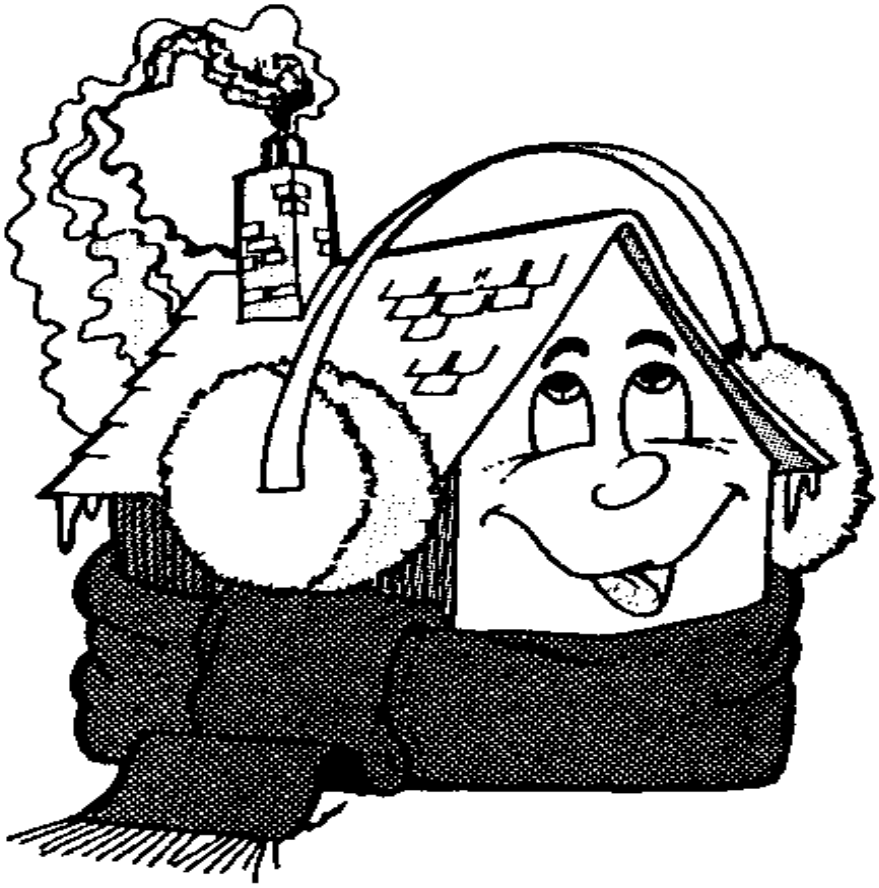
DIVISION OF WELFARE AND SUPPORTIVE SERVICES



2016
ENERGY ASSISTANCE PROGRAM MANUAL

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ACRONYMS

By Name

American Association of Retired Persons - AARP

Arrearage Payment - AP

Authorized Representative - AR

Bureau of Citizenship and Immigration Services - BCIS

Department of Health and Human Services – DHHS

Division of Welfare and Supportive Services - DWSS

Employers Insurance Company of Nevada - EICON

Energy Assistance Program - EAP

Fixed Annual Credit - FAC

Housing of Urban Development – HUD

Intentional Program Violation - IPV

Interim Assistance – IA

Investigations and Recovery – I & R

Investigations and Recovery Information System - IRIS

Last Known Address – LKA

Low Income Home Energy Assistance Program – LIHEAP

Manual Section - MS

Program Year - PY

Request for Information - RFI

State Fiscal Year - SFY

Supplemental Security Income - SSI

United States Citizenship and Immigration Services – USCIS

Universal Energy Charge - UEC

Utility Fuel Allowance - UFA

Utility Reimbursement Payment/Utility Allowance - URP/UA

Weatherization Assistance Program - WAP

Weatherization Assistance Program - Fund for Energy Assistance and Conservation - WAP-FEAC

Veterans Affairs – VA

By Acronym

AARP - American Association of Retired Persons

AP - Arrearage Payment

AR - Authorized Representative

BCIS - Bureau of Citizenship and Immigration Services

DHHS - Department of Health and Human Services

DWSS – Division of Welfare and Supportive Services

EAP - Energy Assistance Program

EICON - Employers Insurance Company of Nevada

FAC - Fixed Annual Credit

HUD - Housing of Urban Development

I&R – Investigations and Recovery

IA - Interim Assistance

IPV - Intentional Program Violation

IRIS - Investigations and Recovery Information System

LIHEAP – Low Income Home Energy Assistance Program

LKA - Last Known Address

MS - Manual Section

PY - Program Year

RFI - Request for Information

SFY - State Fiscal Year

SSI - Supplemental Security Income

UEC – Universal Energy Charge

UFA - Utility Fuel Allowance

URP/UA - Utility Reimbursement Payment/Utility Allowance

USCIS - United States Citizenship and Immigration Services

WAP - Weatherization Assistance Program

WAP-FEAC - Weatherization Assistance Program - Fund for Energy Assistance and Conservation

VA - Veterans Affairs

1. GENERAL PROVISIONS

The Energy Assistance Program (EAP) assists low income households with their annual energy costs. The program may provide emergency assistance for households in crisis. All households must qualify per program/component eligibility requirements to receive a benefit.

EAP has two funding sources:

1) the Low Income Home Energy Assistance Program (LIHEAP) federal block grant; and
2) State revenue generated from Nevada's Universal Energy Charge (UEC).

