

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 ensure 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 year-round crisis 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 (SNAP); or

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In addition to the standard LIHEAP eligibility requirements, NCIDC will only serve applicants who reside in California or adjacent Tribal lands. This is due to the fact that the network benefit matrix only utilizes the California State Median Income and it would not be feasible to create matrices for every state.

Service Priorities

In the LIHEAP application NCIDC set priorities for serving eligible beneficiaries. The priority populations include the elderly, disabled people, and young children as well as households with 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. To determine the amount of energy burden a household has, divide the household energy costs by the total household income, then provide LIHEAP services to those with the greatest energy burden.

Crisis Assistance

The LIHEAP funds allocated to each Tribe may be used to assist households that are in an energy crisis situation. A crisis exists when a household lacks the appropriate amount of electricity, wood, oil, propane or other delivered fuel to provide adequate heating, cooling or cooking fuel. 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, have an empty propane or other gas tank, or have a past due balance greater than the current monthly charges. 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 Chief Executive Officer. NCIDC will be using a pledge 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 with clients to ensure that the proper credits are applied to each client's energy account, and that the credits are applied to the clients' account statement.

Firewood and Pellets Vendors

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

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program will be provided a flyer 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 flyer at the Tribal office and encouraged to post at stores, Head Start centers, schools and other public gathering locations. The flyer includes various methods of reporting fraud including an e-mail address, telephone number and we 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. The NCIDC utilizes 60% of the State Median Income index. This index will allow Tribes to certify more families as eligible under the program.

The benefit matrix also utilizes a three-tiered system, based on income level. A minimum of two tiers are required by 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 benefit 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. However, Tribes may not issue any single benefit payment amount for less than \$50, and they may not increase or exceed the maximum annual benefit amount of \$1,300 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.

If an individual receives Per Capita payments of less than \$2,000 in total per year, then this is not counted in the income eligibility calculations. However, proof of the Per Capita payments is still required. If a Tribe in the consortium submits a Tribal resolution to NCIDC for their specific funding allocation, NCIDC will provide an exception and not consider Tribal General Welfare as income for individual Tribes. Otherwise, Tribal General Welfare is considered income. This exception will not be applied to any funding the Tribe spends above their specific funding allocation during the Tribal consortium spend-down period.

Sample resolution forms are 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.

End of Contract Spend Down Phase

NCIDC analyzes the budget towards the end of the program year. If there are additional funds that need to be spent in order to meet our allowable carryover amount, NCIDC opens up the remaining funds to all NCIDC LIHEAP Tribes 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.