



Department of
Development

Office of Community Services

2009 – 2010

EDITION OF
THE OFFICE OF COMMUNITY SERVICES

ENERGY ASSISTANCE GUIDELINES

For

The Home Energy Assistance Program,
The Winter Crisis Program,
The Summer Crisis Program

October 2009

Ted Strickland, Governor of Ohio
Lee Fisher, Lt. Governor of Ohio
Lisa Patt-McDaniel, Director, Ohio Department of Development

PROGRAM OVERVIEW

Home Energy Assistance Program (HEAP) - Formerly known as “Regular HEAP”. The Home Energy Assistance Program is a federally funded program designed to help low-income Ohioans with their winter heating bills. The program runs from June 1 to May 31.

Winter Crisis Program (WCP) - Formerly known as “Emergency HEAP”. The Winter Crisis Program (WCP) component was created to provide financial assistance to low-income households that: are threatened with disconnection of their heating source; have already had service disconnected; need to establish new service or pay to transfer service; or have 25% or less of the fuel capacity of their tank. The WCP program year runs from November 1 to March 31. Agencies have until April 15 to finish any incomplete or pending applications.

Summer Crisis Program (SCP) - Formerly known as the “Summer Cooling Program”. The Summer Crisis Program (SCP) was created to provide assistance with the electric energy source for applicants determined eligible by the current SCP State Issued Grant Agreement, Exhibit 1, Scope of Work. The SCP runs from July 1 to August 31.

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I. ENERGY ASSISTANCE PROGRAMS

E-1 **ELIGIBILITY REQUIREMENTS**

E-1.1 **Income Guidelines**

To be income-eligible a household must have total household income for the last 12 months or 90 days equal to or less than **200%** of the federal poverty guidelines. Income guidelines representing the **200%** calculation are revised annually. The period to be used in determining annual income must not be more than 12 months, or less than the 90 day period preceding the request for assistance by the household.

The following chart displays income levels by household size and should be used to determine eligibility. Income guidelines listed below represent the **200%** calculation for **2009-2010** energy assistance programs and are revised annually.

Household Size	Yearly Income	13 Weeks
1	\$21,660.00	\$ 5,415.00
2	\$29,140.00	\$ 7,285.00
3	\$36,620.00	\$ 9,155.00
4	\$44,100.00	\$11,025.00
5	\$51,580.00	\$12,895.00
6	\$59,060.00	\$14,765.00
7	\$66,540.00	\$16,635.00
8	\$74,020.00	\$18,505.00

Households with more than eight members should add **\$7,480.00** to the yearly income or **\$1,870.00** to the quarterly income for each additional member.

NOTE: Percentage of Income Payment Plan (PIPP) eligibility remains at 150% of poverty.

E-1.2 **Household Income - Countable and Excluded**

Household income is defined as the total annual gross income before taxes (minus exclusions) of all household members, except earned income of dependent minors under 18 years of age. All income sources and some exclusions must be documented. Head of household and spouse may never be considered minors. Gross household income includes wages, interest, dividends, annuities and pensions. Additional sources of countable income include, but are not limited to the following:

Countable Income:

Active Military Pay (Basic pay)

Adoption Assistance

Alimony

Capital Gains - (Example: Proceeds from sale of property, home and stock)

Cash Gifts

Child Support Received

Company Disability and Black Lung

Estate and Trust Settlements (excluding attorney fees)

Garnisheed Wages, including those involved with Bankruptcy Gross wages

- If the utilities bills are part of an on-going bankruptcy, the household may NOT be assisted.

Immigrant Relocation Allowance

Grant/Training Stipends (excluding amounts for books and fees)

Interest earned from Savings Accounts &/or money withdrawn from Individual Retirement Accounts (IRA)

Lump Sum Distribution

Odd Jobs

Railroad Pensions

Retirement and/or Company Pensions

Social Security, Supplemental Security Income (SSI), & Social Security Disability (SSDI)

Strike Benefits

Temporary Assistance to Needy Families/Disability Assistance (TANF/DA)

Unearned income paid to or on the behalf of minors

Unemployment Benefits

Utility Allowances (as discretionary income)

Veteran's Benefits (Pensions & Compensation)

Workers' Compensation

E-1.3 Documentation of Countable Income

The following chart details many of the types of documentation needed as evidence of applicant's income source(s):

<u>Income Source</u>	<u>Types of Acceptable Documentation</u>
A. Monetary Gifts, Odd Jobs	<ol style="list-style-type: none">1. Signed letter from employer or gift giver2. Stated on application in source of income boxes (HEAP only)3. If applicant states they work for their rent, utilities, etc., a fair market value amount should be used in determining the amount of income used. (Example: A landlord gives the manager of an apartment building free rent in place of a salary. The amount of rent a landlord would receive would be part of the manager's income)4. Gifts are included as income if they are discretionary. If payments for rent, utilities, etc. are paid directly to the company and this is documented by the canceled check or a signed letter from the person who paid the bill, then it is considered non-discretionary income and it would not be counted. If the money was given directly to the applicant for them to pay the bills, it would be considered discretionary income and it would be counted.5. Signed Office of Community services (OCS) Self-Declaration form or letter which should have the amount listed (Please refer to E-1.10)
B. Interest, Utility Allowances IRA profits	<ol style="list-style-type: none">1. Bank statement (direct deposit), leases2. Stated on application in source of income boxes (HEAP only)3. Oral clarification of interest (HEAP only - must have notes in comment section and WCP/SCP only - must still be documented in the client file)4. Housing authority documentation of utility allowance5. If utility allowance is the only source of income, we need to know how they are surviving (use same rules as for zero income)
C. Grants	<ol style="list-style-type: none">1. Copy of award letter2. Stated on application in source of income boxes (HEAP only)3. Signed Office of Community services (OCS) Self-Declaration form or letter which should have the amount listed (Please refer to E-1.10)
D. Divorce Settlements, Spousal Support, Alimony, Child Support, Adoption Assistance	<ol style="list-style-type: none">1. Court documents (child support, alimony, etc.)2. Bank statements3. Stated on application in source of income boxes (HEAP only)4. The most recent Internal Revenue Service (IRS) Form 10995. Signed Office of Community services (OCS) Self-Declaration form or letter which should have the amount listed (Please refer to E-1.10)
E. Social Security, SSI & SSDI	<ol style="list-style-type: none">1. Copy of check2. Award letter3. Bank statement4. The most recent IRS Form 10985. Previous year's scanned documentation

- F. Pension, Veterans Administration (VA), Retirement, School Employees Retirement System (SERS), Public Employees Retirement System (PERS)
1. Stated on application and in last years file (HEAP only)
 2. Copy of check
 3. Award letters
 4. The most recent IRS Form 1099
 5. Signed OCS Self-Declaration form or letter (should have amount listed) for VA or government pension only. Includes federal, state and local government employees, school employees, policemen, firemen, some railroad workers and veterans
 6. Signed OCS Self-Declaration form or letter (should have amount listed) for private industry pension or retirement must have any of numbers F1-F3 above or oral clarification, which includes company or retirement fund name and address
(Please refer to E-1.10)
- G. Unemployment, Employment Disability, Workers' Compensation
1. Award letter with clarification of amounts, if necessary
 2. Copy of check with explanation letter. Copy of check with oral clarification including company name and address.
- H. Self-employed (Odd jobs are not considered self-employment)
1. Most recently filed tax returns – a signed IRS Form 1040 and forms and schedules needed.
 2. Only two deductions not allowed:
 - a. Business expansion;
 - b. Carryover losses;
 3. Only self-employed applicants that take deductions need to send appropriate schedules
 4. Similar form, which shows deductions (type) and gross profit (e.g., handwritten form, with current information (at least last complete month prior to application)
 5. IRS Form 1099 may be considered self-employment with no deductions unless otherwise stated
 6. Quarterly statements (last 3 months)
 7. Copy of financial statements or accounting methods
 8. Signed OCS Self-Declaration form or letter (should have amount listed) **(please refer to E-1.10)**
- I. TANF, DA
1. Copy of DA, TANF check
 2. Ohio Department of Jobs and Family Services (ODJFS) documents with clarification if necessary
 3. Bank statement or letter from bank
 4. Ohio Department of Job & Family Services (ODJFS) website Client Registry Information System - Enhanced (CRISE)
 5. Stated on application in source of income boxes (this can be used as long as the amount stated matches the payment standard & number in home, and there is a case number.) (HEAP only)
 6. Signed Office of Community services (OCS) Self-Declaration form or letter which should have the amount listed
(please refer to E-1.10)
- J. Wages
1. Pay stubs with clarification if necessary
 2. Statement from employer with company name, address, and phone number
 3. Most recent IRS Form 1099 or IRS Form W-2

4. If tips not declared, need clarification
 5. IRS Form 1040 must list all income and employers. Oral clarification of current amounts and employers is acceptable
- K. Estate & Trust Settlements
1. Written documentation from executor, attorney, bank, administrator, etc. Please exclude Attorney's fees.
- L. Lump Sum
1. Prorated when payment is designated for a set period of time - lump sum settlements should be prorated over either the 90 days or 12 month eligibility period.
- M. Zero-Income
(Zero-income MUST be reverified every ninety (90) days for PIPP)
1. Signed OCS Self-Declaration form or OCS approved letter and must have an explanation of how the customer has been surviving.) **(please refer to E-1.10)**

E-1.4 Excluded Income

Agent Orange Compensation/Benefit

Assets from bank withdrawals

Attorney's fees for Estate & Trust Settlements

*Child Support Paid

FEMA - Cash Payments

Food Stamps/Cash Payment for food stamps

*Funds/training stipends designated for specific purposes (i.e., educational grants for tuition and/or books - NOT living expenses)

Handicapped Income - self-sufficiency programs (e.g., work expenses for the blind)

*Health Insurance Premiums (dental, vision, & health insurance, supplemental health insurance)

Income earned by dependent minors less than 18 years of age

Loans from individuals or institutions requiring repayment of either principal or principal and interest

Medicare Payments, Medicaid Spend-Down

*Military Allowances for Subsistence, Housing, Family Separation, etc.

