



STATE OF NEVADA

LIHEAP STATE PLAN

**ENERGY
ASSISTANCE
2011-2012**

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2012

GRANTEE: Nevada Division of Welfare and Supportive Services

EIN: 1-88-600-0022-A9

ADDRESS: 1470 College Parkway

Carson City, Nevada 89706-7924

NAME OF LIHEAP COORDINATOR Lori Wilson, Chief, Employment & Support Services

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PLEASE CHECK ONE: **TRIBE** **STATE** **INSULAR AREA**

**Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20447**

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01

OMB Approval No. 0970-0075

Expiration Date: 9/30/11

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)

Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Assurances

The Nevada Division of Welfare and Supportive Services agrees to:
(Grantee Name)

- (1) use the funds available under this title to--
 - (A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);
 - (B) intervene in energy crisis situations;
 - (C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and
 - (D) plan, develop, and administer the State's program under this title including leveraging programs,

and the State agrees not to use such funds for any purposes other than those specified in this title;

- (2) make payments under this title only with respect to--
 - (A) households in which one or more individuals are receiving--
 - (i) assistance under the State program funded under part A of title IV of the Social Security Act;
 - (ii) supplemental security income payments under title XVI of the Social Security Act;
 - (iii) food stamps under the Food Stamp Act of 1977; or
 - (iv) 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; or
 - (B) households with incomes which do not exceed the greater of—
 - (i) an amount equal to 110 percent of the poverty level for such State; or
 - (ii) an amount equal to 60 percent of the State median income;

except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

- (3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;
- (4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;
- (5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;
- (6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that—
 - (A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and
 - (B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;
- (7) if the State chooses to pay home energy suppliers directly, establish procedures to --
 - (A) notify each participating household of the amount of assistance paid on its behalf;
 - (B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

- (C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and
 - (D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;
- (8) provide assurances that,
- (A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and
 - (B) the State will treat owners and renters equitably under the program assisted under this title;
- (9) provide that –
- (A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and
 - (B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));
- (10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");
- (11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;
- (12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);
- (13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

- (14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.
- (15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

- (16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer of the State or Territory.**

Signature: _____

Title: Administrator, Nevada Division of Welfare and Supportive Services

Date: August 1, 2011

*** Indian tribes/tribal organizations, and territories with annual regular LIHEAP allotments of \$200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.**

**** If a person other than the Chief Executive Officer of the State or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (PLEASE ATTACH DELEGATION of AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.**

***** HHS needs the EIN (Entity Identification Number) of the State, territory or Tribal agency that is to receive the grant funds before it can issue the grant.**

In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

statutory
 references
 2605(a)
 2605(b)(1)

➔ Please check which components you will operate under the LIHEAP program.
 (Note: You must provide information for each component designated here as requested elsewhere in this plan.)

(use of funds)		<u>Dates of Operation</u>
<input checked="" type="checkbox"/>	heating assistance	<u>October 1, 2011-September 30, 2012</u>
<input checked="" type="checkbox"/>	cooling assistance	<u>October 1, 2011-September 30, 2012</u>
<input checked="" type="checkbox"/>	crisis assistance	<u>October 1, 2011-September 30, 2012</u>
<input type="checkbox"/>	weatherization assistance	<u>N/A</u>

2605(c)(1)(C) → Please estimate what amount of available LIHEAP funds will be used for each component that you will operate: **The total of all percentages must add up to 100%.**

(use of funds)

	<u>60</u>	%	heating assistance
	<u>*</u>	%	cooling assistance
2605(k)(1)	<u>15**</u>	%	crisis assistance
	<u>0</u>	%	weatherization assistance
	<u>10**</u>	%	carryover to the following fiscal year
2605(b)(9)	<u>10**</u>	%	administrative and planning costs
2605(b)(16)	<u>5**</u>	%	services to reduce home energy needs including needs assessment (assurance 16)
	<u></u>	%	used to develop and implement leveraging activities (limited to the greater of 0.08% or \$35,000 for States, the greater of 2% or \$100 for territories, tribes and tribal organizations).
	<u>100</u>	%	TOTAL

* Nevada has a combined year-round heating and cooling program.

**Any funds allocated for energy emergencies, administrative, carryover, and Assurance 16 activities that are not expended, in part or whole, will be allocated to the combined heating/cooling program.

statutory
references
2605(c)(1)(C)

➔The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

(alternate use
of crisis assistance
funds)

- heating assistance
- cooling assistance
- weatherization assistance
- Other (specify):

No separate funds are reserved for winter crisis. Instead, the regular eligibility certification and determination of benefits for an eligible household experiencing a winter crisis are expedited to alleviate the crisis. In this way, the State ensures the winter energy crisis of all eligible households are alleviated through expedited processing, whether the crisis occurs prior to or after March 15.

