

NORTHERN CALIFORNIA INDIAN DEVELOPMENT COUNCIL
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
PROGRAM POLICIES AND PROCEDURES

The Northern California Indian Development Council, Inc. (NCIDC) has established the following policies and procedures for the operation of the Low-Income Home Energy Assistance Program (LIHEAP).

In an effort to best use the limited LIHEAP funds towards Tribal members' energy related needs, NCIDC is requesting the assistance of each Tribe in the delivery of services. Each Tribe is asked to identify and prioritize the Tribal members that will receive LIHEAP. In addition, we ask that each Tribe assist their members with completing necessary forms and providing the necessary information required to assure eligibility for the program services.

The NCIDC will provide the Tribes with the LIHEAP allocations for their Tribal members as received from the Department of Health and Human Services – Administration for Families and Children – Office of Community Services – Division of Energy Assistance (DHHS). The Tribe will identify their members most in need of LIHEAP services, assist the members with completing the required forms and gathering the necessary information, and transmit the forms and information to NCIDC for eligibility review and processing of the energy assistance.

Energy Assistance Components under the LIHEAP

In the NCIDC application to DHHS the energy assistance components identified are heating, cooling and summer crisis and year-round assistance. The categories are broken down into the percentage of funds for each category and are projected based on the prior year's actual expenditures as modified by anticipated changes in the upcoming year. These percentages have been established for planning purposes for the overall program and do not necessarily have to reflect the actual expenditures of each Tribe's allocation.

Eligible Beneficiaries

To receive LIHEAP services the households' income may not exceed an amount based on sixty percent (60%) of the state median income index as published by DHHS annually (DHHS income eligibility guidelines are included in this packet). In addition, households in which one or more individuals are receiving assistance under one or more of the following programs are also categorically eligible for LIHEAP services:

- Assistance under the State program funded under part A of Title IV of the Social Security Act – Temporary Assistance for Needy Families (TANF);
- Supplemental security income payments under Title XVI of the Social Security Act – Assistance for Aged, Blind and Disabled Persons;
- Food stamps under the Food Stamp Act of 1977; or

NCIDC LIHEAP Program Policies and Procedures

- Payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978.

Service Priorities

In the LIHEAP application NCIDC set priorities for serving eligible beneficiaries. The priority populations include the elderly, disabled and young children as well a high energy burden and households with six or more individuals. This means that in providing services to Tribal members, each Tribe should attempt to serve clients in one or more of these priority populations “elders, disabled, families with small children”. An additional method of setting priority can be the differentiation of households given their energy burden. That is, to determine the amount of energy burden a household has by dividing the household energy costs by the total household income, then provide LIHEAP services to those with the greatest energy burden. Household with six or more individuals may also be included in the priority populations.

Crisis Assistance

The LIHEAP funds allocated to each Tribe may be used to assist households that are in an energy crisis situation. In order to be considered for energy crisis assistance, a household must have received a shut-off notice from their electrical or natural gas energy supplier or have an empty propane or other gas tank. Also, the household must have exhausted all other regular energy benefits available to them.

Payment of Benefits

Energy Assistance payments will be made to the energy vendor on behalf of the client household. No payments will be made to the LIHEAP client without written justification and signed permission from the NCIDC Executive Director. NCIDC will be using a voucher system and direct intervention with the energy providers on behalf of the clients. The system of energy payments to the vendors will vary with the type of vendor and their location within the State. NCIDC will work to assure that the proper credits are applied to each client's energy account, and that the credits are applied to the clients' account statement.

Firewood Vendors

NCIDC requests that each Tribe designate no more than two (2) reliable firewood vendors that serve their area. Firewood vendors should not be related to the client being served. Such vendors must be able to deliver the prescribed amount of wood to each client in a timely manner. They will be responsible for assuring that the required paperwork be completed and that the clients sign the Firewood Delivery Invoice for the amount of wood delivered.

Fraud Reporting Mechanisms

The NCIDC has established reporting mechanisms to make it easier for the public to report cases of suspected LIHEAP fraud, waste or abuse. Each Tribe that participates in NCIDC's LIHEAP

NCIDC LIHEAP Program Policies and Procedures

program will be provided materials to post that will inform the public of what they can do to report suspected cases of LIHEAP fraud, waste or abuse. The participating Tribes will be required to post this material at the Tribal office and encouraged to post at stores, Head Start centers, schools and other public gathering locations. The materials will include various methods of reporting fraud including an e-mail address, telephone number and will provide more information via NCIDC's website.

Benefit Matrix

The LIHEAP system allows for the adoption of one of the two different income eligibility guidelines. LIHEAP eligibility can be determined by utilizing either 150% of Federal poverty guidelines, or 60% of the State Median Income index. After technical assistance provided by the Federal system to all grantees in California, the NCIDC has changed the LIHEAP guidelines utilized to the 60% of the State Median Income index. This index will allow Tribes to certify more families as eligible under the program.

The benefit matrix has also been modified from a single payment benefit limit to a three-tiered system, based on income level, as per Federal Regulations. Those with the lowest incomes get the greatest benefit limit. There is also a provision for an additional benefit amount for priority populations.

The new matrix provides an annual maximum benefit amount of \$1,200 for the lowest income populations, with a \$1,000 and \$800 tier for families with marginally higher incomes. There is also an additional \$100 benefit allocation for households with priority populations. Tribes may reduce these benefit tiers at a public Council Meeting by passing a resolution setting revised benefit amounts, but Tribes may not increase or exceed the maximum benefit amount shown here for any one LIHEAP contract. Clients may receive multiple services in a program year, but the total of the services to any household from any one LIHEAP contract should not exceed the maximum benefit as provided by the benefit matrix. The maximum amount per household resets between each LIHEAP contract.

A sample resolution form is attached. The attached benefit matrix will be used for all tribal programs until an approved resolution is received modifying an individual Tribe's benefit limits.

Additional Funds

NCIDC utilizes the same processes as described in this policy for additional LIHEAP contracts (eg. CARES or ARPA). Each LIHEAP funding contract is treated separately. The benefit matrix and maximum benefits per household are applied separately in each contract. Tribal coordinators are informed that clients are allowed to receive services under additional programs utilizing the same benefit matrix, maximum funding amounts, and policies independently under each contract.

End of Contract Spend Down Phase

NCIDC analyzes the budget towards the end of the program year. Based on the analysis of the budget, if there are additional funds that need to be spend in order to meet our allowable carryover amount. NCIDC opens up the remaining funds to all NCIDC LIHEAP tribes

NCIDC LIHEAP Program Policies and Procedures

independent of individual tribal allocations for the balance of the program year. Applications within this priority group will be processed by the date that they are complete. This process continues until we reach our spending target. This spend down process is applied separately to each LIHEAP contract that the NCIDC received on behalf of the consortium.