DWSS operates a seamless program, with uniform eligibility requirements and benefits, incorporating the goals of each funding source.

- The mission of LIHEAP is to assist low income households, particularly those with the lowest incomes that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs.; and,
- The goal of UEC is, to the extent practicable; to provide assistance in an amount sufficient to reduce the percentage of the qualifying household's income spent on natural gas and electricity to the median percentage of household income spent on the same statewide.

1.1 VOTER REGISTRATION

Offices that provide public assistance must serve as a voter registration agency. EAP offices are required to publicly display voter registration posters, maintain a supply of voter registration forms, ensure the forms are made available to the general public upon request, assist individuals who need help completing the voter registration form and collect and mail completed forms to the appropriate locations.

1.2 INTAKE SITES

DWSS has contracts with intake sites to provide EAP outreach/ancillary services. Refer to MS 14. Refer to Appendix E for a list of all Intake Sites.

2 APPLICATION PROCESSING

2.1 APPLICATION REQUESTS

The prospective applicant or their representative may request an application for energy assistance benefits by contacting any DWSS district office or designated intake site listed in Appendix E. A list of all DWSS district offices and Intake Sites can be found on the DWSS website at http://dwss.nv.gov.

An Energy Assistance Application, Form 2824-EL, 2824-ELS, or 2824-EL-VI will be mailed no later than the next working day following the day of the request.

2.1.1 Applications Available on the Website

EAP applications in English or Spanish may be downloaded from the DWSS website located at http://dwss.nv.gov.

2.1.2 Application Assistance

If an individual needs assistance filling out an EAP application form, a staff member or staff at a contracted Intake Site must assist. Any staff member who assists must initial the parts of the application they completed or sign the form showing they helped the applicant fill out the EAP application form.

2.1.3 Submitting Applications

A completed and signed EAP application may be submitted by mail, fax, or dropped off at any DWSS office, or contracted intake site such as; county social services, senior citizen centers, or community based organizations listed in Appendix E. Completed applications submitted to a contracted intake site are sent to one of the two EAP offices for processing - (Refer to MS 14.1).

2.1.4 Application Requirements

A completed application includes the name, date of birth and Social Security Numbers for all household members signed by the head of household with the following verification:

1. Proof of identity for the head of household (such as a driver's license, government issued I.D., school I.D. with picture, birth certificate, etc.) **and;**

2. Proof of citizenship or legal status if the household member is born outside of the United States **and;**

3. Proof of where the applicant lives:

a. A client's statement on the application is acceptable verification of household composition and mortgage/rental expenses unless information known to the Division contradicts their statement then they must provide a complete copy of the applicant's rental/lease agreement (listing all persons in the household) dated within the last 12 months, **or**

b. a copy of the applicant's mortgage statement dated within the last 12 months **and;**

4. Provide a copy of the applicant's most recent heating/cooling bills **and**;

5. When the utility bill is not in the applicant's name, proof of identity for the individual listed on the utility bill is required along with written authorization for the applicant to apply **and;**

6. Proof of **ALL** income for **EVERY PERSON** in the household for at least the last thirty (30) days and for each adult household member who does not have income a signed statement declaring they have no income.

See MS 7.5 for income types.

7. If the household expenses exceed the household income, proof of how the household is meeting their needs unless income loss occurred within the last 60 days; or

NOTE: Prior year recipients may not reapply until approximately 11 months after they received their last benefit.

Applicants will receive a notice of decision once an eligibility determination has been made.

2.1.5 Applications Causing Conflicts of Interest

A conflict of interest exists when an applicant or household member is known to the case manager i.e., friend, relative, neighbor, etc. Case managers must not process applications when there is a conflict of interest, and must report conflicts of interest to their supervisor. The manager/supervisor will reassign the case and ensure the case file is kept in a secured location.

2.2 APPLICATIONS FOR PRIOR YEAR RECIPIENTS

Prior year recipients are mailed a reminder to reapply for assistance at least 30 days prior to the date they are eligible to receive a current program year benefit. The notice provides information on the various ways to obtain an application and where application

assistance is available in their geographical area. The reminder notice for elderly or disabled recipients includes a simplified re-determination application.

If a notice or application is mailed to the household's last known address and returned by the post office, the agency takes no further action. It is the household's responsibility to advise the agency of an address change.

2.3 REINSTATED CASES

Cases denied incorrectly may be reinstated to a pending or approved status. Supervisors have the discretion to reinstate cases correctly denied if extenuating circumstances exist.

2.4 REAPPLICATIONS

Households determined ineligible for assistance may reapply for benefits by submitting a new application.

Reapplications for benefits are made in the same manner as initial applications. Previous applications, records and eligibility factors must be reviewed and verified. Information used to verify eligibility factors may be pulled forward from a previous application if the information is less than thirty (30) calendar days old.

Documentation of eligibility factors not subject to change (i.e., identity, citizenship, address, etc.) can be pulled forward without limitation.

2.5 APPLICATION PROCESSING

2.5.1 Receipt of an EAP Application (Form 2824-EL, 2824-ELS, or 2824-EL-VI) and Verifications

All applications/verifications received by DWSS must be date stamped with the date the application and verifications are received.

Applications faxed to DWSS with an accurate and visible *received date* on the document will be considered date stamped.

