NO MARCA NINGUNA CASILLA, CONSIDERAREMOS QUE DECIDIÓ NO INSCRIBIRSE PARA VOTAR EN ESTE MOMENTO.

Para inscribirse, usted debe: 1) tener por lo menos 18 años de edad el día de la próxima elección; 2) ser ciudadano de los Estados Unidos por un mes como mínimo ANTES DE LA PRÓXIMA ELECCIÓN; 3) residir en Pennsylvania y en el distrito de votación al menos 30 días antes de la próxima elección.

Solicitar la inscripción o negarse a inscribirse para votar no afectará la cantidad de la asistencia que recibirá de parte de esta agencia.

Si desea ayuda para completar el formulario de inscripción para votar, podemos ayudarlo. La decisión de buscar o aceptar ayuda es suya. Puede completar el formulario de solicitud en privado. Comuníquese con la oficina de asistencia del condado si desea ayuda. Si cree que alguna persona ha interferido con su derecho a inscribirse para votar o a rechazar la inscripción para votar, su derecho a la privacidad para decidir si se inscribe o para solicitar la inscripción para votar, o su derecho a elegir su propio partido político u otra preferencia política, usted puede presentar una queja ante la Secretaría de Estado en: Secretary of the Commonwealth, PA Department of State, Harrisburg, PA 17120. (Número de teléfono sin cargo 1-877-VOTESPA)

EL PERSONAL DE LA OFICINA DE ASISTENCIA DEL CONDADO COMPLETARÁ ESTA SECCIÓN SEGÚN LO QUE USTED HAYA RESPONDIDO MÁS ARRIBA

- | | | |
|--|--|--|
| <input type="checkbox"/> Given to Client ____/____/____ | <input type="checkbox"/> Sent to voter registration ____/____/____ | <input type="checkbox"/> Mailed to Client ____/____/____ |
| <input type="checkbox"/> Declined, not interested ____/____/____ | <input type="checkbox"/> Not a U.S. citizen ____/____/____ | <input type="checkbox"/> Declined, already registered ____/____/____ |



COMPASS
CLICK. APPLY. BENEFIT.

Si tiene una discapacidad y necesita esta solicitud impresa con letras grandes o en otro formato, llame a nuestra **línea de ayuda** al número **1-800-692-7462**.
Para servicios de TDD, llame a PA Relay al 711.

Solicite el beneficio en línea en www.compass.state.pa.us

NOTIFICACIÓN DE PRÁCTICAS DE PRIVACIDAD

ESTA NOTIFICACIÓN DESCRIBE DE QUÉ FORMA PUEDE SER UTILIZADA Y DIVULGADA SU INFORMACIÓN MÉDICA, Y CÓMO PUEDE USTED ACCEDER A DICHA INFORMACIÓN. REVÍSELA CUIDADOSAMENTE POR FAVOR.

This notice contains important information about the privacy of your medical information. If you need this notice in another language or someone to interpret, please contact your local County Assistance Office. Language assistance will be provided free of charge.

Este aviso contiene información importante acerca de la privacidad de su información médica. Si necesita este aviso en otro idioma o alguien para que interprete, comuníquese con la Oficina de Asistencia de su Condado. La asistencia bilingüe será gratuita.

Данное уведомление содержит важные сведения относительно конфиденциальности вашей медицинской информации. Если вам нужно данное уведомление на другом языке или вам нужны услуги устного переводчика, обращайтесь в Бюро помощи вашего округа (County Assistance Office). Переводческие услуги предоставляются бесплатно.

此通知包括关于您的医疗信息的个人隐私方面的重要资料。如果您需要此通知译成其它语言或需要有人替您翻译，请联系您所在地区的郡县援助办事处。可提供免费语言协助。

Thông báo này gồm những thông tin quan trọng về việc bảo mật các chi tiết y tế cá nhân của quý vị. Nếu cần có thông báo này bằng một ngôn ngữ khác hay người để thông dịch, xin quý vị liên lạc với Văn Phòng Trợ Cấp Địa Phương. Trợ giúp ngôn ngữ sẽ được cung cấp miễn phí.

សំរាប់ព្រះមានធីតាសំខាន់ៗសំពីការរក្សាភាពសម្ងាត់ព័ត៌មានវេជ្ជ
របស់អ្នកអ្នក។ អ្នកអាចសុំការបកប្រែបាន ឬសុំការជួយបកប្រែ
បន្ថែមបានបន្ថែមទៀត។
សូមពាក់អាវកម្រាលដៃដើម្បីការពារខ្លួន ក្នុងអំឡុង
ពេលពិនិត្យឬដាក់វ៉ាក់សាំង។

حتوي هذا الإخطار على معلومات هامة حول خصوصية المعلومات الطبية المتعلقة بك. إذا
بحاجة إلى هذا الإخطار بلغة أخرى أو إلى شخص ما لترجمته لك، فيرجى الاتصال بمكتب
مغونة المساعدة المحلي. وستقدم المساعدة اللغوية مجاناً.

El Departamento de Servicios Humanos (por sus siglas en inglés, DHS) brinda y paga por muchos tipos de beneficios y servicios sociales. También nos encargamos de determinar la elegibilidad de las personas para recibir dichos beneficios y servicios. Para poder hacerlo, debemos recabar información médica y personal sobre usted y/o su familia. La información que obtenemos sobre usted y/o su familia es privada. A esta información la denominamos “información de salud protegida”.

