

LIHEAP Disaster/Temporary ECI rule changes

Due to the Presidential Declaration of National Emergency enacted in response to the COVID-19 pandemic, Hawaii has amended the 2020 Low-Income Home Energy Assistance Program (LIHEAP) requirements. These changes will be in effect from April 1, 2020 through June 30, 2020 or until all available funds are exhausted. As this is an evolving situation, the timeframe may be adjusted by the Department of Human Services (DHS) LIHEAP Coordinator's discretion, subject to need and available funding.

Amend signature requirement to include telephonic signature

Program Requirement 2.3 Signatures and Identity: All adult applicants and household members in the LIHEAP household must:

- a. *Sign the application;*
- b. *Provide proof of identity, by providing a picture ID;*
- c. *Failure to sign the application or submit proof of identity disqualifies the entire household.*

This section shall be amended to allow telephonic signatures in place of signatures on applications received electronically by a Community Action Agency (CAA). Under this adjustment, staff shall document in the case file that a client verbally attested and agreed to the information provided on the application. Such documentation will fulfill the requirements for a signed application for households who submit an application without signature(s), such as those completed on the new fillable LIHEAP Application (L-1) template posted on the DHS or CAA website.

If a client fails to sign an application, the Intake Worker shall:

1. Make a phone call to the client letting them know that the application was not signed, however, with their verbal authorization, we can accept the application.
2. Read the Certification statement on page 4 of the LIHEAP Application (L-1) to the applicant.
3. Ask "Do you authorize us to accept this verbal signature under penalty of perjury and acknowledge that all answers on the application and provided during the interview are accurate and true to the best of your knowledge?"
4. Have the primary applicant attest that all adults over 18 in the household were informed of and understand the Certification statement.
5. Document on the LIHEAP Recording Sheet (L-16) the date of authorization; client's name; a summary of the information to which the client verbally assents; the reason why signature(s) was not on the application; the client's response indicating agreement or disagreement; and the name of the Intake Worker.

If unable to reach the client, the Intake Worker shall:

1. Leave a message indicating the client must verbally authorize the signature; provide a call back phone number; and let them know they will be receiving a LIHEAP Pending Notice (L-13).
2. Send the L-13 requesting signature(s), written or verbal, and any other missing verification, with a 7 calendar day due date.

Households will still be permitted to submit applications with only name, address and signature (including verbal signature) to establish a filing date.

Required Documentation

Verification such as Citizenship documents for Qualified Aliens, Identification, Social Security Numbers, and Income is still required to determine eligibility.

Every attempt should be made to obtain required documentation. However, not all applicants have the ability to take photos, scan, or make copies of documents; text; use email; or have internet access. If an applicant possesses the required documentation but is unable to provide it, the Intake Worker can accept the information verbally as a hardship case and document on the LIHEAP Recording Sheet (L-16) the reason for the hardship (e.g., elderly individual has neither the internet nor a smart phone).

A list is to be maintained of all hardship cases and is to include the dates of application and interview, applicant's name, address, missing documents, reason for hardship, and Intake Worker's name and office. The list is to be compiled by the LIHEAP Manager and emailed to the LIHEAP Coordinator weekly by COB Friday. Missing documentation is to be obtained once social distancing restrictions are lifted, requested by a LIHEAP Pending Notice (L-13) and due no later than August 1, 2020 (subject to change). Agencies must make a good faith, reasonable effort to obtain required documentation.

Utility Bill and Subscriber Form (L-3)

Utility bills are required of applicants to verify customer accounts. If unable to obtain utility bills from applicants or via utility online portals, the Intake Worker is to contact the utility, receive the needed information, and document how the information was received (e.g., via phone, email), as appropriate. If an applicant does not have their utility account information and the bill is not in their name, the agency must continue to obtain identification and release of information from the account holder via the Subscriber's Utility Information Release Form (L-3) in order to contact the utility company about the account.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act

- The CARES Act includes relief in the form of Small Business Interruption Loans; Disbursements or Loans from Retirement Accounts; and Tax Rebate Credit (Stimulus Payment). These sources of income will be exempt income for LIHEAP.

