

# Spirit Lake Tribe Low Income Home Energy Assistance Program (LIHEAP)



## POLICY & PROCEDURES MANUAL

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## **SUMMARY:**

The Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, authorized a number of block grants including the Low Income Home Energy Assistance Program (LIHEAP). LIHEAP administered by the Department of Health and Human Services (HHS), authorized grants since 1982 to states, tribes and territories to assist low-income households with the costs of home energy.

A directly-funded Tribal LIHEAP Program must include a heating assistance program and/or cooling assistance program and include a way to handle crisis situations, usually through a crisis intervention component. LIHEAP grantees may also choose to provide a low-cost weatherization program or other energy related home repair.

Grantees must set program eligibility standards within the maximum established by law. The law provides that an eligible household must have an income that does not exceed the greater of 150% of the poverty income guidelines or 60% of the state median income level. Federal regulations for LIHEAP require grantees to adjust their income eligibility criteria each year by October 1, so that the criteria are in agreement with the most recently published update of the poverty level or state median income.

## **APPLICATION PROCESS**

The application process for LIHEAP includes a face-to-face interview, verification of eligible information and completion and filing of an application form.

The application for LIHEAP benefits is the application pages 1-4, insert page, housing statement, and release of information.

Complete applications consist of: Verification of income, Social Security Cards, Enrollment from Head of Household, Copy of Identification, Release of Information, and a Housing Statement from rental person(s). (CHECKLIST ATTACHED TO APPLICATION). Application will be considered incomplete, if any of the above are missing, and will not be accepted, until the application is complete.

Most households receiving TANF, SSI, Food Stamps, or certain needs-tested veteran's benefits may be automatically eligible. Grantees must also offer eligibility to other households not receiving benefits from these programs and base their eligibility on income using the income guidelines identified above.

The highest level of assistance is to go to those households with the lowest incomes and highest energy costs or needs in relation to income, taking into consideration family size.

## ELIGIBILITY & ELIGIBILITY DETERMINATION

Applicants must show an energy burden. LIHEAP benefits are targeted to assist Low-income households, particularly those with the lowest income, that pay a high proportion of their income for home energy.

Income of all household members will be determined by the Gross income for the household.

### Income Guidelines:

100 percent, 110 percent and 150 percent of the Department of Health and Human Services (HHS) Poverty guidelines published January 24, 2013.

<u>Household Size</u>	<u>100% poverty guidelines</u>	<u>110% poverty guidelines</u>	<u>150% poverty guidelines</u>
1	\$11,490	\$12,639	\$17,235
2	15,510	17,061	23,265
3	19,530	21,483	29,295
4	23,550	25,905	35,325
5	27,570	30,327	41,355
6	31,590	34,749	47,385
7	35,610	39,171	53,415
8	39,630	43,593	59,445

\*Households @ 110 % with more than 8 members, add \$4,422.

\*\*Households @ 150% with more than 8 members, add \$6,030.

**NOTE: Income guidelines change yearly; update will be made when possible, by LIHEAP staff.**

## DECISION NOTICES

When the decision is to approve assistance for Low Income Home Energy Assistance Program (LIHEAP), the agency approval notice "Notice of Action", will be sent if recipient has a complete application.

When the decision is to deny or reduce assistance, the denial reason must be stated on the "Notice of Action" letter, which is sent to the recipient, within 30 days.

## **PAYMENT PROCESS**

Benefit payments may be made directly to home energy suppliers on behalf of eligible households. If payments are made to energy suppliers, they must agree to comply with the provisions of law. A vendor agreement is sent to all energy suppliers, which begins October 1 through March 31<sup>st</sup> of every year.

## **GRIEVANCE HEARING**

A grievance hearing is a process through which any individual may have a decision reviewed by an impartial third party.

Grantees must provide a fair hearing upon request to individuals whose application are denied or not acted upon with reasonable promptness.

The recipient must submit a written request to the Coordinator or Director within (10) ten working days of the date on the application denial page, or post-marked letter denying eligibility or affecting assistance. The request must be signed, dated, and reason for requesting a hearing.

A fair hearing notice shall be given to the appellant at least (20) twenty calendar days prior to the date set for the hearing and include: date, time, address, and a statement of the issues involved.

The Coordinator or Director shall render a written decision to the appellant no later than twenty (20) calendar days for the date of the grievance hearing.

## **OPERATING PRINCIPLES**

In compliance with Title VI of the Civil Rights Act of 1964, no individual shall be excluded from participation in, denied benefits or subjected to discrimination under any program or activity receiving Federal Funds, because of:

1. Race;
2. Color;
3. National Origin;
4. Handicap;
5. Religion, or
6. Sex

In compliance with the Age Discrimination Act of 1975, no individual shall be denied services or participation or be subjected to discrimination in any of its programs or activities on the basis of age.

## CONFIDENTIAL INFORMATION

Public law and federal regulations place restrictions on the release of confidential information, and set guidelines for the disclosure of non-confidential materials. All applications, records, files, and communications relating to specific applicants for assistance and recipients of services funded, are confidential records.

All information, regarding an applicant or recipient, is confidential and may be disclosed only for purposes of determining eligibility, providing services, or investigating suspected fraud in connection with the program.

General information, policy statements, or statistical materials, which cannot be directly identified to any individual or family, are not considered confidential information. They may be given to, or provided by: agencies, helping organizations, or contracted parties, unless restricted by federal regulations, or court orders.

**NOTE:** Policy and Procedure Manual shall be changed, as necessary by LIHEAP Staff, according to changing, Guidelines, Regulations and Laws.

## FRAUD AND ABUSE

The Secretary shall issue regulations to prevent waste, fraud, and abuse in the Programs assisted by this title.

HHS included in its block grant regulations a requirement that grantees establish systems and procedures to prevent, detect and correct waste, fraud and abuse in LIHEAP. These systems and procedures should address possible waste, fraud, and abuse by recipients, vendors, and administering agencies. HHS will monitor grantees for implementation of this requirement during reviews of grantee programs.

Some types of fraud include: false reporting of household size, Total gross income, and receipt of LIHEAP assistance through another jurisdiction.

If found guilty, you will be denied services for a period of up to (1) one year with the possibility of federal criminal prosecution and/or fines. Fraudulent and suspicious applicants need to meet program requirements and follow program protocols.

To report abuse or fraud, all inquiries should be addressed to the Coordinator or Director of the LIHEAP program.