Prevention, Retention, & Contingency (PRC) - assistance to attempt to divert families from long term financial dependency.

Stipend for Foster Care

Tax refunds and rebates, Earned Income Tax Credits (EITC)

Title III Disaster Relief Emergency Assistance Program (DREAP)

Title V Wages - Older Americans' Act (Public Law 100-175 i.e., Experience Works (Green Thumb), Foster Grandparents Program)

Transportation Allowances (i.e., Workforce Investment Act (WIA), Job Training Partnership Act (JTPA), Workfare)

Work Allowances (i.e., Learning Earning and Parenting [LEAP])

Volunteers In Service To America (Vista) or other Americorp Stipends

* These exclusions require documentation.

E-1.5 Household Size - The following criteria is to be used to determine household size.

1. Tax dependents are to be counted.
2. Those in military service are to be counted.
3. Those in hospital/nursing home are to be counted – unless long term (>6 months) or permanently.
4. Those sharing a kitchen or bath are to be counted.
5. Children of divorced/separated couples are to be counted based on the following information
 - a. Who Has LEGAL custody;
 - b. If JOINT custody, who claims them for tax purposes;
 - c. If joint tax filed, who applies for energy assistance first.
6. Foster children should NOT be counted, nor should foster care income.
7. Those in prison/jail for an extended term (>6 months), are NOT to be counted.
8. Foreign students may not apply as separate households.
9. College students, living away from home, are to be counted as part of the household if they are claimed as dependents for tax purposes. However, the tax dependent student may still apply for assistance as a separate household. ***If this situation causes a duplication error in the OCEAN system, please contact OCS OCEAN Help Desk.***

Multi-family Dwelling with Single Fuel Tank

each In the case of a multi-family dwelling, such as a duplex, where there is only one fuel tank, unit in the dwelling may be eligible for assistance.

Example - A client living in a 3-unit building with one fuel oil tank applies for assistance. The three units share the fuel bill with each unit paying 1/3 of the bill. If all 3 tenants are eligible, the possible benefit would be \$1800. Our client is the only eligible family in the dwelling and there is less than 10 days fuel in the tank. The vendor is called and the tank is filled and the invoice is for \$900. Just as in the case of a co-pay, the other two families must pay their share of the bill first and then our client would be eligible for a \$300 benefit. Non-eligible tenants should be informed of what will occur.

E-1.6 Immigration Status

U.S. Citizens or Nationals

Proof of citizenship or Alien status should be provided for all household members; however **it is required for the primary applicant.** Below is the list of acceptable documentation of Citizenship:

1. Birth Certificate/Hospital Birth Records.
2. U.S. Passport.
3. Military Service Records.
4. Voter Registration Cards.
5. Baptismal Record (Only when place and date of birth is shown).
6. Immigration and Naturalization Service (INS) ID Card.
7. Refugee Registration Cards.
8. Permanent Visa.
9. Naturalization Papers/Certifications of Citizenship (INS Form I-179, INS Form I-197).

10. Native American Census Records.
11. Alien Registration Cards/Re-entry Permits.
12. INS Form I-551 or Form I-688.
13. INS Form I-94 if annotated with either: a) Sections 203(a) (7), 207, 208, 212(d) (5), 243(h), or 241(b)(3) of the Immigration and Nationality Act: or b) One or a combination of the following terms: Refugee, Parolee, or Asylee.
14. INS Form G-641, "Application for verification of Information from INS Records", when annotated at bottom by INS representative as lawful admission for humanitarian reasons.
15. Documentation that alien is classified pursuant to Sections: 101(a) (2), 203(a), 204(a) (1) (a), 207, 208, 212(d) (5), 241(b) (3), 243(h), or 244(a)(3), of the Immigration and Nationality Act.
16. Court order stating that deportation has been withheld pursuant to Section 241(b) (3) or 243(h) of the Immigration and Nationality Act.
17. Documentation of current enrollment in and/or receiving services through Ohio Works First (OWF), Cash Assistance, and/or Medicaid, i.e., a copy of the Cash Issuance History or a copy of their medical card showing they are eligible for the dates including the application period.
18. As a last resort, a signed statement from the primary applicant, which declares under penalty of perjury, that they are a U.S. citizen? The Energy Assistance Programs Application will suffice and does not require notarization.

If there is an authorized representative for the household, the authorized representative may sign for the household making the application.

Non-citizens with Documentation

All primary applicants who are not U.S. citizens or nationals, i.e., those applicants that mark "Not a U.S. citizen", must provide documentation of their current alien status. ***This applies only to the primary applicant.*** Acceptable forms of documentation are as follows:

1. Immigration and Naturalization Service (INS) ID card,
2. Refugee Registration Cards,
3. Permanent Visa,
4. Naturalization Papers/Certifications of Citizenship (INS Form I-179, INS Form I-197),
5. Native American Census Records,
6. Alien Registration Cards/Re-entry Permits,
7. INS Form I-551 or Form I-688,
8. INS Form I-94 if annotated with either: a) Sections 203(a) (7), 207, 208, 212(d) (5), 243(h), or 241(b) (3) of the Immigration and Nationality Act: or b) one or a combination of the following terms: Refugee, Parolee, or Asylee,
9. INS Form I-94 if annotated with either: a) Sections 203(a) (7), 207, 208, 212(d) (5), 243(h), or 241(b) (3) of the Immigration and Nationality Act: or b) one or a combination of the following terms: Refugee, Parolee, or Asylee,
10. INS Form G-641, "Application for verification of Information from INS Records", when annotated at bottom by INS representative as lawful admission for humanitarian reasons,

11. Documentation that alien is classified pursuant to Sections: 101(a) (2), 203(a), 204(a) (1) (a), 207, 208, 212(d) (5), 241(b) (3), 243(h), or 244(a)(3), of the Immigration and Nationality Act,
12. Court order stating that deportation has been withheld pursuant to Section 241(b) (3) 04 243(h) or of the Immigration and Nationality Act,
13. Documentation of current enrollment in and/or receiving services through Ohio Works First (OWF), Cash Assistance, and/or Medicaid, i.e., a copy of the Cash Issuance History or a copy of their medical card showing they are eligible for the dates including the application period.

Non-citizens without Documentation

A household member who claims to be of an ineligible alien status does not have to verify his status and cannot receive assistance and is, therefore, ineligible. Any ineligible household members, (i.e. undocumented aliens, duplicates etc.) cannot be included in the household, nor should their income be counted. If there are no eligible members in the household, or if the only eligible members are children, then the household is not eligible for assistance.

E-1.7 Ineligible Persons in an Eligible HH

Any person who is found to be “ineligible” due to citizenship issues in an “eligible” household is not to be counted as part of that household, nor is that person’s income to be counted. Ineligible persons include the following: foster children, undocumented aliens, duplicates within the OCEAN system (previously counted in another HH), those incarcerated for a long period, and/or visitors.

E-1.8 Countable Income Periods

Gross income may be calculated for either 90 days, or a 12-month period preceding the date of application. For example, a household who applies on November 15 should have its income verified for the period of August 16 to November 15 to determine the total income **received** in the 90-day period.

Only count the income actually received during the time period that you are using for calculations. Example - If a customer receives 11 payments in the 12-month period you are using, then only the total of those 11 payments are used to calculate income. DO NOT make up data just to have 12 payments.

Calculate each source of income: (12 month)

Using: 52 weeks per year
 26 pay periods per year, if paid every two weeks
 4 1/3 weeks per month

E-1.9 Lump Sums

Prorated lump sum amounts are not to be counted as monthly income when determining PIPP payments.

E-1.10 Assets Test

The energy assistance programs administered by OCS do not have an assets test in determining eligibility for benefits.

E-1.11 Calculation of Household Income (except self-employed)

Follow steps 1-4 (below) for all the energy assistance program applicants **except those filing with the Internal Revenue Services (IRS) as self-employed**. This procedure applies to both

the 90-day and 12-month income eligibility periods.

Step 1 Add the total annual gross income for each adult member of the household. Do not include wage or salary income earned by dependent minors less than 18 years of age. (See definition and countable income list).