2.5.2 Application Date

The application date is the day DWSS (includes all DWSS offices) receives an EAP Application, Form 2824-EL, 2824-ELS, or 2824-EL-VI containing the applicant's and/or authorized representative's name, address, and signature(s).

By signing the application, the applicant/authorized representative is certifying they have provided accurate and truthful information. If it is discovered they have provided misleading or inaccurate information, the case manager must evaluate the case for an IPV investigative referral through IRIS. Refer to MS 13, Claims and IPVs, for further information.

An unsigned application is considered an inquiry and must be returned to the household for signature. Inquiries are not registered as applications in the EAP system. Enter inquiries in an office log for tracking purposes.

2.5.3 Registering Applications in the EAP Computer System

All applications submitted must be registered into the EAP system within three

(3) working days from the date of application, unless extraordinary circumstances exist.

All applications/verifications indicating the household is at risk for their utilities being shut off or their utilities were shut off need to be immediately evaluated for the crisis program (refer to MS 11):

2.6 PROCESSING TIMEFRAMES

Applications without a targeted household member (elderly, disabled, or under 6 years of age) are approved or denied within sixty (60) calendar days from the date of application. The day after the date the application is received in the program office is the first day of the 60 day period.

Applications for households with a targeted household member (elderly, disabled or under six years of age) are approved or denied within thirty (30) calendar days of being received by DWSS

Cases meeting "Fast Track" guidelines (MS 11) will be processed in 18 or 48 hours (depending on the crisis) of receiving all documentation necessary to determine eligibility and benefit amount.

2.7 UTILITY VENDOR ELECTRONIC INTERFACE

The EAP program has electronic interface capabilities with Nevada's two primary utility vendors (Nevada Energy and Southwest Gas). Once the applicant's name, social security number, service address, service name, vendor code(s), and utility account number(s) are entered into the EAP system, an automated request for information is generated. The utility company provides a file with the applicant household's annual usage (AU) in units and dollars for the service address for the last 12 months. This data is uploaded to the EAP system approximately 48 hours after the initial request and can be viewed on the Energy Provider Details screen. If the information does not upload the case manager will contact the vendor for usage.

2.8 AUTHORIZED REPRESENTATIVE (AR)

The applicant may designate another person to act on their behalf by completing the Designation of Authorized Representative, Form 2840-EL. The form must include the name, address and phone number of the person chosen as the AR, the signature of the applicant and the date.

If the designation is made by an applicant who cannot sign, their mark must be witnessed and signed by someone other than the AR.

The AR must be 18 years of age or older, act responsibly on behalf of the applicant and be in a position to represent the best interests of the household.

An AR is informed of the household circumstances and receives all requests for information and notices. They hold the same responsibility as the applicant in securing information for determining eligibility and reporting changes.

The AR is the only one authorized to sign on behalf of the applicant. ARs have the same access to case information as the applicant. Only one active AR will be recognized on a case. Designation of an AR is limited to the current certification period.

The applicant may terminate the authorization in writing at any time prior to the end of the certification period.

NOTE: If the AR is a DWSS employee, they must declare the relationship to management staff immediately and access to the applicant's case must be secured (e.g., case file locked up, etc.).

2.8.1 Abuse by an Authorized Representative

An AR may be disqualified from representing an EAP household if evidence shows they misrepresented a household's circumstances and/or knowingly provided misleading, incomplete or false information pertaining to the household. The applicant and/or AR may be liable for any overpayment resulting from inaccurate information provided by the AR.

2.9 ELIGIBILITY FACTORS

The following eligibility factors must be evaluated prior to the approval of benefits:

- Citizenship – Refer to MS 3
- Nevada Residency – Refer to MS 4
- Household Composition – Refer to MS 10.1
- Identification – Refer to MS 3
- Social Security Number (SSN) – Refer to MS 5.11
- Energy Usage – Refer to MS 5.5
- Income – Refer to MS 7

2.10 VERIFICATION

Verification is the actual proof of certain eligibility or benefit calculation factors, such as income, residency, etc. needed to determine benefits. When verification is not available to the case manager through an electronic source or collateral contact, households are responsible for furnishing verification.

Verification of all program eligibility requirements must be secured **prior to** the authorization and issuance of benefits.

All verification must be dated no earlier than thirty (30) days prior to the date of application or application review date with the following exceptions:

- When 12-months of income verification is required; or
- Individuals with fixed income from the Social Security Administration, Railroad Retirement Board, and Veterans Administration are to provide their most recent annual benefit letter as verification.
- Static documentation (i.e., I.D. citizenship, address, etc.)

2.10.1 Types of Verification

- **Hard Copy**

  These documents are original or copies of the original documents including, but not limited to, pay check stubs, rent receipts, utility bills, birth certificates, Social Security cards, driver's license, NOMADS printouts, and appropriately completed and signed DWSS forms.

- **Collateral Contacts**

  Collateral contacts are made by staff directly to third parties such as to landlords, employers, utility companies, Social Security Administration) by phone, in person or in writing to obtain the information necessary to make an eligibility determination and/or benefit calculation.

  The results of all collateral contacts must be documented in the case record. The documentation must include:
  - Name, title, and telephone number of the person the case manager spoke to,
  - Agency or organization the person represents,
  - The information that was received (i.e., rental verification, paycheck information, etc.),
  - The date the contact was made, and
  - The content of the information solicited.