El DHS no utiliza ni divulga la información de salud protegida a menos que esté permitido por ley o sea exigido por ley. Por ley, el DHS debe resguardar la privacidad de la información de salud protegida, debe notificar a las personas sobre sus obligaciones legales y las prácticas de privacidad relativas a la información de salud protegida y debe notificar a las personas afectadas en caso de violación de la confidencialidad de la información no segura de salud protegida. Como entidad regulada por esta ley, el DHS debe cumplir las leyes aplicables sobre la protección de la privacidad de su información de salud protegida, lo que incluye las normas de privacidad de la Ley de Responsabilidad y Portabilidad de Seguros Médicos (en inglés, Health Insurance Portability and Accountability Act - HIPAA). Según la Ley HIPAA, las agencias de Medicaid, ciertos planes de salud y proveedores de atención de salud son ejemplos de entidades reguladas que deben cumplir la Ley HIPAA. Las demás leyes que podrían aplicarse incluyen normas relativas a información confidencial sobre Asistencia Médica, otros beneficios, salud conductual, tratamiento/abuso de sustancias y VIH/SIDA. Cuando usamos o divulgamos la información de salud protegida, hacemos todos los esfuerzos razonables posibles para limitar su uso o divulgación al mínimo necesario para cumplir el fin que corresponda. Esta notificación explica su derecho a la privacidad de su información de salud protegida y cómo podemos utilizar y divulgar dicha información. Para mayor información sobre las prácticas de privacidad del DHS o para recibir otra copia de esta notificación, comuníquese con nosotros. Para información de contacto, consulte la sección “Preguntas o quejas” en la última página de esta notificación.

Por ley estamos obligados a cumplir los términos de esta notificación. Nos reservamos el derecho de cambiar los términos de esta notificación y de aplicar las nuevas disposiciones de la notificación a toda la información de salud protegida que mantenemos. Si realizamos algún cambio importante a nuestras políticas o procedimientos de privacidad, publicaremos una copia actualizada de la notificación en nuestro sitio web y/o le proporcionaremos una nueva notificación de privacidad por correo o personalmente. Usted puede solicitar y recibir una copia impresa de esta notificación en cualquier momento.

¿Qué es la información de salud protegida?

La información de salud protegida es información sobre usted relacionada con una enfermedad o condición de salud física o mental, presente o futura, o sobre tratamientos o pagos por tratamientos, y que puede ser utilizada para identificarlo. Esta información incluye cualquier tipo de información, ya sea verbal o grabada en cualquier medio, que es creada o recibida por el DHS o por personas u organizaciones que tienen contrato con el DHS. Incluye información en formato electrónico y en cualquier otro formato o medio que puede identificarlo a usted, como por ejemplo:

Su nombre (o nombres de sus hijos)
Dirección
Fecha de nacimiento
Fecha de ingreso/alta
Código de diagnóstico

Número de teléfono
Número de caso del DHS
Número de Seguro Social
Código del procedimiento médico

¿Quién puede ver y con quién se comparte mi información de salud?

Los profesionales del DHS, tales como los trabajadores sociales y personal de las oficinas de asistencia del condado y de los programas; y personas que trabajan fuera del DHS, tales como contratistas, personal de una organización de cuidado de la salud (Health Maintenance Organization – HMO), enfermeras, médicos, terapeutas, trabajadores sociales y administradores, pueden ver y utilizar su información de salud para determinar su elegibilidad para recibir beneficios, tratamientos, pagos o por otras razones permitidas o necesarias. Compartir su información de salud puede estar relacionado con servicios y beneficios que tuvo anteriormente, que recibe actualmente o que puede recibir en el futuro. El DHS no usará ni compartirá su información genética al decidir si usted es elegible para recibir Medicaid.

¿Por qué el DHS utiliza y divulga mi información de salud protegida?

Hay distintas razones por las cuales podemos usar o divulgar su información de salud protegida. La ley establece que podemos utilizar o divulgar información sin su consentimiento o autorización por las razones que se describen a continuación.

Para realizar tratamientos: podemos utilizar o divulgar información para que usted pueda recibir tratamiento o servicios médicos. Por ejemplo, podemos dar información que su médico, hospital o terapeuta necesitan saber para brindarle atención médica de calidad y para coordinar su tratamiento con otros profesionales o especialistas que también le brindan asistencia médica.

Para pagos: podemos utilizar o dar información para pagar sus gastos de tratamientos y otros servicios médicos. Por ejemplo, podemos intercambiar información con su médico, hospital, hogar para personas mayores, y con otras agencias del gobierno para pagar las facturas por su tratamiento y servicios.

Para la gestión de nuestros programas: podemos utilizar o divulgar información durante el cumplimiento habitual de nuestras funciones al administrar los distintos programas. Por ejemplo, podemos utilizar su información de salud para comunicarnos con usted y proporcionar información sobre citas, información relativa a la salud, beneficios y servicios. También podemos analizar la información que recibimos de parte de su médico, hospital, hogar para personas mayores y otros proveedores de salud, para verificar cómo funcionan nuestros programas o para revisar la necesidad y calidad de los servicios de cuidado de la salud proporcionados a usted y/o su familia.

Para actividades de salud pública: proporcionamos información de salud pública a otras agencias del gobierno en relación con temas tales como enfermedades contagiosas, información sobre inmunización y seguimiento de ciertas enfermedades como el cáncer.

Para fines de aplicación de la ley y según lo requerido por procedimientos legales: divulgamos información a la policía y a otros agentes de la ley, según sea requerido por orden judicial.

Para programas del gobierno: podemos proporcionar información a un proveedor, una agencia del gobierno u otra organización que necesita saber si usted está inscrito en uno de nuestros programas o si recibe beneficios bajo otros programas tales como el Programa de Compensación a Trabajadores.

Por cuestiones de seguridad nacional: podemos proporcionar información solicitada por el gobierno federal cuando investigan algo importante para proteger a nuestro país.

Para proteger la seguridad y salud públicas: podemos divulgar información para prevenir amenazas graves a la salud o seguridad de una persona o del público en general.

Para investigaciones: podemos divulgar información con fines de investigación permitidos y para crear informes. Dichos informes no identifican a personas específicas.

Para jueces de instrucción, directores de empresas de servicios funerarios y donaciones de órganos: podemos proporcionar información a un juez de instrucción o a un médico forense con fines de identificación, determinación de causa de muerte, donación de órganos y otros motivos relacionados. También podemos divulgar información a directores de empresas de servicios funerarios para llevar a cabo tareas relativas a sepelios.