Step 2. Subtract any source of income found on the income exclusion list.

Step 3. Add all prorated monthly lump sum amounts.

Step 4. Compare the results of your calculations (steps 1, 2, 3) with the income eligibility guideline

(See E-1.1)

E-1.12 Calculation of Income for Self-Employed

In the computation of gross household income, the net income from operation of a business or profession, or rental of real or personal property should be used. With the exception of expenditures for business expansion, all operating expenses accepted by the United States Internal Revenue Service shall be accepted by the energy assistance programs administered by OCS, in the cases where net income is accepted.

A copy of the applicant's IRS tax statement or similar document which reflects gross profit and a list of business expenses for the specific twelve months or 90 days previous to and including the date of application are required for final approval of self-employed applicants. Refer questions on self-employment income calculation to the OCS office.

E-1.13 Self-Declaration of Income Statement

All household members 18 years of age and older, unable to supply complete income documentation, must complete an Energy Assistance Program/Income Self-Declaration Form. If you know that income documentation exists, please make a serious effort to obtain it. A Self-declaration statement is not income documentation. Qualifying an applicant through the acceptance of a Self-declaration should occur only when all attempts to obtain income documentation have failed. Persons stating zero (0) income must explain their ability to exist (i.e., source of food and shelter). Verbal clarification to intake worker of the amounts is acceptable with written statement on file.

NOTE *All persons stating ZERO (0) income and who are placed on a zero PIPP, must reverify their income every NINETY (90) days. Customers must do this by returning to the agencies for PIPP re-verification. Appointments are strongly recommended.*

E-2 WCP/SCP APPEAL PROCEDURE

A household may file an appeal for the following reasons:

1. If the application was denied.
2. If the application was neither approved nor denied within (30) days after application, unless such delay was the result of the household's lack of cooperation in providing necessary and reliable evidence with which to determine eligibility.
3. If the payment was in an amount less than designated in the notice of eligibility.
4. If the payment was unduly delayed after receipt of notice of eligibility.
5. If the household was suspended from the program for violation of program rules and regulations, and then contests that suspension.

Local delegate agencies must fully inform applicants of their appeal rights, both at the agency level and the state level. Within thirty (30) days of an agency's initial determination, an applicant must file an appeal at the local agency level. The local agency must provide an opportunity for a fair administrative hearing. The local agency must send a copy of the final decision to their OCS Field Representative.

If the applicant wishes to pursue a further appeal, he/she must submit an appeal to the state OCS within thirty (30) days of the decision rendered at the local agency level. Appeals may be made in writing to the OCS, P.O. Box 2169, Columbus, Ohio 43216 or by completing an "Appeal Form." The letter or appeal form must contain the following: applicant's name, address, telephone number, social security number, reason for the appeal, and the applicant's signature. Failure to sign will delay the appeal process. Appeals may be faxed to 614-466-6267.

Assistance can be obtained by calling the HEAP toll-free number 1-800-282-0880. Hearing-impaired applicants with a telecommunications device for the deaf (TDD) can call toll-free 1-800-686-1557.

Within thirty (30) days of receipt of the appeal, the appeal will be approved or denied. After the appeal notification form is received, appellants wishing to further pursue their appeals will have five (5) working days to notify the OCS to have a hearing scheduled.

REMINDER:

**This appeal procedure must be posted in all areas
where clients are interviewed**

II. THE WINTER CRISIS PROGRAM (WCP)

W-1 ELIGIBILITY DETERMINATION & PAYMENT GUIDELINES FOR THE WINTER CRISIS PROGRAM

Winter Crisis funds can be paid on behalf of an eligible household **once** per winter heating season.

A written notification of eligibility or denial of eligibility must be issued to the applicant within 48 hours.

Fuel must be ordered and/or arrangements made for delivery or reconnection within 48 hours for all applicants found eligible.

Fuel must be ordered and/or arrangements made for delivery or reconnection within 18 hours for all applicants found eligible and are in a life-threatening situation.

All written notification must be completed and issued to the fuel vendor within five working days from date of application.

Households may receive assistance for either the main heating source and/or the related electric or secondary source and/or both.

- If the customer's furnace requires electricity, the electric service must be on in order to assist with the main heating fuel. (Example: A gas forced air furnace requires electricity to power the fan.)
- If the customer's heating source does not require electricity to run, then no assistance may be given for the electric service. (Example: Kerosene fueled space heater.)

The following are conditions that must be assessed to determine eligibility and payment amounts for households applying for emergency assistance:

1. There must be a face-to-face interview with an adult household member. If the applicant cannot visit the intake site due to medical reasons or infirmity, LDA staff must make a home visit. This requirement can be waived only if the person applying has obtained a legal power of attorney or notarized statement and is therefore empowered to act for the applicant of record. The application must be completed, signed and dated.
2. Gross income for the previous 90 days or 12 months must be verified and supported by documentation in the case file. If the household is claiming no income, there must be some explanation of how the household is being maintained. If there is no supporting income documentation, there must be a signed and dated Self-Declaration statement in the case file with a statement on how they existed.
 - a. To determine if the household is income eligible, first use the 90-day test. If the household is over-income for the previous 90 days, use the 12-month income test. The income that qualifies the household must be supported by documentation.

- b. If the household is over-income for both the 90-day and the 12-month income, the household is ineligible.
 - c. A written notification of eligibility must be issued to the applicant within 2 working days
3. An applicant whose main heating source is a regulated or unregulated utility and whose related electric energy source is also regulated or unregulated must meet the following conditions:
- a. The main heating source and/or related electric energy source must be either in disconnect status or have been terminated.
 - b. The utility accounts must be coded residential, except in master-metered situations. Payments for the main heating source and/or the related electric energy source must be made separately from rent payments.
 - c. The main heating source vendor account number is required to approve the application for direct credit customers.
 - d. Fuel must be ordered and/or arrangements made for delivery or reconnection within 2 working days for all applicants found eligible.
4. All households who receive their main heating source from a regulated utility must be enrolled in the PUCO/PIPP plan or a plan best suited for the customer. PIPP payments are based on **10%** natural gas and **15%** total electric, of the current gross monthly income. The related electric energy source is based on **5%** of the current gross monthly income.

Households who are at or below 50% of the federal poverty level will pay **3%** instead of **5%** for the electric source of heat. Monthly PIPP payments are not based on an average of the household's 90 day or 12-month income. Monthly PIPP payments are based on the applicant's current monthly income, only. The 90-day or 12-month income criterion is for determining a household's eligibility for the WCP. If a utility company is not basing the PIPP monthly payment on current monthly income, contact the PUCO.

- 5. The LDA is responsible for verifying the status of the main heating source and the electric energy source.
- 6. When assisting households with a master meter each unit must apply as a separate household. Eligible households may be assisted with a portion of the bill according to the percentage for which they are responsible. Each eligible household can receive assistance up to the maximum allowable benefit.
- 7. A household which resides on both sides of a duplex, has disconnects for both, and is income eligible shall receive only one (1) benefit. There is only one benefit per household and in this instance the duplex is considered one (1) household.
- 8. If the maximum energy assistance benefit is not sufficient to restore or continue service, documentation verifying co-payment of additional funds must be obtained for the client file prior to approval.
- 9. All household members 2 years of age or older are required to have a social security number.
- 10. A customer who has an eviction notice and a disconnection notice is still eligible for an energy assistance benefit if they are residing in the home at time of eviction, and have at least 30 days to vacate the premises.

11. If a household is assisted and part of that household moves out and establishes a NEW residence, with a NEW account number, that new household may be assisted. Example – divorce, separation, college student, etc. ***If this situation causes a duplication error in the OCEAN system, please contact OCS OCEAN Help Desk.***

W-2 APPOINTMENT SCHEDULING/INTERVIEWING PROCESS

LDAs that use an appointment system must see all households who contact the agency within fourteen (14) calendar days. An accommodation must be made on the daily appointment calendar for walk-in applicants. Applicants should be informed of what documentation is needed before the appointment.

W-2.1 Utility Bills

During the time of scheduling an appointment, it is imperative to stress to the applicant the importance of bringing both utility bills to the face-to-face interview regardless of the account status. Customer account numbers will be retained at the OCS for information purposes and direct crediting to the applicant's account. However, if the applicant fails to provide both bills during the face-to-face interview, do not delay the application process.

The utility bill must be in the name of an adult household member, OR

- If the utility bill is under a child's name (under 18 years of age) the account must be switched to the head of household in order to receive assistance.
- If the bill is in the name of an adult living outside of the household, that adult must have Power-of-Attorney or must transfer the name to the applicant.
- If the bill is in the landlord's name and will not allow it to be changed and the customer is responsible for the bill, the customer can be assisted. Documentation in the form of a lease, or a note from the landlord, stating that the customer is responsible for the bill is required.

W-2.2 Permanently and Totally Disabled Applicants

It is required for any household, which has a member who is classified as permanently and totally disabled (see Program Definitions) to provide proof at the time of the face-to-face interview. This information must be communicated to the applicant before the interview date. All monthly Public Service Announcements (PSA) should stress that the applicant must bring proof of disability to the face-to-face interview. If the applicant provides proof of disability during the face-to-face interview when the file is electronically sent to the OCS, the regular HEAP benefit will be evaluated for an increased benefit.