- **Visually Viewed**

  Any document that cannot be copied because it is viewed outside the office environment must be recorded. The documents visually viewed must be documented in the case record by the staff member who viewed it. If a NOMADS screen is viewed to verify any eligibility factor, the screen used to verify that eligibility factor must be documented in the EAP system.

Documentation requirements for "visually viewed" verification must include the following pertinent information:

- Name(s)
- Document type(s)
- Date(s) issued to the recipient
- Document/Certificate and/or registration number (if applicable)
- Dollar amount(s) (if applicable)
- Date the information was viewed
- Case manager's name and title

- **Other Verification – Client Statement/Self-Declaration**

Self-declaration is only acceptable when specifically allowed by policy or all reasonable steps to obtain hardcopy, collateral, or visually viewed verification have been exhausted or it would create an undue hardship for the client if they are required to pursue other verification. Acceptance of this type of verification must be fully justified and documented in the EAP system.

A client statement or the signed application may be used for proof of income when the client does odd jobs from various sources and is unable to obtain verification or if the third party who is asked to complete a form or provide a statement on behalf of the client, refuses to cooperate. This is known as third party non-cooperation. If the application is used, it must be signed no more than thirty (30) days prior to the application date or application review date, and provide enough information to accurately project the household's ongoing countable income.

2.10.2 Evaluating Verification

The case manager must evaluate the verification received to ensure that it:

1. Meets the verification requirements for the program element; and
2. Any conflicts with other evidence is resolved and documented; and
3. Proves (either by itself or in combination with other evidence) the facts being verified; and
4. Pertains to the household member(s) or other individuals to whom it is supposed to apply; and
5. Establishes the eligibility factor for the appropriate time period and benefit determination.

2.10.3 Evaluating Previous Application Information

The prior year application records must be reviewed to identify changes in status or inconsistencies with the current application. If a current application is incomplete, the electronic file may be a source of information that does not need to be re-verified.

2.10.4 Questionable Information/Unclear Circumstances

When information is received that is questionable or conflicts with other information already in the file or statements made by the household, the case manager must resolve the discrepancy prior to approving the household for benefits. The household must be provided an opportunity to resolve any discrepancy by providing proof or designating a suitable collateral verification source for information. The case manager must document the resolution in the EAP system.
If it appears the household is intentionally misrepresenting their circumstances, the worker must complete an Investigative Referral in IRIS.

Note: A copy of the referral must be made prior to submitting the referral in IRIS. After the referral is input in IRIS place the copy in the EAP file and narrate the action.

2.11 PENDING INFORMATION

If all the information/verification required to make an eligibility decision is not provided with the application the household will be mailed a Request for Information (RFI), Form 2833-EL. The form will list the information/verification required and allow ten (10) calendar days for the household to provide the documentation to the designated program office. If the due date falls on a weekend or holiday, the due date is extended to the next work day. If the information is not received or postmarked by the date due and/or available through another source (i.e., NOMADS, collateral contact, etc.), the application is denied.

When a household is attempting, but unable to provide the information by the RFI due date, the due date may be extended. The household must contact the Division on or before the RFI due date to request an extension. A supervisor, program manager or chief may extend the due date or reinstate a denied case, if the household reports extenuating circumstances prevented them from providing the requested information by the due date. Extenuating circumstances may include, but are not limited to: hospitalization of a household member, family illness, being out of town, postal delivery problem, etc. If questionable, the household must support their claim with documentation. The case manager must document the new due date and the reason for any extension granted in the EAP system.

NOTE: A household will not be determined ineligible if a third party does not cooperate with a request for information/verification. Refer to manual section 2.13.

If a RFI form, mailed to the last known address, is returned by the post office indicating the applicant has moved or marked “undeliverable as addressed”, the application is denied for loss of contact.

2.12 COOPERATION

The applicant/recipient household is required to cooperate with EAP, including DWSS's I&R Unit, in securing all information needed to determine initial or continuing eligibility and benefits. If any member of a household refuses or fails to cooperate with DWSS, the entire household will be determined ineligible for assistance. If a household is denied for non-cooperation, and subsequently agrees to cooperate, they may reapply for program benefits.

The case manager will assist the household with verification requirements when the household is cooperating but has been unable to provide the required verification. When contacting a third party for information, staff should mail or fax a copy of the applicant's authorization to release information (found on page four (4) of the application, Form 2824-EL, 2824-ELS, or 2824-EL-VI) to DWSS. Do not deny benefits if the household has exhausted all reasonable steps to obtain and provide the requested verification or if a third party refuses or fails to provide verification. The applicant's efforts and/or the third party non-cooperation must be documented in the EAP system.

If the household fails to cooperate in providing information to the I&R unit, the case manager will be notified in writing to request the information from the household. If the household fails to provide the requested information within the required time period, the case is denied/terminated immediately. Any unspent benefits must be returned to DWSS by the energy vendor. The request from I&R and the outcome must be documented in the EAP system. If, at a later date the household reapplies and the previous verification is still required, the household must provide the verification before benefits can be approved. If the household fails to provide the verification within the timeframe specified on the RFI, the application will be denied.

2.13 REFERRALS

EAP staff will refer households to other known resources should they be in need of financial, medical or other assistance.

2.14 UTILITY VENDOR MEDIATION

EAP staff will assist applying households by mediating with the contracted utility companies and other energy vendors, when necessary. Staff may coordinate other sources of energy assistance, counsel applicants in instances where the household may be in arrears with the utility provider, and encourage them to contact and work with the local utility provider to alleviate a potential energy disconnect.