Por otros motivos exigidos por ley: el DHS podrá usar o divulgar su información de salud protegida en la medida que el uso o divulgación sea exigido por ley. El uso o divulgación se realiza en cumplimiento de la ley y se limita a los requisitos exigidos por ley.

¿Hay otras leyes que también protegen ciertos aspectos de mi información de salud?

El DHS también cumple otras leyes federales y estatales que brindan protección de privacidad adicional para el uso y divulgación de su información. Por ejemplo, si tenemos información sobre VIH o sobre abuso de sustancias, salvo unas pocas excepciones, no podemos proporcionarla sin el permiso especial por escrito y firmado de acuerdo a lo que estipula la ley. En algunos casos, la ley también nos exige obtener un permiso por escrito antes de usar o divulgar información relativa a la salud mental o discapacidades intelectuales y otras informaciones específicas.

¿Puedo pedir al DHS que utilice o divulgue mi información de salud?

A veces, es posible que usted necesite o quiera que su información de salud protegida sea enviada o de otra manera divulgada a alguna persona o a algún lugar por otras razones que no sean el tratamiento, pago, administración de nuestros programas o por otro motivo permitido o necesario que no requiera de su autorización escrita. En esos casos, podríamos pedirle que firme un formulario de autorización, para permitirnos enviar o de otra manera divulgar su información de atención de salud protegida, como usted lo solicita.

El formulario de autorización nos dice qué información enviaremos o divulgaremos de otra manera, a dónde y a quién. Usted puede revocar su autorización o limitar la cantidad de información que se divulgará en cualquier momento, informándonos por escrito sobre su decisión, excepto por las medidas que el DHS ya haya tomado al respecto de conformidad con dicha autorización.

Si usted es menor de 18 años de edad y por ley puede dar consentimiento sobre su propia atención médica, entonces tendrá el control de dicha información de salud. También puede hacer que su información de salud sea enviada a la o las personas que le están ayudando con su atención médica.

Salvo como se describe en la presente notificación, no utilizaremos ni divulgaremos su información de salud sin su autorización escrita. Por ejemplo, la Ley HIPAA por lo general exige que se obtenga una autorización escrita antes de que una entidad regulada por dicha ley pueda usar o divulgar las notas de las sesiones de psicoterapia de una persona. En la mayoría de los casos, la Ley HIPAA también exige que se obtenga una autorización escrita antes de que una entidad amparada pueda usar o divulgar la información de salud protegida para fines de mercadeo o antes de venderla.

¿Cuáles son mis derechos con respecto a mi información de salud?

Como cliente del DHS, usted tiene los siguientes derechos sobre la información de salud protegida que podemos utilizar y divulgar:

Derecho a ver y tener una copia de su información de salud: tiene el derecho de ver la mayor parte de su información de salud protegida y a recibir una copia de dicha información. Si desea tener copias de la información que tiene derecho a ver, es posible que se le cobre un cargo mínimo. Sin embargo, generalmente no podrá ver o recibir una copia de: (1) las notas de sesiones de psicoterapia o (2) la información que no se le puede proporcionar por ley federal.

Si denegamos su pedido de información de salud protegida, le proporcionaremos una explicación por escrito sobre dicha denegación y sus derechos respecto a la misma.

El DHS no recibe ni mantiene un registro de toda su información de salud protegida. Los médicos, hospitales, hogares para personas mayores y otros proveedores del cuidado de la salud (incluida una HMO si está inscrito en alguna) también pueden tener su información de salud protegida. Usted también tiene derecho a ver su información de salud a través de su médico u otro proveedor que tenga dichos registros.

Derecho a corregir o agregar información: si usted considera que parte de la información de salud protegida que tenemos es incorrecta, puede solicitarnos por escrito que corriamos o agreguemos nueva información. Puede pedirnos que enviemos la información nueva o corregida a otras personas a quienes hayamos enviado su información de salud. En algunos casos, podemos denegar su solicitud para corregir o agregar información. Si denegamos su pedido, le proporcionaremos una explicación por escrito de los motivos por los cuales lo hicimos. También le explicaremos qué puede hacer si no está de acuerdo con nuestra decisión.

Derecho a recibir una lista de distribución: usted tiene el derecho a recibir una lista de los lugares donde su información de salud protegida ha sido enviada, a menos que fuese enviada por motivos relativos a un tratamiento, pagos, administración de nuestros programas o si la ley establece que no estamos obligados a agregar la información de distribución a la lista. Por ejemplo, no estamos obligados por ley a agregar a la lista ninguna divulgación que podamos haber hecho a usted, su familia o personas involucradas en su atención, a otras personas a quien usted nos autorizó a divulgar la información, ni la información divulgada antes del 14 de abril de 2003.

Derecho a solicitar restricciones sobre el uso y divulgación: usted tiene derecho a solicitarnos restringir el uso y divulgación de su información de salud protegida. Es posible que no podamos cumplir su solicitud. De hecho, en algunos casos, no se nos permite restringir el uso o divulgación de la información. Si no podemos cumplir su solicitud, le informaremos por qué. Excepto cuando sea exigido por ley, debemos conceder su solicitud de restricción de divulgación a un plan de salud, si el propósito de la divulgación no es por tratamiento y los servicios médicos a los cuales se aplica la solicitud han sido pagados en su totalidad como desembolso personal.

Derecho a solicitar comunicación confidencial: nos puede solicitar que nos comuniquemos con usted de determinada forma o en un lugar determinado. Por ejemplo, puede pedirnos que nos comuniquemos con usted únicamente por correo.

Derecho a recibir una notificación en caso de violación de la confidencialidad: usted tiene el derecho a ser notificado en caso de violación de la confidencialidad de su información no segura de salud protegida.

¿A quién debo contactar por consultas sobre mis derechos o sobre esta notificación?

Puede comunicarse con la línea directa gratuita del DHS HIPAA al 800-692-7462 si tiene preguntas o consultas sobre sus derechos o sobre esta notificación. También puede comunicarse con su asistente social o proveedor de servicios de salud, o escribir a la Oficina de Privacidad del DHS a: Privacy Office, 3rd Floor West, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA 17120.