If the applicant states that they are disabled but does not provide proof of disability at the time of application, do not make incomplete or delay the application. Process the application as usual. Inform the client that they will receive a normal regular HEAP benefit, however, if they are able to later provide documentation of disability they may appeal their Regular HEAP benefit. Their original benefit determination, with proof of disability, will then be evaluated for an increased benefit at the State level. Please send all appeals to:

Office of Community Services
Attention: Appeals Department
P.O. Box 2169
Columbus, Ohio 43216

W-2.3 Summary of Applicant Documents Required

The following is a summary of all documents that are required to be brought by the applicant to the face-to-face interview. This information must be communicated to the applicant before their interview date and must also be included in all public service announcements.

1. Income documentation for all household members over the age of 18. If this documentation is missing, the application is incomplete.
2. Copies of both bills for the main heating and electric utility source. If this documentation is missing, continue with the application. Contact the utilities to obtain account information. Regular HEAP must have the main heating source account number for all regulated utilities in order to process the application for direct credit purposes. Electric utility account numbers are also needed if the customer is to be placed on PIPP. However, only an electric utility bill is needed if the household all electric.

Please Note: For the Summer Cooling Program (SCP), the applicant is required to bring in BOTH bills. This will allow the customer to be evaluated for a Regular HEAP benefit in the upcoming season.

3. Documentation of co-payment if required (ex: Furnace Repair, Non-Regulated Utility).
4. Proof of disability - If this documentation is missing, continue with the application. Inform the client that they may file an appeal to the OCS (State HEAP Office) if they are able to provide proof of disability after the face-to-face interview.
5. Social security number for all household members 2 years of age or older. If this documentation is missing, the application is incomplete.

W-3 PIPP ENROLLMENT REQUIREMENT for WINTER CRISIS PROGRAM

The Office of Community Services will no longer require that applicants for the WCP be enrolled in PIPP to receive the emergency benefit. The local agency intake staff can waive PIPP enrollment for the customer and the customer and the intake worker may decide which plan is best. However, if PIPP is waived, the applicant must enroll in another payment plan in order to clear the outstanding account default and to lessen the likelihood of the bill payment crisis recurring. Optional payment plans include, but are not limited to, the one-third or one-sixth payment plan, budget plan, the Arrearage Crediting Program, or the PIPP Balanced Payment Plan.

The local agency staff should work with the WCP/PIPP customer to determine what payment plan best suits the customer's needs.

When determining the "best" plan, be sure to obtain the following information:

1. Heating bills for the household during the coldest winter months, which are December through February. (This information can be obtained from the utility company)
2. All alternate payment plans on which the applicant can be placed, and the monthly amount that would be required for each. (This information can be obtained from the utility company)

Other Payment Plans:

The 1/3 plan, which is available between 11/1 and 4/15 only) requires payment of one-third of the balance due each month (arrearages + current bill).

After 4/15, the customer is eligible to switch to the 1/6 plan.

The 1/6 plan requires six equal monthly payments on the arrearages in addition to full payment of current bills.

The Budget Plan, which is available all year, is an optional uniform

payment plan for any customer who is not in default.

Arrearage Crediting Programs allow customers who are no longer eligible for PIPP, the opportunity to receive assistance on their remaining PIPP balance.

PIPP Balanced Payment Plan is only offered by Electric and Combined Utility companies. This plan is similar to the Budget Plan, but levels the PIPP payment all year around. Not all companies offer this plan.

W-3.1 Zero-PIPP Customers

A "Zero-PIPP" customer is an applicant who was found to have NO source of countable income when program eligibility was determined. Thus, the total household income indicated on the application is \$0. Since the amount of the PIPP payment is based on a percentage of the total household income, any customer whose income is \$0 can receive a PIPP payment of \$0 for a period of ninety (90) days.

A Zero-PIPP customer must still reverify income eligibility every ninety (90) days to maintain their ZERO-PIPP Payment status. Usually, a Zero-PIPP customer is experiencing an emergency situation such as a recent job loss. Any customer that continues to claim zero income should be directed to the CAA's case management program in order to assist the customer in changing their situation.

W-4 SPECIAL SITUATIONS

If situations occur that are out of the ordinary and are not addressed in this document or related WCP/PIPP documents in the OCS Policy and Procedures Manuals, please contact the OCS for a determination of eligibility. Prior to contacting the OCS, please collect all pertinent information regarding the case.

W-5 MAXIMUM DELIVERY/PAYMENT GUIDELINES

W-5.1 Regulated Gas and Electric

Households with both regulated gas and regulated electric are eligible for up to **\$175** for both fuel types.

WCP payments can be made up to **\$175** to pay the first PIPP, to bring PIPP default current, establish new service, and transfer or restore service.

- a. If the household has received a notice of disconnection and service is on in the name of an adult household member, emergency funds can be paid for the first PIPP payment or defaulted PIPP payments (see definition of defaulted PIPP). In all cases the agency must verify enrollment in PIPP before authorizing payment.
- b. If the household has received a notice of disconnection and service is not in the name of an adult household member, no security deposits can be charged for electric customers (per the USF agreement).
- c. If the household has been disconnected, payment of up to **\$175** can be made for defaulted PIPP payments or arrearage during the Winter Program (Nov. through March). This includes payments for security deposits and reconnection fees. Security deposits can be paid to natural gas companies. (Arrearages cannot be paid during the summer program.)

W-5.2 Unregulated Gas and Electric (Municipalities and Co-Ops)

Households with both unregulated gas and electric, or one of the utilities is unregulated and the other is not, the benefit is up to **\$250**. **However, only up to \$175 may be used on the regulated utility.** A WCP payment of up to **\$250** can be made to continue, restore, establish or transfer service. Payment must guarantee service for 30 days.

SCENARIO #1 - Customer has regulated gas and unregulated electric. Up to \$175 may be used to pay the gas bill and the remaining \$75 may be used to pay the electric bill. If the customer owes more than \$75 to the electric utility, a co-pay may be required.

SCENARIO #2 - Customer has unregulated gas and regulated electric. Up to \$175 may be used to pay the electric bill and the remaining \$75 may be used to pay the gas bill. If the customer owes more than \$75 to the gas utility, a co-pay may be required.

Reminder - Unregulated utilities are not under the regulations of The Winter Rule.

W-5.3 Bulk Fuels

A household is eligible to receive a delivery of fuel if their tank contains **25% or less** of its capacity. A household is eligible for a maximum delivery of **\$350** for coal or wood, or **\$600** for propane/bottled gas, or **\$600** for fuel oil and kerosene, all of which are classified as deliverable fuels. The applicant may also receive assistance with their electric source, if the **\$350** or **\$600** maximum will resolve the emergency for both energy sources. For regulated electric, up to **\$175**, and for Municipalities and Co-Ops, up to **\$250** can be used towards the electric source as long as a sufficient amount of fuel is delivered to end the customer's crisis.

A 30-day line of credit may be arranged for propane customers that use 120 gallon tanks or 100 pound cylinders, or for oil/kerosene customers that have tanks that are smaller than 100 gallons.

Vendor Participation Agreement

All vendors who participate in the Summer Crisis Program must sign an Energy Assistance Participation Agreement. Vendors who participate in both the Regular and WCP components of the program and have already signed an agreement for those programs do not have to sign an additional contract exclusively for the Summer Program.

PLEASE NOTE: Once a vendor has signed the participation agreement with the LDA, or has a signed agreement on file with the OCS, then this requirement has been filled. The vendor does not have to sign a participation agreement each season

Fuel Delivery

Arrangements for bulk fuel delivery must be made within 2 working days from the date of application. Although in extreme cases, actual deliveries of fuel cannot always be made within two days, vendors should be encouraged to make WCP deliveries as soon as possible.

Payment of a WCP benefit on behalf of an eligible applicant must result in a delivery of fuel.

Vendors must provide the buyer with a delivery ticket or sales invoice which includes: **the name and address of the vendor, name of purchaser (CAA), delivery address (client), delivery date, delivered quantity, quantity upon which the price is based (price per unit - gallon, ccf, etc.), total price of the amount delivered and the identity of the product in descriptive terms.** This information must be placed in the client file for proper documentation. If a client has more than a ten-day supply of bulk fuel at the time of delivery, once the invoice has been received, the account should be paid and no further deliveries should be authorized.

Tank Testing

WCP funds may also be used to pay for fuel tank testing, and/or the setting of a tank. Any of the benefit not spent on testing, may be used for utility assistance.

Existing Credits

If a customer has an existing credit that is large enough to cover their need, then no crisis exists. If a customer has an existing credit that is not large enough to stop their crisis, then WCP funds may be used, up to the maximum benefit, to make up the difference. This is similar to the customer having a co-pay.