2.15 RIGHTS AND OBLIGATIONS

A Rights and Obligations form is part of the EAP Application, Form 2824-EL, 2824-ELS, or 2824-EL-VI and must be signed and dated by the applicant/recipient and/or AR with each application prior to the approval of benefits. The Rights and Obligations outline the applicant/recipient's rights and responsibilities as a recipient of energy assistance benefits. If the worker is face-to-face with the applicant and/or AR, s/he

should ensure the applicant and/or AR reads, understands, and signs the Rights and Obligations.

The original signed document must be kept in the eligibility case file and a copy provided to the applicant/representative at their request.

2.16 "PRUDENT PERSON" PRINCIPLE

The policies and procedures included in the manual are rules for determining eligibility. It is impossible to foresee and give examples for all situations; therefore staff is encouraged to use reason and apply good judgment in making eligibility decisions when rare and unusual situations are encountered. A reasonable decision made by staff based on the best information available using reason, logic, program knowledge, experience, and expertise in a particular situation is referred to as the "prudent person" principle. This process should only be utilized when the current policy doesn't fit the household circumstances or the existing policy is unclear.

The case manager must document in the EAP narrative the rationale used to make their decision and any applicable manual references and policy interpretations.

NOTE: Suspicious circumstances should be referred to the DWSS I&R Unit through IRIS.

2.17 HARDSHIP

A household suffering from a hardship may submit in writing a request to waive a specific requirement along with documentation supporting the hardship to the EAP Chief for review. A written decision will be issued to the applicant/recipient.

3. CITIZENSHIP/IDENTITY

The applicant must attest on the application that all members requesting assistance are U.S. citizens or have legal immigration status. If the claim of citizenship or non-citizen status is questionable, further verifications must be secured.

NOTE: Immigration Categories are listed in MS 3.7.

3.1 VERIFICATION OF U.S. CITIZENSHIP OR NATIONALITY

Verify a claim of U.S. citizenship only if questionable. A household/person with a questionable claim is not eligible until the DWSS receives proof of citizenship. If the case manager can ascertain citizenship through another public assistance program, i.e., TANF, SSI or SNAP, this is acceptable.

Examples of potentially questionable claims of citizenship may include (not all inclusive):

- Individual born outside the U.S.;
- Both of the child(ren)'s parents were born outside of the U.S.;
- Applicant indicates extended absence from the U.S. (may have given up citizenship); or
- Applicant is unable to produce any identification/birth certificate.

3.1.1 How to Verify U.S. Citizenship or Nationality

For EAP benefits, proof of citizenship/immigration status from the federal hub is acceptable and no other verification is required.

When verification through the federal hub cannot be obtained, or the information cannot be located in an existing case record, the case manager must obtain the appropriate documentation from the household.

Applicants must provide either one of the verifications listed in the "Stand Alone Evidence" **or** provide a combination of verifications including proof of citizenship, such as a birth certificate, and proof of identity.

3.1.2 Stand Alone Evidence of U.S. Citizenship or Nationality

Accept the following documentation as proof of citizenship:

a. U.S. Passport, including a U.S. Passport Card, issued by the Department of State, without regard to any expiration date as long as such passport or card was issued without limitation. Exception: Do not accept any passport as evidence of U.S. citizenship when it was issued with a limitation. However, such a passport may be used as proof of identity.

b. Certificate of Naturalization (Forms N-550 or N-570)

c. Certificate of U.S. Citizenship (Forms N-560 or N-561)

d. A valid State-issued driver's license, if the State issuing the license requires proof of U.S. citizenship or obtains a social security number for the individual who is a citizen before issuing such a license.

e. Documentary evidence issued by a Federally recognized American Indian Tribe, as published in the Federal Register by the Bureau of Indian Affairs within the U.S. Department of the Interior, and including Tribes located in a State that has an international border, which:

1. identifies the Federally recognized American Indian Tribe that issued the document;

2. identifies the individual by name; and

3. confirms the individual's membership, enrollment, or affiliation with the tribe.

Documents used as evidence of Tribal enrollment include, but are not limited to:

1. Tribal enrollment card;

2. Certificate of Degree of Indian Blood;

3. Tribal census document;

4. Documents on Tribal letterhead, issued under the signature of the appropriate Tribal official, issued by a federally recognized Tribe.

If the household is able to provide one of these documents no further documentation is required.

If an individual does not provide documentary evidence from the list of stand-alone documentation, one of the verifications listed in MS 3.1.3 shall be accepted in combination with proof of identity.

3.1.3 Evidence of U.S. Citizenship or Naturalization

a. U.S public birth certificate showing birth in one of the 50 States, the District of Columbia, Puerto Rico (if born on or after January 13, 1941), Guam, the Virgin Islands of the U.S. (on or after January 17, 1917), American Samoa, Swain's Island, or the Commonwealth of Northern Mariana Islands (CNMI) (after November 4, 1986). The birth record document may be issued by the State, Commonwealth, Territory, or local jurisdiction.

b. State of Nevada Vital Statistics Birth Details printout.

c. Certification of Report of Birth, issued to U.S. citizens who were born outside the U.S.

d. Report of Birth Abroad of a U.S. Citizen (FS-240).

e. Certification of Birth (FS-545).

f. U.S. Citizen I.D. card (I-197).