Puede recibir información importante o actualizaciones de esta notificación a través del sitio web del DHS en: www.dhs.pa.gov.

¿Cómo presento una queja?

Si desea presentar una queja sobre la forma en que el DHS ha utilizado o divulgado su información, puede comunicarse con cualquiera de las oficinas que se indican abajo. No hay ninguna penalización por presentar una queja. Sus beneficios no se verán afectados ni cambiarán si usted presenta una queja. El DHS y sus empleados y contratistas no pueden tomar ni tomarán ningún tipo de represalia contra usted por presentar una queja.

PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES PRIVACY OFFICE
3RD FLOOR WEST, HEALTH AND WELFARE BUILDING
7TH AND FORSTER STREETS
HARRISBURG, PA 17120

REGION III
U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE FOR CIVIL RIGHTS
150 S. INDEPENDENCE MALL WEST - SUITE 372
PHILADELPHIA, PA 19106-9111

Vigente a partir de: Abril de 2003 – Actualizada el 28 de Julio de 2015





Pennsylvania Department of Human Services
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM
2019 VENDOR AGREEMENT - LIQUID OR SOLID FUEL

Vendor Name and Address

Vendor Number

This agreement is entered for the purpose of facilitating the provision of Low-Income Home Energy Assistance Program (LIHEAP) benefits to low-income households through the delivery or providing fuel for pickup of solid or liquid fuel products for heating purposes, from a participating LIHEAP vendor. The Commonwealth of Pennsylvania defines a LIHEAP vendor as a company or agent of the company that supplies home heating energy or service in exchange for payment. The term does not include landlords, housing authorities, hotel managers or proprietors, rental agents, and other parties who are not direct suppliers of home heating, energy, or service.

Eligible LIHEAP households receive one Cash grant based on the size, region, income, and fuel type of their household. LIHEAP Crisis grants are available to LIHEAP recipients who encounter a heating emergency. Subject to the availability of funds, the Department of Human Services (DHS) may opt to provide eligible LIHEAP households with additional LIHEAP Cash or Crisis grants.

By signing this agreement, the vendor agrees to communicate with DHS by phone and email and be responsive to DHS requests so that a customer's LIHEAP application or request for Crisis can be processed timely. The vendor also agrees to accept all LIHEAP grants and apply them to customer accounts according to the conditions of this vendor agreement and DHS instructions.

Participating LIHEAP vendors are paid through the Pennsylvania Treasury by check or direct deposit. A list of corresponding payments is posted to the LIHEAP Crisis Claim data entry system, identifying customer names, addresses, and the amount of LIHEAP Cash and Crisis payments each customer will receive, associated with a specific Treasury pay date.

The business or company written above, herein referred to as the "vendor", cannot enter into any subcontracts under this agreement with other subcontractors who are currently suspended or debarred by the commonwealth or other state or federal government. If any vendor enters into any subcontracts under this agreement with any subcontractors who become suspended or debarred by the commonwealth or other state or federal government during the term of this agreement or any extensions or renewals thereof, the commonwealth shall have the right to require the vendor to terminate such subcontracts to remain a LIHEAP vendor.

Vendors will adhere to LIHEAP policy and procedures as defined in the LIHEAP State Plan, will report any discovery of fraud, and address any questions regarding participation in LIHEAP to the LIHEAP Vendor Unit. A copy of the current LIHEAP State Plan can be obtained on the LIHEAP Vendor website at www.dhs.pa.gov/provider/informationforliheapvendors/index.htm.

Vendors will adhere to the guidance provided by the Department of Agriculture's Division of Weights and Measures as it relates to the sale of energy products to protect consumers from unfair business practices and assure equity in the marketplace. See www.agriculture.pa.gov/consumer_protection/weights_measures/Pages/default.aspx. The Weights and Measures Division is responsible for regulating an array of products and services, including those that pertain to coal, firewood, home heating oil, and liquid propane gas, as defined in Section 23.106 and 23.107 of Title 70 of the Pennsylvania Weights, Measures and Standards, and the Consolidated Weights and Measures Act of December 18, 1996, P.L. 1028, No. 155 (3 Pa.C.S.A. §§ 4101-4194).

By fully completing and submitting the signature page of the 2019 LIHEAP Vendor Agreement, the vendor agrees to comply with the following conditions to remain a LIHEAP vendor in good standing and receive LIHEAP payments through the commonwealth.

1. LIHEAP Cash grants received on behalf of a LIHEAP customer require no data entry by the vendor. LIHEAP Cash grants:
 - a) Will be used to cover customer fuel purchases only.
 - b) May only be used for purchases made on or after October 1st of the heating season for which they were authorized; and
 - c) Are available as a credit to the customer to cover the cost of fuel for the season in which they are authorized through the end of the following heating season. See additional information in Condition 6.
2. Apply LIHEAP grants to customer accounts in the following manner only:
 - a) Apply the full amount of each LIHEAP benefit to the respective account of each designated LIHEAP customer.

- b) Late payment charges must be frozen at the amount they are at the time notification of eligibility for LIHEAP is received by the vendor and may not be increased for the remainder of the LIHEAP program year, defined as the date that applications for LIHEAP benefits are no longer accepted.
 - c) LIHEAP Cash and Crisis grants will not be used for security deposits, service maintenance contracts, tank leases or rental payments, late payment fees, or other finance charges.
 - d) If a household is authorized for a LIHEAP Cash grant before the date of its request for Crisis benefits, any existing credit, **including the LIHEAP Cash grant that was authorized and not yet received**, is considered to be available and will be used first to resolve the Crisis. LIHEAP credits must be subtracted from the delivery or pickup before submitting a claim for payment in the Crisis Claim data entry system.
3. Pricing considerations for deliveries or pickups paid with LIHEAP Cash and/or Crisis grants:
- a) If the vendor offers a “cash price” or other discounted pricing associated with paying for fuel in a shortened time frame, this “lowest price” discount must apply to all fuel paid with LIHEAP funds, since the payment time frame is beyond the customer’s control.
 - b) Pricing based on quantity and fees associated with a delivery made with LIHEAP funds must not be greater than those charged for an identical delivery to a non-LIHEAP household.
4. LIHEAP Crisis grants and Cash grants that are used to resolve a Crisis may be used in the following manner:
- a) To provide solid or liquid fuel to a household that is out of fuel or who reports they are within 15 days of being without fuel with consideration of the following time frames:
 - Before the customer is without heat;
 - Within 48 hours if the customer is already without heat; or
 - Within 18 hours if a medical emergency or life-threatening situation exists.