Past Due Bills

A payment for a past due bill is only allowed for bulk fuels when a delivery will result from the payment, or the following:

Metered Bulk Fuels

If the customer receives a bill for their amount of fuel, and have received a disconnect notice, WCP will pay the disconnect amount up to **\$600**. In other words, the fuel provider is to be treated the same as an unregulated natural gas utility, except that the benefit is larger. Electric assistance for these customers remains the same.

Automatic Fill-ups

Customers utilizing propane, fuel oil, or kerosene and are on an automatic fill-up (monthly top off, etc.) schedule with their vendor may receive a benefit under the following circumstances. They must have documentation from the vendor that they have failed to pay their past bill(s) and will receive no more fuel until the account is cleared. The customer may receive up to **\$600**. Any amount over this, i.e., co-pay, must be paid first.

Heating Unit Repair

WCP funds can be authorized to repair/replace the main heating source for homeowners provided the repair restores service. It is strongly recommended that WCP funds be combined with other funds (e.g. - HWAP, WarmChoice, etc.), whenever possible for repair or replacement of the heating unit. All repairs must be completed by a qualified, insured heating unit technician. Homeowners are not permitted to perform their own repairs. Estimates for repair or replacement should be obtained whenever possible. The company completing the repairs must certify that the heating system is safe and operable before payment can be made. All payments must be made directly to the company completing the repairs. Up to **\$175** may be used for the repair. Any of the benefit not spent on the repair, may be used for utility assistance.

Portable Space Heaters

WCP funds can be authorized to purchase portable electric heaters equipped with an automatic shut-off switch and is UL approved. However, Winter Crisis funds **are not** authorized to purchase kerosene heaters or ventless gas heaters.

Customer Fraud

For all vendors regardless of fuel – Customers who have had their service disconnected for a fraudulent practice may not receive an E-HEAP benefit until the fraudulent situation is resolved and all related fees are paid. Fraudulent practices include returned checks and all associated fees.

Sales Tax

In regard to vendor payments made by non-profit agencies to purchase fuel for eligible WCP applicants, the non-profit agency is considered the customer of record. Non-profit agencies are exempt from Ohio sales tax. Therefore, WCP benefits that are issued by non-profit agencies are not subject to sales tax. **[Ohio Revised Code, section 5739.02(B)(12)]**

Guidelines for making bulk fuel purchases:

Propane or Bottled Gas	Fill tank up to \$600 . A 30-day line of credit may be arranged for propane customers that use 120 gallon tanks or 100 pound cylinders. Vendors should submit one invoice for payment at the end of the 30-day period.
Kerosene or Fuel Oil (#1 & #2)	Fill tank up to \$600 . A 30-day line of credit may be arranged for oil/kerosene customers that have tanks that are smaller than 100 gallons, or when more than one household draws fuel from a single tank. In the latter case, each dwelling is eligible for a maximum \$600 benefit.
Coal (stoker & lump)	Maximum 2½ tons, not to exceed \$350 .
Wood	Maximum 2½ stacked cords or the equivalent, not to exceed \$350 .
Pellet Fuels	Not to exceed \$350 , must be premium grade (less than 1% ash content). Corn is also allowable.

The \$350 and \$600 benefit amounts are the maximum allowed. Remember that the goal of this program is to keep customers warm for 30 days. The customer's actual benefit is only the amount of fuel that fills the tank during one delivery, or 30 days for those with "small tanks" as defined above. The client is not entitled to the remaining amount of the benefit.

Fuel Types

Kerosene (K-1)

1. Kerosene is a lightweight fuel burned in portable kerosene heaters. It can also be substituted for fuel oil #1. Most of the small fuel oil burning heating units found in mobile homes are set up to burn fuel oil #1.
2. Kerosene (K-1) fuel can be purchased for portable heaters only if there is no operable/reparable heating unit in the home or no other heating source is available.
3. Portable kerosene heaters are viewed as a temporary, portable, and potentially unsafe source of heat.
4. All kerosene heaters should be equipped with automatic shut-off switches.
5. Portable electric heaters, while not encouraged, are more acceptable than kerosene heaters for temporary heating situations. All portable electric heaters should be equipped

with automatic shut-off switches and UL approved.

NOTE: The agency must have the applicant sign a waiver absolving the agency of all liability for the use of ventless gas heaters and kerosene heaters when kerosene or any fuel used in the ventless gas heater has been purchased through the WCP.

Fuel Oil #1

1. Fuel oil #1 is the lightest grade of fuel oil. It is burned primarily in mobile home heating units.
2. Fuel oil #1 cannot be substituted for kerosene (K-1) and burned in portable kerosene heaters.

Fuel Oil #2

1. Fuel oil #2 is the heaviest grade of fuel oil. It is burned primarily in large home heating units.

Firewood Guidelines

Effective January 1, 1990, the Ohio Department of Agriculture, Division of Weights and Measures, issued the following rules concerning the sale of firewood in Ohio:

1. Fireplace and stovewood is defined as any kindling logs, boards, timbers, or other wood, split or unsplit advertised or otherwise offered for sale as fuel.
2. Seasoned firewood is defined as wood for fuel that has been air dried and has a moisture content value that is less than or equal to fifty percent.
3. Firewood advertised or otherwise offered for sale must be identified by species (Example: 50% hickory, 40% oak, and 10% ash). This representation by species must be accurate within 10% for each type of wood included in each delivery made to a consumer.

NOTE: The above information MUST be noted on the firewood vendor's invoice.

4. All firewood must be sold by the cord or by the ton. A cord is defined as 128 cubic feet of compactly stacked wood, arranged in a pile of 8 feet long, 4 feet high and 4 feet wide. Advertising in terms such as "face cord," "rick," "rack," "pile," or "truckload" is prohibited.

Any questions concerning the advertising or sale of firewood should be directed to the Ohio Department of Agriculture, Division of Weights and Measures, 8995 E. Main Street, Reynoldsburg, Ohio 43008. Questions can also be answered by calling (614) 728-6200.

W-6 REQUIRED FORMS & INFORMATION FOR WCP

1. The Energy Assistance Programs Application is the required application form for the Winter Crisis Program. LDAs must accept applications from residents in their service area during the program season.
2. The Energy Assistance Programs Application must be forwarded to the applicant to inform them of the eligibility determination. The applicant's copy of the application can be given to the client at the end of the application process or can be mailed. The applicant must be informed of their eligibility within 48 hours of the date of the application. When energy assistance is denied the reason must be indicated in the appropriate space provided on the application.
3. Following the approval of a household's application for assistance, the utility or bulk fuel

vendor must be notified in writing of application approval within five working days of the date of the application.

4. For households serviced by regulated utility companies, verification of enrollment in PIPP, or another plan, must be indicated on the application. Enrollment verification must be maintained in the applicant's file for any other utility plans in which HEAP funds were used to make payment.

W-6.1 Agency Employee, Relatives, and/or Friend Application Review Policy

Your agency must have a policy for when an employee, a relative of staff, and/or a friend of staff apply for WCP/HEAP benefits. If your agency does not currently have a policy, the following is strongly recommended by OCS:

- a) If **any** agency employees, or relatives of staff, or friends of staff apply for the program, the HEAP Coordinator must complete the application.
- b) If the HEAP Coordinator, or a relative or friend of the HEAP Coordinator applies for the program, the Executive Director must complete the application.

W-7 CLIENT FILES

All required emergency forms must be completed, signed and dated. The Energy Assistance Programs Application must be dated and signed by the applicant and the intake worker who actually conducted the interview, in the appropriate areas provided. All client files (hard copy or electronic) must be completed and information filed **or stored** to be considered in compliance. Please submit all agency designed forms to the OCS for prior approval.

In order to fulfill program requirements and assure adequate audit trails, winter crisis client files, at a minimum, must contain the following information:

W-7.1 Client Files - Eligible

1. A properly completed Energy Assistance Programs Application, which includes the Notice of Decision and the Intent-to-Pay. The customer's signature is required and must be in the file. **HARD COPY or OCEAN or SCAN**
2. Copies of all documents verifying income. **HARD COPY or SCAN**
3. Copy of current notice of disconnection of service or description of collateral contacts made to verify disconnection of service. * **HARD COPY or SCAN**

**Please note: In cases where the applicant's heating source(s) has been disconnected (shut-off), the LDA can accept the applicant's final bill as verification of how much the applicant owes the utility company. If the final bill is more than 30 days old, the amount should be verified verbally with the utility company and noted in the client's file.*

4. If applicable, copy of **date-stamped** bulk fuel invoice from energy dealer.**
HARD COPY or SCAN

*** Please note: The original, date-stamped, invoice must be maintained by the agency for the required time period in accordance with federal regulations (A-110).*

5. If applicable, documentation of co-payment made to resolve the emergency. The co-pay must be made by the customer before the application can be completed.
HARD COPY or SCAN

6. If applicable, a dated INCOMPLETE letter and/or documentation, if the file is INCOMPLETE. **HARD COPY or OCEAN or SCAN**
7. If applicable, proof of permanent disability as defined by E-1 Program Definitions. **HARD COPY or SCAN**.