➔Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? (This is required by the statute.)

Yes No

2605(b)(2)
2605(c)(1)(A)

➔What are your maximum eligibility limits?
(Please check the components to which they apply.)
Current year guidelines must be used.

(eligibility)

- 150% of the poverty guidelines:
heating cooling crisis wx
- 125% of the poverty guidelines:
heating cooling crisis wx
- 110% of the poverty guidelines:
heating cooling crisis wx
- 60% of the State's median income:
heating cooling crisis wx
- Other (specify for each component)

- Households automatically eligible if one person is receiving
 - TANF SSI Food Stamps
 - Certain means-tested veterans programs
(heating cooling crisis wx)

Statutory references

2605(c)(1)(A)
2605(b)(2)
(eligibility)

→Do you have additional eligibility requirements for:
HEATING ASSISTANCE Yes No

Additional Eligibility Requirements:

- 1. Identification of the applicant is required. If the utility bills are not in the applicant's name, identification of the individual named on the utility bills will be required.***
- 2. Applications must be submitted by the person whose name appears on the utility bill or the applicant must provide written authorization, from the individual whose name is printed on the bill, to act on their behalf. The applicant must be the person who is responsible for paying the cost of energy for the household.***

(Exceptions to the additional eligibility requirements may be granted by the Chief of Employment and Support Services if a hardship exists.)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

→Do you give priority in eligibility to:

Elderly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young children?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other: (If Yes, please describe)	<input type="checkbox"/>	<input type="checkbox"/>

Households consisting of elderly and/or disabled members will be mailed a simplified re-determination application at least 30 days preceding the date they may be eligible for a current year benefit.

statutory
references

2605(c)(1)(A)

2605(b)(2)

(eligibility)

→ Do you have additional eligibility requirements for:
COOLING ASSISTANCE (Yes No)

Additional Eligibility Requirements:

- 1. Identification of the applicant is required. If the utility bills are not in the applicant's name, identification of the individual named on the utility bills will be required.***
- 2. Applications must be submitted by the person whose name appears on the utility bill or the applicant must provide written authorization, from the individual whose name is printed on the bill, to act on their behalf. The applicant must be the person who is responsible for paying the cost of energy for the household.***

(Exceptions to the additional eligibility requirements may be granted by the Chief of Employment and Support Services if a hardship exists.)

→ Do you use: Yes No

Assets test?

→ Do you give priority in eligibility to:

Elderly?

Disabled?

Young children?

Other:

(If Yes, please describe)

Households consisting of elderly and/or disabled members will be mailed a simplified re-determination application at least 30 days preceding the date they may be eligible for a current year benefit.

statutory
references

2604(c)
2605(c)(1)(A)

→Do you have additional eligibility requirements for:
CRISIS ASSISTANCE (X Yes _____ No)

(eligibility)

	<u>Yes</u>	<u>No</u>
→Do you use:		
Assets test?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Must the household have received a shut-off notice or have an empty tank?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<i>(For Fast Track)</i>	
Must the household have exhausted regular benefit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Must the household have received a rent eviction notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Must heating/cooling be medically necessary?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (Please explain):	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Nevada has the following crisis programs available for FY12:

1. *Fast Track*
2. *Crisis Intervention Program*
3. *Arrearage Payment Program (When funding permits at the discretion of the Administrator)*

→What constitutes a crisis? (Please describe)

The Fast-Track Program

To receive fast-track case processing, the applicant household must meet EACH of the following four (4) criteria:

statutory
references

- 1. The household must 1) be in danger of having their heating or electric service disconnected within 48 hours, or 2) have been disconnected, or 3) in need of heating fuel and have less than 10 percent in their tank, or 4) need a deposit to establish service; and, 5) paid at least \$25 on their utility bill(s) during the sixty (60) days prior to the emergency; and 6) the household must have requested a payment plan and been denied or already have a payment plan established but are unable to meet the payment requirements.*
- 2. The household's annual income must not be more than 110% of the federally designated level signifying poverty, as determined by the Division of Welfare and Supportive Services. Eligibility is based on the income of the entire household. The household's income is reviewed and documented during the application process.*
- 3. The household must have experienced a recent unexpected loss or reduction of income or emergency expense as approved by the program manager, in the last two to five months, of at least 15% of the household's total gross income and which caused the inability to pay heating and/or electric costs. The loss or reduction of income could not have been from a seasonal or temporary position or being terminated for misconduct. Increases in utility costs due either to harsh weather or utility fee increases levied on all residents do not qualify as unexpected since they are not individualized to any particular household.*

Emergency expense includes: 1) Unreimbursed medical expenditures for a medical emergency, or long-term, chronic medical condition, and 2) Unreimbursed compulsory and necessary home repairs; and 3) Unreimbursed automobile repairs only if transportation is needed for ongoing medical care, the repairs are critical to the operation of the vehicle, and it is the only registered vehicle in the household. Regular vehicle maintenance is excluded, including tire purchases. The household must provide proof they paid for the expense out-of-pocket and was not charged on a credit card or paid by a friend or relative.