If the vendor’s supply is insufficient or other circumstances prevent the vendor from resolving the heating emergency in these designated time frames, the vendor must tell the DHS representative immediately, so DHS can evaluate other ways to remediate the customer’s heating emergency.
 - b) Deliveries made to resolve a Crisis to customers may include reconnect fees, off-hour or off-route delivery charges, minimal costs (\$100 or less) to restart a furnace or leak-test propane tanks when deemed necessary;
 - c) Are authorized by DHS or its representatives who provide the vendor with a maximum “up to” dollar amount that is available to the household to resolve the heating emergency with consideration of previous Crisis authorizations and the LIHEAP season’s maximum Crisis amount.
 - d) Resolving the heating emergency is defined as providing:
 - The amount of solid or liquid fuel needed to fill the tank; or
 - The amount of solid or liquid fuel that the customer can haul (pick up) in one trip.
 - e) Every request for Crisis **must be made by the LIHEAP household to its designated DHS office**, which will evaluate eligibility and determine the amount the household has available to resolve the Crisis. A DHS representative will contact the vendor to convey eligibility.
 - LIHEAP Crisis grants are only guaranteed for authorizations approved by DHS or its representatives.
 - Customers who call the vendor to request delivery paid with LIHEAP funds should be told to contact DHS.
 - **Vendors who make a delivery without prior DHS authorization understand that LIHEAP may not pay for the delivery.**
5. To receive payment for a delivery or pickup paid in full or in part with **LIHEAP Crisis funds**, Crisis claim data must be entered into a web-based program and documentation of the delivery or pickup submitted by mail, fax, or electronic upload. Failure to provide adequate documentation will delay payment. Payment may be rejected if appropriate documentation is not provided.
- a) Data entry will be for no more than **the actual amount of Crisis funds** that are needed to resolve the Crisis after subtracting available credits from other LIHEAP Cash grants.
 - b) A Crisis delivery that includes credits from the LIHEAP Cash grant must be on one delivery ticket, indicating subtraction of the Cash grant to ensure the customer receives the benefit of quantity pricing based on the total quantity delivered.
 - c) An active work list of Crisis authorizations awaiting vendor action is available on the Crisis Claim data entry system.
 - d) Claims must be processed **within 30 calendar days** of the date a Crisis delivery or pickup is authorized by DHS, as prompt data entry allows DHS to process a subsequent Crisis Authorization if requested by the household. Exceptions to the 30-day rule may be granted for claims entered on or after the 31st day and up to 30 days after the close of the LIHEAP season if funds are available.

- e) Data entry must be the exact amount of Crisis funds needed after subtracting the LIHEAP Cash grant or other credits, and not rounded to the nearest dollar.
- f) A vendor will not bill the season maximum amount and keep the excess as a credit on the customer's account, nor may a vendor charge processing fees or late payment fees as a result of a vendor's failure to comply with conditions of this agreement.
- g) Acceptable Crisis documentation for solid or liquid fuels is based on fuel type and whether the fuel was delivered or picked up from the vendor, in compliance with the Department of Agriculture's Division of Weights and Measures. Documentation must include:
 - The vendor's name and address;
 - Date and time of delivery or transaction;
 - The purchaser's name and address;
 - Product identification; and
 - The price per unit or weight such as gallon, ton, pound, cord.

In addition to the items above, oil, propane, kerosene, and blended fuel deliveries must be recorded on a metered delivery ticket that includes:

- The driver's signature or employee number;
 - The delivery vehicle's permanently assigned company truck number; and
 - The volume to the nearest one-tenth of a gallon or other quantity if not measured in gallons.
6. Refund LIHEAP credits to DHS as required, by check or expedited recoupment, within 30 days from the date of discovery. A LIHEAP Refund Form (HSEA 37) must accompany payment. **It is also important to indicate the individual number of the customer that was provided on the LIHEAP Provider Payment List when payment was received** and a description of the reason the funds are being returned. A user-friendly form is located on the LIHEAP Vendor website. The commonwealth cannot return vendor funds or any portion thereof to the vendor. **For this reason, LIHEAP vendors should accurately evaluate their records and ensure the accuracy of LIHEAP refunds before submitting them to the commonwealth.** Vendors may contact the Vendor Unit at 1-877-537-9517 to verify dates and amounts of LIHEAP grants received by the households before sending a refund check.

NOTE: Vendors will never give or refund LIHEAP funds to a customer.

LIHEAP refunds will be sent by check payable to the **COMMONWEALTH OF PENNSYLVANIA, directed to:**

**Commonwealth of Pennsylvania
DHS-LIHEAP Vendor Refunds
P.O. Box 2675 (WOB Room 224)
Harrisburg, PA 17105-2675**

- a) **Examples of when the vendor will return LIHEAP credits include, but are not limited to:**
 - A customer's whereabouts are unknown,
 - A customer changes vendors,
 - A customer dies, departs the area serviced by the vendor, or the customer no longer has a heating responsibility,
 - The vendor receives a duplicate payment,
 - The vendor is deactivated and is no longer a participating LIHEAP vendor,
 - A LIHEAP Cash grant is received in error.
 - An overpayment is caused by vendor error. Vendor error includes but is not limited to: the vendor failing to provide appropriate or accurate customer account information, non-equitable pricing, LIHEAP funds were erroneously applied toward a security deposit, a billing error or other application of LIHEAP funding is detected, failure to provide service or using a communal account for LIHEAP funds. If this occurs, the vendor is responsible for reimbursement from the vendor's funds, not by removing LIHEAP credits from the customer's account.
 - The end of each LIHEAP program year. LIHEAP funds are available for two heating seasons, which includes the heating season of receipt and heating season immediately following. LIHEAP funds not expended must be returned to DHS by July 31 of that year. DHS will notify vendors of the need to identify accounts and return funds.
- b) DHS is authorized to recoup past-due LIHEAP balances. This is done by debiting any current or future LIHEAP payment for an amount equal to the outstanding un-refunded balance that is due to DHS from