W-7.2 Client Files - Ineligible

In order to fulfill program requirements, INELIGIBLE Winter Crisis Program (WCP) files, at a minimum, must contain:

1. Emergency Assistance Programs Application. **HARD COPY or OCEAN or SCAN**
2. Income documentation, if applicable. **HARD COPY or SCAN**
3. Documentation supporting reason for denial. **HARD COPY or OCEAN or SCAN**

Please note: Applicants who are determined to be ineligible can reapply if their circumstances change in a way that may qualify them for assistance. Applicants who are denied assistance have thirty (30) days from the decision date on the application to file an appeal.

W-7.3 Client Files - Incomplete

If an application does not include all necessary documentation, it will remain in INCOMPLETE status until all information is received.

Agencies have 15 days after the WCP ends to complete incomplete (pending) files. If the client provides documentation beyond 30 days from the date of application to complete their requirements, income must be updated and recalculated. Intake workers must ask if the client's household situation has changed. If the household is no longer eligible, then benefits must be denied.

If documentation has not been received by the end of the WCP season, those files shall be reported to the OCS under the Winter Close-Out Activity Report by the date specified in the current Grant Agreement as the number of applications still INCOMPLETE. A dated copy (or scan) of the OCEAN-generated letter must be included in the client file. (It is recommended that the LDA institute a follow-up policy, which includes at least one documented effort, in writing, to notify the applicant that their energy assistance application is still in INCOMPLETE status.)

W-8 CLIENT OUTREACH and PUBLIC SERVICE ANNOUNCEMENTS (PSA)

The minimum requirement is to place a monthly Public Service Announcement (PSA) in the local newspaper that has the largest circulation in your service area. The PSA should, at minimum, offer a brief definition of both the Winter and Summer Crisis Programs and their application guidelines. In addition to income requirements, all PSA's and outreach efforts must stress the need for the applicant to bring both primary and electric heating bills (if the applicant has gas and electric), regardless of account status, **proof of disability if disabled**, and social security numbers for all household members 2 years of age or older, to the face-to-face interview. (See W-2.4 for a complete list of documents the applicant must bring to the face-to-face interview). Documentation must be maintained on-site that will substantiate that the LDA has followed the above monthly PSA requirement.

W-9 PAYMENT PROCEDURES

LDAs must forward payment to the utility company within 30 days from the date the applicant was determined eligible.

Payment for bulk fuel delivery must be made within 30 days of receipt of invoice.

All bulk fuel invoices must be stamped with the date that the LDA received it.
This date-stamped invoice must be retained in the client file.
Each invoice must have the unit price of fuel and the amount delivered.

W-10 APPLICANT/CUSTOMER INQUIRIES

The local delegate agency must designate two (2) staff members who are responsible for addressing customer inquiries and contacting the OCS via e-mail within two (2) business days. OCS notification must be sent as a "Reply to All" e-mail. Please include in the response to the e-mail the date the customer was contacted regarding their inquiry.

W-11 EXHAUSTED ALLOCATION

If or when a local agency exhausts its WCP funds, applications for assistance must still be taken. The Energy Assistance Programs Application should be issued showing "funds exhausted" as the reason for denial and referrals should be made to other available energy assistance programs.

W-12 REPORTING REQUIREMENTS

Local delegate agencies must comply with all reporting requirements that are specified in the Exhibits of the Grant Agreement.

W-13 REQUIRED REFERRALS

If a household applying for emergency assistance qualifies for TANF, a referral can be made to the county Department of Job and Family Services for assistance through the Prevention, Retention Contingency Program (PRC) or any other available funds.

W-14 RECOVERY

A. The LDA will be responsible for initiating and organizing recovery in all cases of duplicate payments as follows:

1. Misrepresentation by the client resulting in the client receiving a benefit from two different LDAs. The agency that paid the second (or duplicate) benefit is responsible for recovering the full amount of the second benefit.
2. Misrepresentation by the client resulting in two payments received by the client from the same agency.
3. Payments in excess of **\$175 or \$250** for gas or electric, or in excess of **\$350** for wood or coal, or in excess of **\$600** for propane or bottled gas, fuel oils or kerosene.
4. In cases where the LDA is aware of fraudulent vendor activity.

W-14.1 Recovery Review Process

- A. All cases of duplicate payments discovered by the LDAs must be reported in writing to the OCS.
1. Each verified duplicate file should include:
 - a. A copy of the application(s) under review. (Do not include income or other supporting documentation).
 - b. Current status of account.

1a. To be placed in recovery

2a. Active payment

B. If it is determined that the agency is in error, restitution to the State of Ohio will be necessary and recovery will promptly be initiated.

W-14.2 Recovery Action

A. Written notification requirement:

1. Once a duplicate payment has been verified the LDA must provide the affected household with written notification of this finding.
2. If the household does not respond to the initial letter within 14 working days, the LDA should send a second letter requiring a response within 10 working days.
3. If a client should apply at the agency who has not received written notification of the pending recovery action, they should be informed of this fact. The recovery issue must be resolved before you can address the client's new application for assistance. (This client should also receive written notification of the recovery action.)

B. The recovery letter must at the minimum include:

1. Verification of the duplicate payment and the amount of money to be recovered.
2. Program reimbursement options:
 - a. A repayment plan, i.e., a 25% initial payment on the balance due is required regardless of the terms of the plan.
 - 1a. In cases of duplicate payments to households that applied at two agencies the following applies - The 25% initial payment can be accepted at any agency.
 - b. The re-direction of the current benefit. The client can use all or a portion of the current benefit to repay the program.
3. The fact that restitution must be made by the closeout of the program year following the year in which the duplicate payment occurred.
4. The fact that if the client defaults on the payment plan, the unrecovered balance will automatically be deducted from the following year's emergency benefit. The client can be assisted with the remaining funds and is responsible for any additional funds needed to resolve the emergency.
5. The fact that when restitution has been made in full, the household will again be eligible to apply for emergency benefits.

W-14.3 Recovered Funds Closeout Procedures

A. **IMPORTANT:** At the end of each program year, submit to the OCS a listing of the status of recovery accounts and include the following:

1. Recoveries completed
2. Active Payment Plans
3. Unrecovered (uncollectible) Accounts

- B. Recovered funds should be returned to the OCS 10 days after the close of the month the funds are received by the LDA.
- C. LDAs should return recovered program funds by completing OCS Form 216, Emergency Payment Register.
 - 1. Recovered emergency payments are to be recorded and credited to the proper fiscal year.
 - 2. Checks representing recovered funds should be made payable to the "Treasurer of State of Ohio."
- D. All relevant OCS Form 216 reports and checks (made out to the Treasurer of State of Ohio) for the total amount of recovered funds should be mailed to:

Ohio Department of Development
 Office of Community Services
 77 South High Street
 P.O. Box 1001
 Columbus, Ohio 43216-1001

W-15 LIABILITY FOR INCORRECT PAYMENTS

In all cases the client file documentation must support the approved payments.

- 1. The agency will be responsible to rectify payments made in violation of program guidelines.
- 2. When incorrect payments are cited the agency must review all case files, find all similarly situated households, and rectify payments as needed.
- 3. The agency will be responsible for documentation of corrective action.

III. SUMMER CRISIS PROGRAM (SCP)

The following Guidelines for the SCP remain the same as the Winter Crisis Program

- Appointment Scheduling/Interview Process (W-2)
- Special Situations (W-4)
- Appeal Procedures (E-2)
- Exhausted Allocation (W-11)
- Reporting Requirements (W-12)
- Required Referrals (W-13)
- Recovery (W-14)
- Liability for Incorrect Payments (W-15)

S-1 ELIGIBILITY DETERMINATION/SCOPE OF WORK

NOTE – Be sure to review Exhibit 1 – Scope of Work in your current HEAP Grant Agreement for the most up-to-date regulations pertaining to assistance of eligible applicants.

The Grantee shall assume responsibilities including, but not limited to, the following:

- 1. Administer SCP funds in accordance with the Energy Assistance Guidelines issued by the Grantor and the Grantee's approved Administration and Operation application.
- 2. Assure that SCP funds shall be used only in the county or counties within the Grantee's service area.

3. Receive, store and/or distribute the air conditioners purchased by SCP funds for eligible applicants.
4. Determine applicants to be eligible if their household incomes are at or below **200%** of the current federal poverty guidelines.
5. Provide assistance to eligible applicants as follows - an income eligible household with a member who has an illness that would benefit from continued electric service, verified by a physician's documentation is qualified to receive the following:
 - One payment for the electric bill, up to the clients' percentage of income payment plan (PIPP) amount or the current bill, whichever is more, not to exceed **\$175** . (A disconnect notice is NOT required) - and/or an air conditioner - and/or a fan.
 - Residents with a tenant-based HUD Section 8 housing subsidy are eligible if the electric bill is in their name.
 - Residents of any licensed medical facility (hospital, skilled nursing facility or intermediate care facility), publicly operated community residence (YMCA), boarding/rooming houses, group homes or emergency shelter are INELIGIBLE.
 - An income eligible household with a member who is sixty (60) or older is eligible to receive one payment for the electric bill without a disconnect notice up to the clients' PIPP amount, or current bill, whichever is more, not to exceed **\$175** and/or an air conditioner - and/or a fan.