4. *Households are ineligible for Fast-Track Program assistance if they; 1) Received Fast-Track Program assistance in the previous program year, or 2) Received arrearage assistance, unless there are extenuating circumstances, e.g. terminal illness, car accident, etc.*

The Crisis Intervention Program

The Crisis Intervention Program assists households experiencing a special circumstance or crisis and whose gross annual income exceeds 110% of poverty except for allowable qualifying expenses that reduce the annual income to 110% of poverty or less.

statutory
references

Qualifying expenses may include: 1) Unreimbursed medical expenses for medical emergencies or long-term, chronic medical conditions; 2) Unreimbursed compulsory and necessary home repairs; 3) Automobile repairs only if transportation is needed for ongoing medical care, the repairs are critical to the operation of the vehicle, and, it is the only registered vehicle in the household. Regular maintenance is excluded, including tire purchases. The qualifying expense must be supported by valid and verifiable documentation, and must create a financial hardship for a period of no less than three (3) months.

Arrearage Payment Program

This program enables targeted low-income households to achieve energy self-sufficiency through a combined one-time arrearage payment and an ongoing Fixed Annual Credit (FAC) benefit. The DWSS Administrator has the flexibility to restrict the Arrearage Payment Program to special households (child under 6, elderly, or disabled) or suspend the program entirely when program funding is limited following a 30-day public notice period. The arrearage payment is an amount eliminating the applicant's debt owed to their heating and/or cooling vendor(s). The following criterion applies:

1. *The household's income must not exceed 110% of the federally designated level signifying poverty, as determined by the Division of Welfare and Supportive Services.*
2. *An eligible household may receive an arrearage benefit only once in a lifetime. The only exceptions are households with chronic, long-term medical conditions that create a financial hardship and/or increase energy consumption. The one-time payment may be for both energy vendors. However, a subsequent request for arrearage assistance may not be at a later date in the event the previous arrearage payment did not cover one of the household's energy vendors.*

1. *The request for Arrearage Payment Program assistance may be at, or subsequent to the date of FAC benefit. Arrearage assistance cannot be made without the household receiving a FAC benefit.*
2. *The household must have paid at least 2.21% of their current gross income toward the arrearage during the 12 months in which the arrearage occurred.*
3. *Once eligible for arrearage payment assistance, the household must budget their FAC benefit over 12 months to ensure an arrearage does not occur again. If the household fails to budget its FAC and incurs a subsequent arrearage, and receives a shut-off notice or service is terminated, the household is ineligible for expedited case processing, such as Fast Track.*
4. *Applicant households may seek a hardship exemption to the policies noted in numbers 1, 4 and 5 above, by written petition to the Administrator of the Division of Welfare and Supportive Services.*

statutory
references

statutory
references

2605(c) (1) (A)

→Do you have additional eligibility requirements for:
WEATHERIZATION (N/A)

(eligibility)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	<input type="checkbox"/>	<input type="checkbox"/>
Priority groups? (Please list)	<input type="checkbox"/>	<input type="checkbox"/>
Elderly	<input type="checkbox"/>	<input type="checkbox"/>
Disabled	<input type="checkbox"/>	<input type="checkbox"/>
Young children	<input type="checkbox"/>	<input type="checkbox"/>
→Are you using Department of Energy (DOE) Low Income Weatherization Assistance Program (LIWAP) rules to establish eligibility or to establish priority eligibility for households with certain characteristics?	<input type="checkbox"/>	<input type="checkbox"/>

➔If Yes, are there exceptions?

Please list below.

Priority assistance is provided to households who have weatherization related health and safety hazards or inoperative primary heating or cooling systems.

statutory
references

2605(b)(3)
2605(c)(3)(A)

(outreach)

➔Please check the outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

- provide intake service through home visits or by telephone for the physically infirm (i.e. elderly or disabled).
- place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.
- publish articles in local newspapers or broadcast media announcements.
- include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.
- make mass mailing to past recipients of LIHEAP.
- inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.
- execute interagency agreements with other low-income program offices to perform outreach to target groups.
- other (Please specify):

statutory
references

2605(b)(4)

→ Please describe how you will assure that LIHEAP is coordinated with similar and related programs. The description provided applies to all components unless specifically noted.