the vendor. A record of the balance of funds owed is established by DHS who first contacts the vendor to request a refund and confirm the amount. DHS will send the vendor up to three dunning letters requesting payment of the funds. If the vendor fails to respond after the third notice, the amount of the balance of funds owed to DHS will be deducted from the vendor's next payment(s) until the funds are repaid. The vendor acknowledges that DHS will reduce vendor payments by the amount of the balance of funds owed to allow for the expeditious collection of these debts. If funds are unable to be recouped, outstanding balances will be referred to the Attorney General's Office for collection proceedings and all other legal remedies.

7. Provide all requested information established in DHS policies and procedures. This could include information on the annual heating usage and cost incurred by LIHEAP households necessary for compliance with federal reporting requirements if this information is gathered by customer name or account number and the customer has been served by the vendor at the same address for the entire annual period.
8. Vendors are holding, on DHS' behalf, federal money for the benefit of recipient customers. Vendors are prohibited from using LIHEAP funds for purposes other than home heating. This requirement does not supersede the provisions of the Federal Bankruptcy Act, 11 U.S.C., Section 366.
9. To promptly notify the LIHEAP Vendor Unit whenever discrepancies in approved fuel applications are found. Examples include a vacant residence, a request to deliver to an address other than what was indicated on the Remittance Advice, a request to provide a fuel type other than what was authorized or other situations when the vendor is aware of potentially fraudulent activity.
10. To not discriminate against any eligible household regarding terms and conditions of sale, credit, delivery, or price, nor treat adversely any household receiving LIHEAP because of such assistance.
11. To ensure the retention of LIHEAP customer confidentiality in the use of social media.
12. To notify DHS at least 120 days before filing for bankruptcy and return all funds not expended on LIHEAP clients at least 91 days before filing for bankruptcy.
13. To resolve any crisis payment disputes with DHS' Bureau of Hearings and Appeals if disputes cannot be resolved informally with DHS staff.
14. To present for review or reproduction records maintained by the vendor concerning overall pricing, conditions of sale, credit, and delivery, upon request by DHS for audit or investigation purposes, as provided in this agreement.
15. If DHS receives a notice of levy, DHS will turn over rights to property such as money, credit and deposits in accordance to the notice.
16. Vendors will retain all books, records and documents pertaining to LIHEAP payments **for four years from the receipt of payment** or until all questioned costs or activities have been resolved to the satisfaction of the commonwealth, or as required by applicable federal laws and regulations. All records must be maintained in a legible, readable condition. If records are maintained in a computer, the vendor must cooperate in providing printed versions of such records. Recipient-specific records should clearly identify both Cash and Crisis payments from LIHEAP, charges to the account, and documentation supporting these entries by individual household.

The commonwealth reserves the right for state and federal agencies or their authorized representatives to perform financial and compliance audits if deemed necessary by commonwealth or federal agencies. If an audit of this agreement will be performed, the vendor will be given 60 days advance notice.

A new LIHEAP Vendor Agreement is required every two years unless changes require this time frame to be shortened. **This agreement will terminate June 30, 2021, unless superseded by a new agreement, or terminated for convenience upon 30-day written notice by either DHS or by the vendor. Failure to comply with any of these conditions may result in removal from the approved vendor file and suspension of further payments to the vendor for client services.**

LIHEAP VENDOR HELPLINE
Toll Free Number 1-877-537-9517
Fax 717-231-5516
Email Address: RA-LIHEAPVendors@pa.gov

LIHEAP VENDOR WEBSITE
www.dhs.pa.gov/provider/informationforliheapvendors/index.htm



Pennsylvania Department of Human Services
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM
2019 VENDOR AGREEMENT - UTILITY

Vendor Name and Address

Vendor Number

This Agreement is entered into for the purpose of facilitating the provision of Low-Income Home Energy Assistance Program (LIHEAP) benefits to low-income households through the delivery of utility service from a participating LIHEAP vendor to the LIHEAP beneficiary who is a customer of the vendor. The Commonwealth of Pennsylvania defines a LIHEAP vendor as a company or agent of the company that supplies home heating energy or service in exchange for payment. The term does not include landlords, housing authorities, hotel managers or proprietors, rental agents and other parties who are not direct suppliers of home heating, energy or service.

Eligible LIHEAP households receive one LIHEAP Cash grant based on the size, region, income and fuel type of their household. Receipt of a customer's LIHEAP Cash grant requires no data entry by the vendor. LIHEAP Crisis grants are available to LIHEAP recipients who encounter a heating emergency. Subject to the availability of funds, the Department of Human Services (DHS) may opt to provide eligible LIHEAP households with additional LIHEAP Cash or Crisis grants.

By signing this agreement, the Vendor agrees to communicate with DHS by phone and email and be responsive to DHS requests so that a customer's LIHEAP application or request for Crisis can be processed timely. The vendor also agrees to accept all LIHEAP grants and apply them to customer accounts according to the conditions of this vendor agreement and DHS instructions.

Participating LIHEAP vendors are paid through the Pennsylvania Treasury by check or direct deposit. A list of corresponding payments is posted to the LIHEAP Crisis Claim data entry system, identifying customer names, addresses and the amount of LIHEAP Cash and Crisis payments each customer will receive, associated with a specific Treasury Pay Date.

The business or company written above, herein referred to as the "vendor," cannot enter into any subcontracts under this agreement with other subcontractors who are currently suspended or debarred by the commonwealth or other state or federal government. If any vendor enters into any subcontracts under this agreement with any subcontractors who become suspended or debarred by the commonwealth or other state or federal government during the term of this agreement or any extensions or renewals thereof, the commonwealth shall have the right to require the vendor to terminate such subcontracts to remain a LIHEAP vendor.