Households in the above categories do not have to be placed on PIPP but an alternate payment plan should be offered. Documentation of the plan chosen must be in the file.

S-1.1 Eligibility Determination/Payment Guidelines for the Summer Crisis Program (SCP)

A written notification of eligibility or denial of eligibility must be issued to the applicant within 48 hours.

Arrangements for continuation or reconnection of the electric service must be made within 48 hours for all applicants found eligible.

Arrangements for continuation or reconnection of the electric service must be made within 18 hours for all applicants found eligible and are in a life-threatening situation.

All written notification must be completed and issued to the electric vendor within five working days of date of application.

The following are conditions that must be assessed to determine eligibility and payment amounts for households applying for emergency assistance:

1. There must be a face-to-face interview with an adult household member. If the applicant cannot visit the intake site due to medical reason or infirmity, agency staff must make a home visit. This requirement can be waived only if the person applying has obtained a legal power of attorney or notarized statement and is therefore empowered to act for the applicant of record. The application must be signed and dated.
2. Gross income for the previous 90 days or 12 months must be verified and supported by documentation in the case file. If the household is claiming zero income, there must be some explanation of how the household is being maintained. If there is no supporting income

documentation, there must be a signed and dated Energy Assistance Program/Income Self-Declaration Form in the case file with a statement on how they existed.

- a. To determine if the household is income eligible, first use the 90-day test. If the household is over-income for the previous 90 days, use the 12-month income test. The income that qualifies the household must be supported by documentation.
 - b. If the household is over-income for both the 90-day and the 12-month income, the household is ineligible.
3. Whether the electric utility is a regulated or unregulated, the utility account must be coded residential, except in master-metered situations. Payments for the electric utility must be made separately from rent payments.
 4. Households who receive their energy from a regulated electric utility may be enrolled in the PUCO/PIPP Plan or an alternate utility payment plan.

-For homes that are ALL ELECTRIC, the PIPP payment is based on **15%** of the current gross monthly income.

-For homes where the main heating source is not electric, the PIPP payment is based on **10%** of the current gross monthly income for the main utility, and **5%** to the secondary utility (typically electric).

-For households who are at or below 50% of the federal poverty level, the PIPP payment will be based on **3%** of the current gross monthly income instead of **5%** for the electric source of heat.

Monthly PIPP payments are not based on an average of the household's 90-day or 12-month income. The 90-day or 12-month income criterion is for determining a household's eligibility for Energy Assistance, only. If a utility company is not basing the PIPP monthly payment on current monthly income, contact the PUCO.

Please Note: For the Summer Crisis Program (SCP), the applicant is required to bring in BOTH bills. This will allow the customer to be evaluated for a Regular HEAP benefit in the upcoming season.

5. When assisting households with a master meter, each unit must apply as a separate household. Eligible households may be assisted with a portion of the bill according to the percentage for which they are responsible. Each eligible household can receive assistance up to the **\$175** maximum allowable benefit.
6. If the maximum SCP benefit is not sufficient to continue service, documentation verifying co-payment of additional funds must be obtained to the client file prior to approval.
7. Emergency funds cannot be authorized to repair a window unit.
 - a. If the non-working unit is less than a year old and under warranty, a new unit may be given to the client. Non-working units that are older than one year may still be under warranty, but that is between the client and the vendor/manufacture. After one year, the SCP is no longer responsible for the unit.

NOTE: *In order to receive a replacement unit, the client must return the non-working unit, or have a police or fire report that the unit was destroyed, or an insurance claim for a damaged or stolen unit.*

- b. No air conditioner may be given to a household that has an operable central air system.
- c. If a customer is eligible for the SCP air conditioner benefit and they have a repairable central air system, they are eligible for a repair benefit of up to **\$175**. This **\$175** benefit may be used to repair a central or whole-house air conditioner. The **\$175** MUST result in the unit being made operable, so a co-pay may be necessary. The customer's co-pay must be made before the SCP benefit can be used. If the unit cannot be repaired, or if the customer cannot afford the co-pay, pay any contractor costs for the estimate and provide the customer with a window unit.

NOTE - Payment of an SCP utility benefit must result in the applicant having electric service for at least the next thirty (30) days.

S-2 MAXIMUM DELIVERY/PAYMENT GUIDELINES

Vendor Participation Agreement - All vendors who participate in the Summer Crisis Program must sign an Energy Assistance Participation Agreement. Vendors who participate in both the Regular and WCP components of the program and have already signed an agreement for those programs do not have to sign an additional contract exclusively for the Summer Program.

PLEASE NOTE: Once a vendor has signed the participation agreement with the LDA or has a signed agreement on file with the OCS, then this requirement has been filled. The vendor does not have to sign a participation agreement each season.

Non-Regulated Electric Utilities (Municipalities and Co-ops)

An Energy Assistance payment of up to **\$175** can be made to pay the customer's current responsibility, the deposit on a new account, the fee to transfer service, or to reconnect service.

Regulated Electric Utilities

An Energy Assistance payment of up to **\$175** can be made to pay the customer's current PIPP responsibility (i.e., current PIPP plus PIPP defaults, not arrearages, initial PIPP), the deposit on a new account, the reconnection of service, or the fee to transfer service. Energy Assistance payments must not be used to pay the customer's account arrearage.

Existing Credits

If an eligible customer has a credit on their electric account, pay the current responsibility and let the credit be carried forward. This holds for both regulated and non-regulated electric utilities.

S-3 SPECIAL SITUATIONS

If situations occur that are out of the ordinary and are not addressed in this document or related SCP/PIPP documents in the OCS Policy and Procedures Manuals please contact the OCS for a determination of eligibility. Prior to contacting the OCS, please collect all pertinent information regarding the case.

S-4 REQUIRED FORMS FOR SCP

1. The Energy Assistance Programs Application is the required application form for the Summer Crisis Program. LDAs must accept applications from residents in their service area during the program season.
2. The Energy Assistance Programs Application must be forwarded to the applicant to inform them of the eligibility determination. The applicant's copy of the application can be given to the client at the end of the application process or can be mailed. The applicant must be informed of their eligibility within 48 hours of the date of the application. When energy assistance is denied the reason must be indicated in the appropriate space provided on the

application.

3. Following the approval of a household's application for assistance, the electric vendor must be notified in writing of application approval within five (5) working days of the date of the in the appropriate space provided on the application.

S-4.1 Agency Employee, Relatives, and/or Friend Application Review Policy

Your agency must have a policy for when an employee, a relative of staff, and/or a friend of staff apply for HEAP benefits. If your agency does not currently have a policy, the following is strongly recommended by OCS -

- a) If **any** agency employees, or relatives of staff, or friends of staff apply for the program, the HEAP Coordinator must complete the application.
- b) If the HEAP Coordinator, or a relative or friend of the HEAP Coordinator applies for the program, the Executive Director must complete the application.

S-5 CLIENT FILES

All required emergency forms must be completed, signed and dated. The Energy Assistance Programs Application must be dated and signed by the applicant and the intake worker who actually conducted the interview, in the appropriate areas provided. All client files must be completed and information filed to be considered in compliance per the OCS.

In order to fulfill program requirements, and assure adequate audit trails, emergency assistance client files, at a minimum, must contain the following information:

S-5.1 Client Files - Eligible

1. A properly completed Energy Assistance Programs Application, which includes the Notice of Decision and the Intent-to-Pay. The customer's signature is required and must be in the file. **HARD COPY or SCAN**
2. Copies of all documents verifying income. **HARD COPY or SCAN**
3. Documentation of the client's electric account. Usually a copy of the bill. **HARD COPY or SCAN**
4. If applicable, documentation of co-payment made to resolve the emergency. **HARD COPY or SCAN**
5. If applicable, documentation of household member 60 years of age or older.
6. If applicable, a copy of a physician's note documenting the customer's need for an air conditioner. **HARD COPY or SCAN**
7. If applicable (i.e., customer lives in subsidized housing), documentation that the air conditioner will stay with the customer if they move to a new residence. **HARD COPY or SCAN**
8. If applicable, a dated INCOMPLETE letter and/or documentation, if the file is INCOMPLETE.

S-5.2 Client Files – Ineligible (OCEAN users need hardcopy of items #1 & #2)

In order to fulfill program requirements, ineligible emergency assistance case files, at a minimum, must contain:

1. Energy Assistance Program application. **HARD COPY or SCAN**
2. Income documentation, if applicable. **HARD COPY or SCAN**
3. Documentation supporting reason for ineligibility. **HARD COPY or SCAN**

S-5.3 Client Files - Incomplete

If an application does not include all necessary documentation, it will remain in INCOMPLETE status until all information is received.

Agencies have 15 days after the SCP ends to complete incomplete (pending) files.

If the client provides documentation beyond 30 days from the date of application to complete their requirements, income must be updated and recalculated. Intake workers must ask if the client's household situation has changed. If the household is no longer eligible, then benefits must be denied.