g. Northern Marianas Identification Card, issued to a collectively naturalized citizen, who was born in the CNMI before November 4, 1986.

h. Final adoption decree showing the child's name and U.S. place of birth, if an adoption is not final, a statement from a State-approved adoption agency that shows the child's name and U.S. place of birth.

i. Evidence of U.S. Civil Service employment before June 1, 1976.

j. U.S. Military Record showing a U.S. place of birth.

k. A data match with the SAVE program or any process established by the Department of Homeland Security to verify that an individual is a citizen.

l. Documentation that a child meets the requirements of section 101 of the Child Citizenship Act of 2000 (8 U.S.C. 1431).

m. Medical records, including, but not limited to, hospital, clinic or doctor records, or admission paper from a nursing facility, skilled care facility, or other institution that indicate a U.S. place of birth.

n. Life, health or other insurance record that indicates a U.S. place of birth.

o. Official religious record recorded in the U.S. showing the birth occurred in the U.S.

p. School records, including pre-school, Head Start and daycare, showing the child's name and U.S. place of birth.

q. Federal or State census record showing U.S. citizenship or a U.S. place of birth.

r. If the individual does not have one of the documents listed he or she may submit an affidavit signed by another individual under penalty of perjury who can reasonably attest to the individual's citizenship, that contains the individual's name, date of birth, and place of U.S. birth. The affidavit does not need to be notarized.

3.2 VERIFICATION OF NON-CITIZEN STATUS

Non-citizens must provide documentation verifying Resident Alien status to be eligible for EAP benefits. Individuals with questionable citizenship or those individuals whose immigration status was not verified through SAVE will be given 10 days to provide the needed verifications. If USCIS documents are provided, verify non-citizen status for expiration dates. If a person's document has expired, it is not acceptable.

3.2.1 The categories of non-citizens **'eligible'** for EAP are as follows:

- Legally Admitted for Permanent Residence: Documentation: I-151, commonly referred to as a "green card."

  NOTE: non-citizens, legally admitted for permanent residence, may also need to meet the Five Year Bar – See MS 3.2.3 for Eligibility Rules

- Refugee: Documentation: I-94 Titled "Arrival Departure Record."

- Asylee: Documentation: I-94 and/or INS letter.

- Deportation Withheld: Documentation: I-94 and/or letter/order from an immigrations court judge.

- Conditional Entrant: Documentation: I-94 Titled "Arrival Departure Record."

- Parolee: Documentation: I-94 Titled "Arrival Departure Record."

- Battered Spouse or Child: Documentation: 1) Veteran – proof of legal entrance in U.S. DD-214 or proof of active military service, birth/marriage certificate; 2)Other – Approval Notice or "Notice of Prima Facie Case" under the 1994 Violence Against Woman Act (VAWA).

- Cuban/Haitian Entrants: Documentation: I-151, commonly referred to as a "green card."

- Amerasian Immigrants: I-94 Titled "Arrival Departure Record." The document will be annotated with A1, A2 or A3;

- PRUCOL (Permanently Residing Under Color of Law):
  Appendix C in this manual verifies the Social Security Numbers (SSNs) issued prior to January 1, 1972. The numbers listed here establish a person is a permanent resident under color of law (PRUCOL).

- Native American Indians: This provision was intended to cover Native Americans who are entitled to cross the U.S. border into Canada or Mexico. Documentation: Unexpired I-551 titled "Alien Registration Receipt Card" or "Permanent Resident Card" with code S13. If Canadian born, an unexpired temporary I-551 stamp, in a Canadian passport or on form I-94 "Arrival-Departure Record" with code S13;

- Hmong or Highland Laotians: See Eligibility and Payments Manual. Many of these individuals are admitted as refugees;

- Victims of Trafficking: Documentation: 1) Adult: "Certification" letter issued from Health and Human Services (HHS); 2) Children: letter issued from HHS;

3.2.2 The categories of non-citizens who are **not eligible** for EAP are as follows**:**

- All non-citizens without status in one of the above categories;
- Non-citizen here on time-limited visa to work, study, or travel;
- Undocumented non-citizens who entered as temporary residents and overstayed their visas, or are engaged in activities forbidden by their visa, or who entered without a visa;
- Citizens of the Federated States of Micronesia, the Marshall Islands and the Republic of Palau. These individuals are not U.S. citizens nor are they immigrants. They are technically non-immigrants, however; they are allowed to enter, reside and work in the U.S; or
- Individuals who are given temporary administrative statuses (e.g. stay of deportation, voluntary departure) until they can formalize permanent statues, individuals paroled for less than one year, or individuals under deportation procedures.

3.2.3 Eligibility Rules for Five-Year Bar

The five-year bar only applies to "Qualified Non-Citizens" who entered the United States on or after August 22, 1996. This means qualified non-citizens are ineligible for a period of 5 years beginning on the date of their entry into the United States if they entered after August 22, 1996, unless they qualify for one of the exemptions below:

- Children (under 18 years old);
- Aliens who were lawfully residing in the U.S. and were age 65 or older on August 22, 1996;
- Members of a Federally-recognized Indian tribe;
- American Indians born in Canada to whom 289 of the INA applies;
- Certain Hmong and Highland Laotians;
- Refugee and Asylees, aliens whose deportation is being withheld, Amerasians, and Cuban/Haitian entrants, and victims of a severe form of trafficking;
- Veterans, members of the military on active duty, and their spouses and unmarried dependent children; or
- Legal Permanent residents who have worked 40 qualifying quarters of coverage. After 12/31/96, no quarter can be considered a "qualifying quarter" if the individual is receiving a "federal means-tested public benefit." Quarters worked by parents when the alien was a child, or by a spouse while married, may be counted by spouses and dependent children as satisfying the 40 quarter requirement.