The vendor agrees to be responsible for reimbursing the commonwealth for all necessary and reasonable costs and expenses incurred by the Office of the Inspector General or the Attorney General relating to an investigation of the vendor's compliance with the terms of this or any other agreement between the vendor and the commonwealth which results in the suspension or debarment of the vendor.

Vendors will adhere to LIHEAP policy and procedures as defined in the LIHEAP State Plan, will report any discovery of fraud, and address any questions regarding participation in LIHEAP to the LIHEAP Vendor Unit. A copy of the current LIHEAP State Plan can be obtained on the LIHEAP Vendor Website at: www.dhs.pa.gov/provider/informationforliheapvendors/index.htm.

By fully completing and submitting the signature page of the 2019 LIHEAP Vendor Agreement, the vendor agrees to comply with the following conditions to remain a LIHEAP Vendor in good standing and receive LIHEAP payments through the commonwealth:

1. Apply LIHEAP grants to customer accounts in the following manner only:
 - a) Apply the full amount of each LIHEAP benefit to the respective account of each designated LIHEAP customer. For customers who have chosen their own supplier, the entire LIHEAP grant must be applied to cover the costs of both the distribution and supply portion of the bill each month until the LIHEAP benefit has been exhausted.

- b) If a household is authorized for a LIHEAP Cash grant before the date of its request for Crisis benefits, any existing credit, **including the LIHEAP Cash grant that has been authorized and not yet received**, is considered to be available and will be used to solve the Crisis.
 - c) Late payment charges must be frozen at the amount they are at the time notification of eligibility for LIHEAP is received by the vendor and may not be increased for the remainder of the LIHEAP program year, defined as the date that applications for LIHEAP benefits are no longer accepted.
 - d) LIHEAP Cash and Crisis grants may be used for reconnection fees but will not be used for security deposits, service maintenance contracts, or other finance charges.
2. Public utilities that operate Customer Assistance Programs (CAP) will:
- a) Contact customers and attempt to enroll in CAP (if not already enrolled) when the utility becomes aware that the household is low-income, validated by receipt of a LIHEAP Cash or Crisis grant.
 - b) Apply the LIHEAP Cash grant to the customer's account in the following manner:
 - To resolve any past-due CAP payments,
 - To the current CAP payment,
 - Remaining LIHEAP funds will be credited to future CAP payments.
- NOTE: A CAP payment is the amount the customer is required to pay under the terms of the utility's CAP agreement.
3. Public utilities that operate a CAP will not consider the customer's LIHEAP benefit as an available resource in the computation that determines the amount of household's monthly CAP payment.
4. LIHEAP Cash grants received on behalf of a LIHEAP customer are available to cover utility costs for the season in which they are authorized through the end of the following heating season. See Section 7: Vendor Refunds.
5. LIHEAP Crisis grants and Cash grants that are used to resolve a Crisis may be used in the following manner:
- a) To prevent termination or restore home-heating service to a household that is without heat due to termination of the main or secondary source of heat by a utility company.
 - b) Are authorized by DHS or its representatives **in the minimum amount needed to resolve the Crisis** based on the amount listed on a utility termination notice, subject to the minimum and maximum LIHEAP Crisis benefits allowed.
 - c) The existence of a Crisis must be validated by a DHS representative, including the minimum amount needed to resolve the utility emergency. A utility's plan to terminate service is considered to be valid for 60 days from the date of the termination notice, even if service was not terminated after the 10-day period indicated on the notice.
 - d) Are only guaranteed for authorizations approved by DHS or its representatives. Every request for Crisis must be made by the LIHEAP household to its designated DHS office, which will evaluate eligibility and determine the amount the household has available to resolve the Crisis. A DHS representative will contact the vendor to convey eligibility.
 - e) Are assigned an authorization number to resolve a specific Crisis situation.
 - f) Must maintain service to such households for no less than 30 calendar days from the date of the resolution of the Crisis. In some circumstances the 30-day hold may not begin until the end of winter moratorium.
 - g) Utility companies governed by the Public Utility Commission will adhere to the winter termination procedure referred to in §601.62(2) (ii)(A) of Appendix B of the LIHEAP State Plan.
 - h) Customers approved for a LIHEAP Crisis grant related to the LIHEAP Term Program (including the Utility File Transfer Program) are not eligible to receive a duplicate LIHEAP Crisis grant pledged at the request of the household for the same 30-day pledge period.
 - i) Regulated utilities that accept a Crisis grant during the winter moratorium period (12/1- 3/31) must maintain service until at least May 1. In most instances, this precludes the issuance of an additional Crisis grant to the same utility for the same household for the remainder of the season, since the 30-day hold on the account begins on April 1.
 - j) Vendors will make every attempt to resolve the customer's heating emergency with consideration of the following time frames:
 - Before the customer is without heat;
 - Within 48 hours if the customer is already without heat; or
 - Within 18 hours if a medical emergency or life-threatening situation exists.
6. To receive payment paid in full or in part with LIHEAP Crisis funds:
- a) The vendor must perform Crisis claim data entry into a web-based program and submit documentation of the termination by mail, fax or electronic upload. Payment may be rejected if appropriate documentation is not provided.