(coordination)

1. *Public Assistance Clients – Recipients of other Division of Welfare services such as TANF, Food Stamp and Medicaid are maintained in the NOMADS database. Through a fully automated process, recipient households in NOMADS meeting LIHEA/Energy Assistance Program (EAP) income guidelines, and who have not applied for energy assistance in the previous or current year, may be periodically mailed a special EAP application preprinted with data from NOMADS. A cover letter accompanies each application explaining the household may qualify for energy assistance by reviewing the application, completing missing information and correcting any errors in the preprinted data, signing and dating the application and submitting to the EAP.*
2. *Weatherization Assistance Program (WAP) –Monthly, a list of all eligible EAP households is automatically provided to the Housing Division’s WAP via an electronic transfer. These transfers are made to apprise the WAP of high-energy usage households.*
3. *Independent Fuel Funds – The Division of Welfare coordinates the eligibility criteria and applicant information with energy providers and organizations that administer fuel fund programs.*
4. *Other Programs – The Division of Welfare provides program brochures, posters and/or applications for dissemination to their clients.*

2605(b)(5)

2605(b)(2)

2605(b)(8A)

→ The statute requires that there be no difference in the treatment of households eligible because of their income and those eligible because they receive benefits under TANF, Food Stamps, SSI, or certain means-tested veterans programs. How do you ensure there is no difference when determining eligibility and benefit amounts? This applies to all components unless specifically noted below.

(benefit
levels)

Client eligibility is based on income and energy burden.

statutory
references

HEATING COMPONENT

2605(b)(5) → Please check the variables you use to determine your benefit levels (check all that apply):

(determination
of benefits)

- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden (% of income spent on home energy)
 - energy need
 - other (describe)

1. *Eligible households having a Fixed Annual Credit (FAC) benefit of zero to, and including, \$179 will receive a payment of \$180.*
2. *Eligible households residing in master metered residences will have the following rules applied:*
 - *If all utilities are in the landlord's name and included in the rent, and the household does not reside in subsidized housing, and does not receive a separate bill that includes consumption and dollar usage, the household will receive a payment of \$180.*
 - *If all utilities are in the landlord's name but the household receives a separate bill that includes consumption and dollar usage, the household is eligible for a fixed annual credit or \$180, whichever is greater, payable to the household;*
 - *If one of the utilities is in the landlord's name and one is in the household's name, the household will receive a fixed annual credit based on the utility in the household's name payable to the household's utility, unless the household receives a separate bill from the landlord that includes energy consumption and dollar usage. If the household receives both, the household may receive a fixed annual credit based on both utilities payable to the household's utility not to exceed the annual usage, and the remainder payable to the household.*

2605(b)(5) → Describe how you will assure that the highest benefits go to households
 2605(c)(1)(B) with the lowest incomes and the highest energy costs or needs in relation
 to income, taking into account family size.

(benefit levels) Please describe benefit levels or attach a copy of your payment matrix.

A minimum benefit cap standard has been established as in which the administrator may adjust the benefit cap above or below this standard to optimize the assistance provided to eligible households based on the projected caseload and available program funding. A 30-day notice will be posted prior to decreasing or eliminating the benefit cap adjustment. Households utilizing heating oil or propane as their energy source have an established benefit cap separate and distinct from all other energy source users in consideration of the higher cost per British Thermal Unit (BTU) of heating oil and propane. A flat \$50 increase to the cap will apply to households with an elderly, disabled or child under 6 years of age member. A Fixed Annual Credit (FAC) benefit will be calculated for each eligible household. A FAC is an amount of money sufficient to reduce the percentage of the applying household's income spent on natural gas and electricity to the median percentage of household income spent on natural gas and electricity statewide. The lower the income and the higher the usage (which takes into account family size), the greater the benefit.

In Nevada, the median household income is \$71,230 for FFY 12. The statewide median household energy burden for natural gas and electricity is 2.03% for FFY 12. Both the median household income and the median household energy burden will be updated annually for each new state plan program year.

The total annual energy burden, which includes natural gas and/or electric in combination with other sources of energy, i.e., wood, oil, propane, kerosene, etc., is identified for the resident address at which the applicant household resides at the time of application. If the household resides in a newly constructed residence where 12 months historical energy usage does not exist, or resides in a residence new to the household where 12 months historical energy usage is not representative of the potential usage of the applicant household, staff may use the median energy burden for the residence type (single family or multi-family) from the applicable utility. Calculating a Household's FAC Benefit:

- 1. Identify eligible household's annual income and apply 2.03% to determine the amount the household is expected to pay for their energy burden.*
- 2. Identify eligible household's annual energy usage in dollars (to include all energy sources).*
- 3. Compare the 2.03% figure to the eligible household's annual energy burden (usage in dollars):*
 - a. If the household energy burden is greater than 2.03% of the household's annual income, the difference is the FAC for that household. The FAC is the benefit amount the household receives up to the maximum allowable.*

If the household energy burden is less than 2.03% of the household's annual income, the household receives a payment of \$180.

→Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?

Yes No If Yes, please describe.

Funds may be utilized to provide emergency supplies to households experiencing loss of electricity and/or heating for an extended period of time.

Statutory
references
2605(b)(5)
2605(c)(1)(B)

COOLING COMPONENT

→Please check the variables you use to determine your benefit levels (check all that apply):

(determination
of benefits)

- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden (% of income spent on home energy)
 - energy need
 - other (describe)

Same as 'Heating Component' as Nevada combines Heating and Cooling into one program.

statutory
references

2605(b) (5)
2605(c)(1)(B)

(benefit levels)

→Describe how you will assure that the highest benefits will go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size. Please describe benefit levels or attach a copy of your payment matrix.

Same as 'Heating Component' as Nevada combines Heating and Cooling into one program.

→Do you provide in-kind (e.g. fans) and/or other forms of benefits?

___ Yes X No If Yes, please describe.

Same as 'Heating Component' as Nevada combines Heating and Cooling into one program.

GRANTEE Nevada Division of Welfare and Supportive Services

FFY 2012

2605(b)(5)
2605(c)(1)(B)

CRISIS COMPONENT

(determination
of benefits)

➔How do you handle crisis situations?

separate component other (please explain)

Crisis assistance is available through: 1) expedited processing (Fast Track) of the LIHEAP application, and 2) the Crisis Intervention Program, and 3) Arrearage Assistance Program, (only at the discretion of the Administrator, based on funding), all of which are available throughout the program period, which runs year-round from July 1, 2011 through June 30, 2012. Also, any eligible household, statewide, may request to have their benefit a) distributed entirely to their heating provider, or b) distributed entirely to their electric (cooling) provider, or c) split so half goes to their heating provider and half goes to their cooling provider. A household that meets the criteria for Fast Track Program assistance or Crisis Intervention Program assistance receives the amount to which they are entitled based on the FAC benefit not to exceed the benefit cap for the household's size and income. An eligible household that meets the criteria for the Arrearage Assistance Program, receives both an arrearage assistance benefit [the amount necessary to satisfy the past-due debt incurred with their energy vendor(s)] and their regular FAC (not to exceed the cap) benefit.

statutory references

➔If you have a separate component, how do you determine crisis assistance benefits?

amount to resolve crisis, up to maximum

other (please describe)

(benefit levels)

➔Please indicate the maximum benefit for each type of crisis assistance offered.

heating \$ _____ maximum benefit

cooling \$ _____ maximum benefit

year-round \$ * _____ maximum benefit

****Households eligible for the Fast-Track Program or Crisis Intervention Program receive the same benefit as those processed in normal timeframes. (See pages 19 and 20). Eligible households may receive no less than \$180.***

****Households eligible for the Arrearage Payment Program receive both an arrearage assistance benefit [the amount necessary to satisfy the past-due debt incurred with their energy vendor(s)] and their regular benefit. There is no maximum or capped amount for the Arrearage Payment Program.***

➔Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

Yes No If Yes, please describe.

Funds may be utilized to provide emergency supplies to households experiencing loss of electricity and/or heating for an extended period of time.

Statutory
references

**WEATHERIZATION & OTHER ENERGY RELATED
HOME REPAIR AND IMPROVEMENTS**

2605(b)(5)
2605(c)(1)
(B) & (D)

➔What LIHEAP weatherization services/materials do you provide?
(Check all categories that apply.)

(types of
assistance)

- Weatherization needs assessments/audits.
 Caulking, insulation, storm windows, etc.
 Furnace/heating system modifications/repairs
 Furnace replacement
 Cooling efficiency mods/repairs/replacement
 Other (Please describe)

(benefit
levels)

➔Do you have a maximum LIHEAP weatherization benefit/expenditure
per household? Yes No

If Yes, what is the maximum amount?

(types of rules)

➔Under what rules do you administer LIHEAP weatherization? (Check
only one.)