- The CARES Act also includes additional types of Unemployment Insurance Benefits (UIB):
 1. Pandemic Unemployment Assistance (PUA) – emergency unemployment assistance to workers who are typically not eligible for regular UIB, such as self-employed workers, independent contractors, freelancers, workers seeking part-time work, and workers who do not have a long-enough work history for state UI benefits. Program runs from January 27, 2020 – December 31, 2020 and is eligible for retroactive benefits for up to 39 weeks.
 2. Pandemic Unemployment Compensation (PUC) – additional \$600 per week in compensation for all individuals receiving regular UIB and PUA. Flat rate amount paid weekly either with or separately from UIB check.
 3. Pandemic Emergency Unemployment Compensation (PEUC) – additional 13 weeks of UIB benefits after someone exhausts all their regular benefits.

Regular unemployment will continue to be counted. PUA, PUC, PEUC will be exempt income for LIHEAP.

COVID-19 Disaster Energy Crisis Intervention Assistance

Households applying for Energy Crisis Intervention (ECI) shall be evaluated to determine if the household's income has been decreased as a direct impact of COVID-19. Examples include furlough; laid-off; lack of available work; inability to work due to mandatory quarantine or contraction of COVID-19 of applicant or household member; or lack of childcare or care for a disabled household member who cannot receive their normal care. Households that do not meet the criteria shall be evaluated under the ECI eligibility requirements set forth in the 2020 LIHEAP Policy.

Households that demonstrate a reduction in income due to COVID-19 will be categorized as COVID-19 Disaster ECI and shall have their eligibility evaluated under the following amendments:

Income Limit

Program Requirement 2.9 Income Limit: The household's countable annual gross income must be less than 150% of the Federal Poverty Level

Categorically Eligible households will continue to have their income assigned from the Categorical Income chart based on the size of eligible household members.

Households categorized as COVID-19 Disaster ECI must meet the gross annual income limits below:
60% SMI

HH Size	Annual
1	\$30,767
2	\$40,234
3	\$49,700
4	\$59,167
5	\$68,634
6	\$78,100
Over 6 add	\$9,466

Income Determination

Households categorized as COVID-19 Disaster ECI shall have their income determined as follows: Actual income received from January 1, 2020 to date of interview, plus Projected income for the remainder of the year. Projected income will be determined by using last 30 days of income. If that income has changed, for example, in the last 30 days, the applicant received their regular employment income and unemployment, but the full-time job is in suspense and the household is only receiving unemployment, the unemployment income will be used to calculate the projected income.

Ex: Mahina applies for ECI on April 15th. She was a hostess at King restaurant until it closed on March 19th. She has not worked since March 20th and began receiving UIB on April 3rd. Her last paycheck from King was on March 31st with a YTD of \$3,000. Her UIB is \$210/week.

Actual = \$3,000

Project= \$210 x 4.3333 = \$909.99 x 9 = \$8,189.94

Annual income = \$3,000 + \$8,189.94 = \$11,189.94 (drop cents)

COVID-19 Disaster ECI Benefit Amount

Households categorized as COVID-19 Disaster ECI shall be eligible for a maximum payment of \$1,000.00. The household shall be required to work out a payment schedule with a utility company representative when the amount required to restore or prevent termination of power exceeds \$1,000.00. Once completed, the utility company representative will complete the LIHEAP Energy Crisis Intervention form (L-6) authorizing payment and return it to the respective Community Action Agency.

One Program Per Year

Program Requirement 2.12 Other Requirements, bullet # 2 and 3:

- *Applicants can receive one of the two programs per federal fiscal year, either Energy Crisis Intervention or Energy Credit, not both.*
- *There is no limit to the number of times an applicant may reapply after being denied, however an eligible household can only receive once payment per federal fiscal year.*

The above provisions will not apply to households that are determined eligible for COVID-19 Disaster ECI assistance. Applicants will be allowed to receive Energy Credit (EC) and, to reduce duplication of the application process, will automatically be evaluated for EC eligibility based on the information provided at the time of interview. Households that received ECI under the COVID-19 Disaster Plan will need to meet all the eligibility requirements for EC, which has not changed. This includes household's total annual gross income must be below 150% FPL for eligible household size.

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