- b) Claim processing must occur **within 30 calendar days** of the date a Crisis grant is authorized by DHS. Exceptions to the 30-day rule may be granted for claims entered on or after the 31st day and up to 30 days after the close of the LIHEAP season if funds are available.
 - c) Data entry will be for no more than the amount that was authorized by a DHS representative to resolve the emergency after subtracting available LIHEAP credits, which could include the LIHEAP Cash grant.
 - d) An active worklist of Crisis authorizations awaiting vendor action and pending Crisis claims is available on the Crisis Claim data entry system.
 - e) Acceptable Crisis documentation includes a termination or restoration notice confirming the dollar amount needed to restore service or prevent service interruption. Failure to provide adequate documentation will delay payment.
 - f) LIHEAP recipients cannot be billed for services or late payment fees as a result of a vendor's failure to comply with the conditions of this agreement.
7. Refund LIHEAP credits to DHS as required, by check or expedited recoupment, within 30 days from the date of discovery, after the basis for return is known. A LIHEAP Refund Form (HSEA 37) must accompany payment. **It is also important to indicate the individual number of the customer that was provided on the LIHEAP Provider Payment List when payment was received** and a description of the reason the funds are being returned. A user-friendly form is located on the LIHEAP Vendor website. The commonwealth cannot return vendor funds or any portion thereof to the vendor. **For this reason, LIHEAP Vendors should accurately evaluate their records and ensure the accuracy of LIHEAP refunds before submitting them to the Commonwealth of Pennsylvania.** Vendors may contact the Vendor Unit at 1-877-537-9517 to verify dates and amounts of LIHEAP grants received by the households before sending a refund check.

NOTE: Vendors will never give or refund LIHEAP funds to a customer.

LIHEAP refunds will be sent with a check payable to the **COMMONWEALTH OF PENNSYLVANIA**, directed to:

**Commonwealth of Pennsylvania
DHS-LIHEAP Vendor Refunds
P.O. Box 2675 (WOB Room 224)
Harrisburg, PA 17105-2675**

- a) **Examples when the vendor will return LIHEAP credits include, but are not limited to the following:**
- A customer's whereabouts are unknown,
 - A customer changes vendor,
 - A customer dies, departs the area serviced by the vendor, or the customer no longer has a heating responsibility,
 - The vendor receives a duplicate payment,
 - The vendor is deactivated and is no longer a participating LIHEAP vendor,
 - LIHEAP Cash grants received in error,
 - An overpayment caused by vendor error. Vendor error includes but is not limited to: the vendor failing to provide appropriate or accurate customer account information, non-equitable pricing, LIHEAP funds were erroneously applied toward a security deposit, a billing error or application of LIHEAP funding is detected, failure to provide service, or using a communal account for LIHEAP funds. If this occurs, the vendor is responsible for reimbursement from the vendor's funds, not by removing LIHEAP credits from the customer's account.
 - The end of each LIHEAP program year. LIHEAP funds are available for use for two heating seasons, which includes the heating season of receipt and the heating season immediately following. LIHEAP funds that have not been expended must be returned to DHS by July 31 of that year. DHS will notify vendors of the need to identify accounts and return funds.
- b) DHS is authorized to recoup past-due LIHEAP balances. This is done by debiting any current or future LIHEAP payment for an amount equal to the outstanding un-refunded balance that is due to DHS from the vendor. A record of the balance of funds owed is established by DHS who first contacts the vendor to request a refund and confirm the amount. DHS will send the vendor up to three dunning letters requesting payment of the funds. If the vendor fails to respond after the third notice, the amount of the balance of funds owed to DHS will be deducted from the vendor's next payment(s) until the funds are repaid. The vendor acknowledges that DHS will reduce vendor payments by the amount of the balance of funds owed to allow for the expeditious collection of these debts. If funds are unable to be recouped, outstanding balances will be referred to the Attorney General's Office for collection proceedings and all other legal remedies.

8. Provide all requested information established in DHS policies and procedures. This could include information on the annual heating usage and cost incurred by LIHEAP households necessary for compliance with federal reporting requirements if this information is gathered by customer name or account number and the customer has been served by the vendor at the same address for the entire annual period.
9. Vendors are holding, on DHS' behalf, federal money for the benefit of recipient customers. Vendors are prohibited from using LIHEAP funds for purposes other than home heating. This requirement does not supersede the provisions of the Federal Bankruptcy Act, 11 U.S.C., Section 366.
10. To promptly notify the LIHEAP Vendor Unit whenever discrepancies in approved applications are found. Examples include a vacant residence, a request for service at an address other than what was indicated on the Remittance Advice (payment voucher) or other situations when the vendor is aware of potentially fraudulent activity.
11. To not discriminate against any eligible household in regard to terms and conditions of sale, credit, service or price, nor treat adversely any household receiving LIHEAP because of such assistance.
12. To ensure the retention of LIHEAP customer confidentiality in the use of social media.
13. To notify DHS at least 120 days before filing for bankruptcy and return all funds not expended on LIHEAP clients at least 91 days before filing for bankruptcy.
14. To resolve crisis payment disputes with DHS' Bureau of Hearings and Appeals if not resolved informally with DHS staff.
15. To present for review or reproduction records maintained by the vendor concerning overall pricing, conditions of sale, credit, and service upon request by DHS for audit or investigation purposes, as provided in this agreement.
16. If DHS receives a notice of levy, DHS will turn over rights to property such as money, credit and deposits in accordance to the notice.
17. Vendors will retain all books, records and documents pertaining to LIHEAP payments **for four years from the receipt of payment** or until all questioned costs or activities have been resolved to the satisfaction of the commonwealth, or as required by applicable federal laws and regulations. All records must be maintained in a legible, readable condition. If records are maintained in a computer, the vendor must cooperate in providing printed versions of such records. Recipient-specific records should clearly identify both Cash and Crisis payments from LIHEAP, charges to the account, and documentation supporting these entries by individual household.

The commonwealth reserves the right for state and federal agencies or their authorized representatives to perform financial and compliance audits if deemed necessary by commonwealth or federal agencies. If an audit of this agreement will be performed, the vendor will be given 60 days advance notice.

A new LIHEAP Vendor Agreement is required every two years unless changes require this time frame to be shortened. **This agreement will terminate June 30, 2021, unless superseded by a new agreement, or terminated for convenience upon 30-day written notice by either DHS or by the vendor. Failure to comply with any of these conditions may result in removal from the approved vendor file and suspension of further payments to the vendor for client services.**

LIHEAP VENDOR HELPLINE
Toll Free Number 1-877-537-9517
Fax 717-231-5516
Email Address: RA-LIHEAPVendors@pa.gov

LIHEAP VENDOR WEBSITE
www.dhs.pa.gov/provider/informationforliheapvendors/index.htm