3.3 REPORTING ILLEGAL NON-CITIZEN TO USCIS

An illegal non-citizen is a person present in the U.S. illegally or who has received a final deportation order. The agency may not ask the citizenship status of non-applicants. The household must be advised of the agency's obligation to verify immigration status for those individuals applying for benefits for themselves.

Undocumented non-citizens will be reported to the USCIS if:

- An undocumented non-citizen is applying for assistance for themselves and/or other undocumented non-citizen household members; ***AND***
- The undocumented non-citizen has an official "*Order to Show Cause*."

NOTE: If there is more than one undocumented non-citizen applying for assistance, only those with an official "Order to Show Cause" will be reported.

3.4 ABSENCE OF PROOF OF IMMIGRATION STATUS

A household member(s) who has no proof of immigration status may not receive EAP benefits. The remaining members may be approved if they meet eligibility requirements.

NOTE: A household member without proof of immigration status will be excluded from the household size; however, their income is considered countable and will be included when calculating the household's gross income.

3.5 DOCUMENTATION OF NON-CITIZEN IMMIGRATION STATUS

Document in an EAP system narrative:

- The person's status and how it was verified;
- The USCIS document's expiration date if there is one, and
- Any other pertinent information, if applicable.

3.6 DESCRIPTION OF IMMIGRATION CATEGORIES

- U.S. Citizens

  U.S. citizenship is granted at birth to persons born in the U.S. It is also granted at birth to many persons born abroad who have at least one U.S. citizen parent. In addition, lawful permanent residents and certain U.S. military veterans may also become citizens through the process known as naturalization. Naturalized citizens have virtually the same rights as U.S. born citizens. Documents that prove U.S. citizenship include the following: a birth certificate issued by a U.S. state or local government or by a U.S. territory such as Puerto Rico, Guam or the Virgin Islands; a U.S. passport; the INS Forms I-179, I-197, N-560, N-561, N-550 and N-570.

- Lawful Permanent Residents

  Individuals who lawfully immigrate to the U.S. are called lawful permanent residents (LPRs). LPRs have permission to live and work permanently in the U.S. They may travel outside the U.S. and return, as long as they do not abandon their U.S. residence. An LPR may apply for naturalization to become a U.S. citizen after living in the U.S. for five years (three years if married to a U.S. citizen). LPRs are eligible for almost all of the public benefits available to U.S. citizens. The INS documents that prove LPR status include the "green card" (Form I-151 or I-551), a re-entry permit (I-327) or foreign passport with a stamp showing temporary evidence of LPR status. "Commuter non-citizens" are LPRs who work in the U.S., but reside in Mexico and Canada and commute here to work. For purposes of eligibility for federal benefit programs, these persons are treated the same as LPRs, although they may experience difficulty establishing state residency.

- Conditional Permanent Residents

  Persons who receive LPR status through marriage to a U.S. citizen will be granted conditional permanent residence if they have been married less than two years. At the end of two years, the couple must file a joint petition with the USCIS to remove the condition or the non-citizen spouse must qualify for a waiver to keep his/her LPR status. A conditional permanent resident will have the same rights and the same documents as the other LPRs, except the I-551 card will expire after two years and is coded "CR."

- Amnesty (IRCA) Legalized Immigrants

  Under the Immigration Reform and Immigrant Control Act of 1986 (IRCA), two categories of non-citizens were allowed to legalize their status: (1) "general amnesty" or legalization immigrants, who had resided unlawfully in the U.S. since prior to January 1, 1982, and (2) "special agricultural workers" (SAWs) or "section 210" immigrants, who performed agricultural work for a specified period prior to IRCA's enactment. Legalization under IRCA was a two-stage process under which applicants first applied for and obtained lawful temporary resident (LTR) status. After obtaining LTR status, general amnesty immigrants were required to apply for lawful permanent resident status. SAW applicants, on the other hand, automatically became LPRs after having LTR status for given period of time.

- Persons Fleeing Persecution

  1. <u>Refugees</u> – Refugees are given permission to enter and reside in the U.S. because they have fear of persecution in their home country. They are usually given I-94 stamped "Admitted as a Refugee pursuant to section 207 of the Act." Once admitted, refugees can apply for and receive an I-571 (a refugee travel document) to travel abroad and re-enter the country and an I-688B employment authorization card. Prior to 1980, the term

"conditional entrant" was used to describe certain refugees, but that classification is no longer used by the USCIS.

2. Paroled as Refugees and Cuban/Haitian Entrants – Some persons who fear persecution are "paroled" into the U.S. as refugees when the number of refugees allowed to enter that year has been exceeded. Such parolees are given an I-94 with "paroled as a refugee" or "207" stamped or written on it. In the past, the USCIS paroled Cubans and Haitians under the designation "Cuban/Haitian entrant" or "Mariel Cuban." All nationals of Cuba and Haiti are eligible for refugee assistance as "Cuban/Haitian entrants" so long as they have been granted parole, applied for asylum or are in exclusion or deportation proceedings, but have not received a final order of deportation.