If documentation has not been received by the end of the WCP season, those files shall be reported to the OCS under the Winter Close-Out Activity Report by the date specified in the current Grant Agreement as the number of applications still INCOMPLETE. A dated copy (or scan) of the OCEAN-generated letter must be included in the client file. (It is recommended that the LDA institute a follow-up policy, which includes at least one documented effort, in writing, to notify the applicant that their energy assistance application is still in INCOMPLETE status.)

S-6 CLIENT OUTREACH and Public Service Announcements (PSA)

The minimum requirement in this area is to place a monthly Public Service Announcement (PSA) in the local newspaper that has the largest circulation in your service area. The PSA should, at minimum, offer a brief definition of the Summer Crisis Program and the program guidelines. In addition to income requirements, all PSAs and outreach efforts must stress the need for the applicant to bring their electric bill, regardless of account status, proof of disability, if disabled, and social security numbers for all household members 2 years of age or older, to the face-to-face interview.

S-7 CLARIFICATION OF SUMMER CRISIS PROGRAM BENEFITS

The following points should clarify the benefits policy for the Summer Crisis Program. If you have any questions, please feel free to contact your field representative.

Current Responsibility – The benefit may be used to pay the customer's "Current Responsibility" up to **\$175**. "Current responsibility" is defined as the total amount owed to the utility, currently, not the total account balance or arrearage. For example, if the customer owes last month's PIPP payment and this month's also, pay both up to **\$175**.

Physician's documentation – In order to receive an electric payment, the customer must have documentation from a physician stating that electric service is needed for the health of a member of the household. The documentation does not need to name the customer's condition, but it must be on the physician's letterhead or a prescription form.

Subsidized Housing – Subsidized Housing is defined as a household, which receives a tenant-based HUD Section 8 housing subsidy.

Subsidized Housing and Electric Benefits – In order for a customer, who lives in subsidized housing to receive an electric benefit, the electric bill must be in the customer's name. A

customer who lives in subsidized housing can receive SCP assistance even if they receive a utility allowance.

Agency Priorities – Each agency retains the right to target the neediest populations with their limited allocations. Priorities that are set must be put in writing and available to the customer population. Priority groups might be a household in which a member has a documented respiratory problem, elderly, etc.

Fans – Agencies **may or may not** purchase fans with their direct service funds. **It is up to each agency to create its own policy.** Please Note: When the agency purchases fans with their direct service funds, it does not affect the benefit amount for the applicant. The applicant may still receive up to **\$175** for electric assistance.

Electric Benefit and/or an AC, and/or a fan - All three items may be given to the same client, but only the benefit amount of \$175 may be used. All other money must come from a client co-pay and/or money from other sources.

APPENDIX I: GLOSSARY

PROGRAM DEFINITIONS

<u>Program Season:</u>	The time period designated by the OCS in which applications for energy assistance will be accepted.
<u>Utility Company:</u>	Regulated or non-regulated gas and electric utility company, including retailers that distribute propane by pipeline.
<u>Bulk Fuel Dealer:</u>	Retail vendor of fuel oil, propane, coal, wood or kerosene.
<u>Customer:</u>	The person who resides in the housing unit and pays the utility bill separately from rent payments.
<u>Permanently and Totally Disabled:</u>	A person who has, on the first day of July of the year an application is made, some impairment in body or mind that makes the person unfit to work at any substantial employment that the person would otherwise be reasonably able to perform and that will, with reasonable probability, continue for an indefinite period of at least twelve months without any present indication of recovery there from, or who has been certified as permanently and totally disabled by a state or federal agency having the function of so classifying persons.
<u>Percentage of Income Payment Plan (PIPP):</u>	An extended payment arrangement mandated by the Public Utilities Commission of Ohio (PUCO). PIPP requires regulated companies to accept payments based on a percentage of monthly income for customers at or below 150% of the federal poverty level.
<u>Master Meter:</u>	A master meter is a utility meter installed in a multi-unit dwelling. The utility company codes these accounts <u>commercial</u> . If the household in a master-metered situation is responsible for paying utility cost separately from their rent costs, they are eligible for an energy assistance benefit. Accounts that are coded <u>commercial</u> are not eligible for enrollment in the PIPP program.
<u>Defaulted PIPP:</u>	Any PIPP payment where the due date has passed.
<u>Household:</u>	Section 2603 (2) of the Low-Income Energy Assistance Act of

1981 defines "Household" as any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent. The OCS will adhere to this definition, and makes no distinction between homeowners and renters.

In order to qualify as a separate household - there must be a separate bath and kitchen and utility meter.

Movable

Vehicle Definition:

For a dwelling unit to be eligible for energy assistance benefits, it must receive heating (or cooling) fuel in one of the following ways:

attached to a Regulated utility (gas & electric)
attached to a permanent, free-standing fuel tank
(oil & propane)
heats using a legal fireplace (wood)
heats using a legally vented wood/coal stove

Mobile Home - dwelling that must be towed and contains multiple rooms.

Camper - dwelling that must be towed and contains one room.

Recreational Vehicle (RV) - a motorized vehicle that has the dwelling attached.

Household Member:

Persons who share a common kitchen or bath and purchase residential energy in common are considered members of the same household. Those persons should apply for energy assistance on one application.

Disconnect Notice:

A notice from a utility company stating that a household's service will be terminated on or after a definite date if a specific amount is not paid.

Local Delegate Agency (LDA):

Refers to grantees of the OCS that administer the winter and summer crisis programs. They can be Community Action Agencies or other public or private non-profit organizations.

Wages:

Money earned from regularly scheduled employment where a check is received with deductions for taxes, health insurance, etc. A self-declaration is not acceptable as documentation.

Self-employed:

Running a business or providing a service on your own. Taxes are filed, including quarterly statements, and deductions are taken as a business.

Odd Jobs:

Sporadic employment that pays for the work done. No deductions are taken.

APPENDIX II: ASSURANCES & COMPLIANCE ISSUES for WCP/SCP

1. Every user of the OCEAN system must have a signed copy of the OCEAN data confidentiality agreement.
2. No user of the OCEAN system may share their password with anyone. Also, any user that is no longer employed must have their access to the OCEAN system disabled by the agency or the state office.
3. All WCP/SCP telephone systems, IVR systems, and WCP/SCP software must be tested and operating prior to November 1 of the current program year.
4. All WCP/SCP customer data, electronic and hard copy, must be secure and confidential.
5. All WCP/SCP staff - managers, intake/case workers, and telephone operators - must be fully trained and must review updated copies of their required reference materials prior to November 1 of the current program year.
6. WCP/SCP staff must be available for home visits when necessary.
7. All Applicant/Customer Inquiries must be addressed within two (2) business days via e-mail, using "Reply to All", to OCS.
8. All WCP/SCP fiscal data must be shared with the WCP/SCP program manager on a monthly basis.
9. All WCP/SCP staff, intake/case workers must have and keep at their desks, if not part of the OCEAN resources, current copies of the:
 - Energy Assistance Guidelines,
 - PIPP Tips,
 - Energy Assistance Resource Guide (PIPP Q&A book),
 - Poverty Income Guidelines,
 - the PUCO reconnect order,
 - utility company procedures for the utilities in the agencies service area.
10. All WCP/SCP staff must have a copy of the current year's Grant Agreement for SCP, Exhibit I - Scope of Work.

Appendix III - SOCIAL SECURITY NUMBER REQUIREMENT

(NON-OCEAN agencies only) (If using OCEAN – please consult OCEAN manual)

During the interview process, the applicant must bring social security numbers for every household member 2 years of age or older. If the applicant does not bring social security numbers of all household members 2 years of age or older, the application must be pended. In order to approve the application, the required social security numbers must be provided.

When dealing with household members who do not have a valid United States Social Security Number, the following rules should apply:

1. Citizenship or permanent and lawful entry in the United States must be determined. Permanent resident visas may need to be obtained.
2. If someone has applied for a Social Security Number, but has not received it, a temporary number can be assigned by your agency. To do this, use the number sequence 000, followed by the last two (2) digits of your Agency Administration Number, then keep track at your agency a numbered sequence starting from 0001 through ? For example: An agency has an application with four household members. One adult is a citizen and has their SS Number attached. The other three, an adult and two children, are now in the United States because of marriage. These three have applied but have not yet received their Social Security Numbers. Assuming the Agency is 189, the first number given would be 000-89-0001, the second would be 000-89-0002, and the third would be 000-89-0003.
3. If temporary numbers are assigned, instructions are to be given to the applicants stating that when the valid SS numbers arrive, they must contact the Ohio Department of Development, Office of Community Services. If they do not obtain a valid United States Social Security Number by the next season, they will not be permitted to apply for HEAP at that time.
4. Valid Social Security Numbers do not begin with a sequence over 799. If someone says their number begins with 800 or above, they must provide a copy of their United States Social Security Card or document from the Social Security Administration proving the existence of this number.
5. If someone refuses to give or refuses to get a valid Social Security Number, we cannot complete the processing of the application.
6. Remember, having a Social Security Number does not verify citizenship or permanent residence in all cases. This may have to be determined by other means.

**Appendix IV - PROOF of DISABILITY & SOCIAL SECURITY
DOCUMENTATION**

For Future Use