- Entirely under LIHEAP (not DOE) rules
 Entirely under DOE LIWAP rules
 Mostly under LIHEAP rules with the following DOE LIWAP rule(s)
where LIHEAP and LIWAP rules differ (Check all that apply):

- Weatherize buildings if at least 66% of units (50% in 2- & 4-
unit buildings) are eligible units or will become eligible within
180 days
 Weatherize shelters temporarily housing primarily low income
persons (excluding nursing homes, prisons, and similar
institutional care facilities).
 Other (Please describe)

- Mostly under DOE LIWAP rules, with the following LIHEAP
rule(s) where LIHEAP and LIWAP rules differ (Check all that
apply.)

- Weatherization not subject to DOE LIWAP maximum
statewide average cost per dwelling unit.
 Other (Please describe.)

2605(b)(6) The state or tribe administers LIHEAP through the following local agencies:

- (agency designation)
- county welfare offices
 - community action agencies (weatherization component only)
 - community action agencies (heating, cooling or crisis)
 - charitable organizations
 - not applicable (i.e. state energy office)
 - tribal office
 - other, describe:

The program is administered by the Nevada Division of Welfare and Supportive Services through two LIHEA/EAP office locations; one in Carson City and one in Las Vegas. In compliance with Assurance 15, outreach and intake functions for crisis situations and heating and cooling assistance are available through contracted intake sites in Las Vegas and surrounding communities which include community action and human services agencies, the weatherization assistance subgrantee, aging services agencies, and not-for-profit neighborhood agencies.

*Northern Nevada
LIHEA/EAP Office
2527 N Carson St. Suite 260
Carson City, NV 89706-7924
Phone: (775) 684-0730
Fax: (775) 684-0740*

*Southern Nevada
LIHEA/EAP Office
3330 E. Flamingo Rd. #55
Las Vegas, NV 89121
Phone: (702) 486-1404
Fax: (702) 486-1441*

Statewide Toll Free: 1-800-992-0900

→ Have you changed local administering agencies from last year?
 Yes No

If Yes, please describe how you selected them.

→ What components are affected by the change?

2605(c)(1)(E) → Please describe any additional steps (other than those described elsewhere in this plan) that will be taken to target assistance to households with high home energy burdens. **(This applies to all components. If all steps to target households with high home energy burdens are described elsewhere in the plan, no further information is required here.)**

(targeting of assistance) N/A

statutory
references

2605(b)(7)
(energy
suppliers)

→Do you make payments directly to home energy suppliers?

Heating Yes No

Cooling Yes No

Crisis Yes No

If Yes, are there exceptions? Yes No

If Yes, please describe.

If a client's utility vendor has not entered into an agreement with the Division of Welfare and Supportive Services or if the client does not have an account with a utility vendor (i.e., the utilities are in the landlord's name), the benefit may be paid directly to the client.

2605(b)(7)(A)

→If you make payments directly to home energy suppliers, how do you notify the client of the amount of assistance paid? (Please describe)

Each recipient is mailed a formal notice that explains their eligibility status, benefit amount and method of payment, or denial reason if determined ineligible.

2605(b)(7)
(B) & (C)

→How do you make sure the home energy supplier performs what is required in this assurance? If vendor agreements are used, they may be attached. Indicate each component for which this description applies.

In addition to formalized vendor agreements, an audit is conducted each year that requires vendors to verify and certify that the benefits paid to them were, indeed, credited to the eligible household's account. At the same time, a random sample of eligible households are sent a letter describing the benefits paid and requesting verification the benefits were accurately credited to their accounts. All discrepancies are fully investigated and resolved.

statutory
references

2605(b)(8)(B)

→Is there any difference in the way owners and renters are treated? If Yes, please describe.

(owners
and
renters)

HEATING ASSISTANCE

Yes No

COOLING ASSISTANCE

Yes No

CRISIS ASSISTANCE

Yes No

WEATHERIZATION

Yes No

statutory
references

2605(b)(10)

➔How do you ensure good fiscal accounting and tracking of LIHEAP funds? (Please describe. Include a description of how you monitor fiscal activities.)

The Division of Welfare and Supportive Services uses a system of checks and balances to ensure accurate fiscal accounting and tracking. The LIHEA/EAP Program Manager develops and maintains spreadsheets to track obligations and expenditures against the federal fiscal year, which are regularly reconciled with the Accounting Unit's fiscal records utilizing the State fiscal year. Funds are disbursed by the State Controller, with proper disbursement of and accounting for funds monitored through the Integrated Financial System (IFS). This system records and reports all aspects of financial activity within the program.

(program, fiscal
monitoring,
and audit)

→How do you monitor program activities? (Please be sure to include a description of how you monitor eligibility and benefit determination.)

A fully automated computer system determines eligibility and benefits. The Program Manager receives computer generated activity reports by caseworker, including each case received & the date, each case processed & the date, status of each case, and any amount of benefits issued (delineated by source of revenue; i.e., LIHEAP, Rate-Payer Funded Universal Energy Charge [UEC], or any other available revenue). Hard copy files are selected for review to ensure compliance with all applicable regulations and procedures and to ensure accurate and expedient processing. The computer generates a pay record to the State's Integrated Financial System (IFS) where checks are disbursed. Pay records are verified by the Accounting Unit as well as the LIHEA/EAP Program Manager and Program Officer, prior to disbursement, which further ensures accuracy and reduces potential fraud and abuse.

→How is your LIHEAP program audited?

Under the Single Audit Act? Yes No

If not, please describe:

For States and Territories:

→Is there an annual audit of local administering agencies? Yes No
If not, please explain.

statutory
references

2605(b)(12)

(timely and
meaningful
public
partici-
pation)

→How did you get timely and meaningful public participation in the development of the plan? (Please describe.)

The Division of Welfare and Supportive Services provides for public participation in the development of the plan by soliciting input from consumer advocates, other agencies, and energy vendors; by mailing copies to interested parties; and by holding public workshops and/or hearings.

2605(a)(2) →Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds? When and where?

Yes No

(Not required for Tribes and tribal organizations)

(public hearings)

Carson City May 24, 2011

Las Vegas May 24, 2011

Video-conferenced between both locations.

statutory references

2605(b)(13) →Describe your fair hearing procedures for households whose applications are denied or not acted on in a timely manner. When are applicants informed of these rights?

(fair hearings)

→Denials

The Division of Welfare and Supportive Services provides an opportunity for an administrative hearing to individuals whose claims for assistance are denied or who claim their application was not acted upon with reasonable promptness. The procedure for requesting a hearing is as follows:

- 1. Applicant/Recipient submits a written request for a hearing and/or case review within 90 days of the date of notice.*
- 2. A pre-hearing conference may be held. The pre-hearing conference is an informal proceeding between the applicant/recipient and the LIHEA/EAP Program Manager and/or Program Officer or other designated representative. The applicant/recipient may authorize a representative to assist in the pre-hearing conference. If the issues are not resolved, a hearing officer, who shall be designated by the Division of Welfare and Supportive Services Administrator, conducts a formal hearing within 90 days of the receipt of the hearing request.*

3. *The hearing decision may be appealed to the district court.*

Applicants are advised of their right to an administrative hearing through the “Rights and Obligations” and “Notice of Decision” forms. The “Rights and Obligations” form is provided to every person who requests an application. If an applicant is denied benefits, he/she is sent formal notification specifying the reason for the denial. This notice outlines the applicant’s rights, including the right to request an administrative hearing if they disagree with the decision made on their case.

→ Applications Not Acted On In a Timely Manner

Same process as noted under ‘Denials’

statutory
references

2605(b)(15)

For States and Puerto Rico only (not applicable to Tribes and tribal organizations, or to territories whose annual regular LIHEAP allotments are \$200,000 or less):

→ Does the State agency that administers the following LIHEAP component also administer the State's welfare program?

(alternate
outreach
and intake)

HEATING ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

The Division of Welfare and Supportive Services contracts with approximately 40 intake sites throughout the State of Nevada to provide outreach and intake services to applicants. Intake sites provide information about the energy assistance program including basic eligibility rules, assist clients in completing the application, copy all required verifications and documentation, and make provisions for clients who are homebound to receive the same services utilizing home visits and/or telephone calls. Intake Sites are required to mail or fax completed applications and related documentation to the nearest LIHEA/EAP office. The Intake Sites include senior centers and senior programs, human/social service agencies, family resource centers, not-for-profit neighbor programs, churches, housing authorities and development programs, various agencies serving the disabled, community coalitions, Native American tribal assistance agencies, Hispanic services agencies, and legal aid agencies.

COOLING ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

Same process as noted in 'Heating Assistance'.

CRISIS ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

Same process as noted in 'Heating Assistance'.

statutory
references

2605(b)(16)

→Do you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance? (This assurance refers to activities such as needs assessments, counseling, and assistance with energy vendors.)

Yes No

If Yes, please describe these activities.

LIHEAP/EAP staff assists households by mediating with the utility companies and other energy vendors, coordinating sources of assistance, counseling, and making referrals to other agencies and programs.

If Yes, how do you ensure that you don't use more than 5% (statutory ceiling) of your LIHEAP funds for these activities?

statutory
references

2607A
(leveraging)

➔ Please describe leveraging activities planned for the fiscal year. **(This entry is optional.)*** Complete this entry if you plan to apply for LIHEAP leveraging incentive funds and to include in your leveraging report resources/benefits provided to low income households this fiscal year under criterion (iii) in 45 CFR 96.87(d)(2). Provide the following information for each:

- (1) Identify and described each resource/benefit;
- (2) Identify the source(s) of each resource; and
- (3) Describe the integration/coordination of each resource/benefit with the LIHEAP program, consistent with 1 or more of conditions A-H in 45 CFR 96.87(d)(2)(iii).

The Division of Welfare and Supportive Services ongoing goal is to work with utility companies (including, but not limited to, Sierra Pacific Power Company, Nevada Power Company, Southwest Gas Corporation, and Mt. Wheeler Power Company) to establish/coordinate fuel funds that serve households who did not receive benefits from the LIHEA/EAP program and are at or below the 60% of median income level. While the funds are not administered through the state LIHEA/EAP Office, Division of Welfare staff are involved in the development/implementation and will also make referrals and provide LIHEA/EAP eligibility/benefit payment information to the agencies administering the funds.

The Division of Welfare and Supportive Services will also work with Sierra Pacific Power Company, Nevada Power Company, Southwest Gas Corporation, and other energy vendors to expand the activities of the Housing Division's Weatherization Assistance Program to additional households at or below the 60% of median income level, utilizing non-federal funds. The LIHEA/EAP will share eligibility information with the utilities and/or administering agencies to enhance/expedite outreach and targeting efforts.

The Division of Welfare and Supportive Services intends to closely work with utility companies and energy vendors to implement arrearage forgiveness and discount rate programs for low-income households.

Utility sponsored programs such as fuel funds, arrearage forgiveness plans, and waiver of deposit/reconnection fees will be coordinated with LIHEA/EAP eligibility criteria and availability of funding. Assistance that results in direct benefits to LIHEAP eligible households will be tracked and reported as leveraging.

Efforts will also be made to more closely work with other “helping” entities such as churches to ensure coordination of efforts, eliminate duplicative services, and coordinate the limited resources available.

The Nevada State Housing Division has set aside 15% of its revenue from the Real Estate Transfer Property Tax to assist low-income families with deposits and utility assistance which may be necessary to obtain or sustain housing. Only households that are at or below 60% of median income may be served. Funds used to provide utility assistance to households who meet federal LIHEAP eligibility criteria, are tracked and reported as leveraging.

The Division of Welfare and Supportive Services will continue to be extensively involved in the development/implementation of the following non-federal sources of energy and weatherization assistance:

- a) a portion of the unclaimed utility deposits (escheatable funds) for the energy costs of LIHEAP eligible households.*
- b) a portion of any mill tax assessment levied to end users of natural gas and electricity, and any other fuel suppliers designated for energy and weatherization assistance to LIHEAP eligible households.*
- c) any state general fund appropriation for energy assistance for LIHEAP eligible households.*
- d) any appropriation of non-federal revenue by the Nevada State Housing Division to the Nevada State Division of Welfare and Supportive Services for the purpose of providing energy assistance to LIHEAP eligible households*

Expenditures of any of the above identified non-federal sources toward energy assistance and weatherization will be tracked and reported as leveraging.

* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

statutory
references

2605(b)

➔ Please describe performance goals and measures planned for the fiscal year. (This entry is optional.)

(performance)
goals and measures)

ADDITIONAL CERTIFICATIONS AND REQUIREMENTS

Attached are additional certifications required as follows:

- * **Lobbying certification**, which must be filed by all States and territories. If applicable, Form LLL, which discloses lobbying payments, must be submitted. **(Tribes and tribal organizations are EXEMPT.)**
- * **Debarment and suspension certification**, which must be filed by all grantees.
- * **Drug-free workplace requirement certification**, which must be filed by all grantees, unless the grantee has filed a statewide certification with the Department of Health and Human Services. **STATES ONLY:** If you have filed a statewide certification for the drug-free workplace requirement, please check here:
- * One of the requirements included in the 1994 reauthorization of the statute is that state grantees must include in their annual application for funds a report on the number and income levels of households applying for and receiving LIHEAP assistance, and on the number of recipient households that have members who are elderly, disabled, or young children.

All Tribes and those territories with allotments of less than \$200,000 need only submit data on the number of households served by each component (heating, cooling, weatherization and crisis). The approval for the collection of information contained in the **LIHEAP Household Report** is covered by OMB approval number 0970-0060.
- * Though not a part of this application, the report on funds to be carried over or available for reallocation as required by section 2607(a) for the preceding year must be submitted by August 1 of each year. A grant award for the current fiscal year may not be made until the carryover/reallocation report is received. The approval for the collection of information contained in the **LIHEAP Carryover and Reallocation Report** is covered by OMB approval number 0970-0106.