3. Asylees – People in the U.S. who satisfy the requirements for refugee status because they fear persecution in their home country can apply for asylum or withholding of deportation. A person granted asylum is called an asylee. Persons granted asylum or withholding may have a written decision from the USCIS or immigration judge, as well as an I-94 or I-688B.

- Permission to Remain in the U.S. with Employment Authorization

Most individuals granted permission to remain in the U.S. by the USCIS are also granted work authorization on Forms I-94 or I-688B. Because employers must verify each person they hire is authorized to work in the U.S., the USCIS work authorization documents are a primary form of identification for people who are lawfully here, but have not yet been granted LPR status.

NOTE: PRUCOL is not an immigration status; it is only a category used to determine eligibility for certain federal benefits.

1. Temporary Protected Status (TPS) – Temporary Protected Status is granted to people living in the U.S. who are from certain designated countries where unsafe conditions would make it a hardship for them to return. Persons who qualify for TPS are authorized to remain in the U.S. for a specific period of time and are eligible for an I-688B employment authorization document. TPS recipients are not considered to be PRUCOL for purposes of qualifying for certain federal programs.

2. Family Unity – "Family Unity" is a USCIS status providing protection from deportation and eligibility for employment authorization to the spouses and children of persons legalized under IRCA. To qualify for Family Unity, a person must have been the spouse or child of an amnesty non-citizen as of May 1988 and have been residing in the U.S. prior to that date. An application for Family Unity status will receive an I-797. He/she is then eligible for an I-688B employment authorization document.

The legalized non-citizen spouse or parent is under the five-year disqualification for receipt of certain benefits, (The relative granted Family Unity is ineligible). As soon as the Family Unity recipients obtain LPR status, they will qualify for these benefit programs.

3. Parolees – Parole is a discretionary status used for humanitarian or public interest reasons provided under Section 212(d)(5) of the Immigration and Nationality Act. Persons paroled into the U.S. are usually given an I-94 stamped "PIP," "HP," "212(d)(5)" or with other language evidencing their parole status. Some parolees enter the U.S. only for a temporary purpose, such as to receive medical treatment. Others are allowed in with the understanding they will remain permanently by applying for asylum or a family visa petition. Persons paroled as refugees and Cuban and Haitian parolees are discussed under *Persons Fleeing Persecution.*

4. Other Discretionary Classifications – The president or the USCIS has discretion to allow any non-citizen or group of immigrants without legal status to stay in the U.S. for an indefinite period of time under such categories as deferred action, voluntary departure or stay of deportation. These persons are usually considered PRUCOL for purposes of receiving benefits. The most common documents used to show a grant of discretionary relief would be an I-688B employment authorization card or a I-94.

5. Applicants for Immigration Status – Many people reside in the U.S. with USCIS knowledge while the USCIS acts upon their application for lawful immigration status. Applicants for asylum, adjustment to LPR status and suspension of deportation are eligible for employment authorization while their cases are pending. An applicant for immigration status is generally ineligible for the same benefits as someone granted that status. Individuals may argue they are PRUCOL because they are living in the U.S. with the knowledge and permission of the USCIS.

- Trafficking Victims

  Victims of trafficking are individuals (adults or children) who are in prostitution, slavery and/or forced labor through coercion, threats of physical violence, psychological abuse, torture and imprisonment. Under the Trafficking Victims Protection Act, adult victims of trafficking who are certified by the Office of Refugee Resettlement (ORR) at the Department of Health and Human Services (HHS) are eligible for benefits to the same extent as refugees. Children who have been subjected to trafficking are also eligible like refugees but do not need to be certified. See the Eligibility and Payments MS A-436 for more details.

- Non-Immigrants

  Individuals who are allowed to enter the U.S. for a specific purpose and for a limited period of time are classified as non-immigrants. Examples of non-

immigrants include tourists, students and visitors on business. Non-immigrants are usually given an I-94 (Arrival/Departure Record) that indicates the non-immigrant category under which they entered the country, how long they can stay and whether they are authorized to work. Non-immigrants, who violate the terms of their status, i.e., overstaying a tourist visa or working without permission, may lose their non-immigrant status and be considered undocumented.

- Undocumented Non-Citizens Without USCIS Permission to Remain in the U.S.
  There are two main ways for an individual to be considered "undocumented." The first involves avoiding USCIS inspection at the border, or entering the U.S. without the necessary documents. This is known as 'Entry Without Inspection' (EWI). The second is to violate the terms of a non-immigrant visa after entering legally. Undocumented non-citizens risk being deported. However, they might also be eligible to obtain temporary or permanent lawful status from the USCIS by qualifying: i.e., for asylum, TPS or suspension of deportation.

- Non-Citizen "Indefinite Detainee" or "Lifer"

  Non-citizens who, after having served time for a criminal conviction and being given a final order of removal by USCIS, remain indefinitely in detention in the U.S. because their home country and no other countries will accept them. They may be eligible for assistance/services if their status (original entry into the U.S.) is verified by the Office of Refugee Resettlement.

3.7 ACCEPTABLE VERIFICATION OF IDENTITY

To establish identity a document must show evidence which provides identifying information that relates to the person named on the document.

The agency shall accept the following documents as proof of identity, provided such document has a photograph or other identifying information including, but not limited to, name, age, sex, race, height, weight, eye color, or address.

- Driver's license issued by the State or Territory either with a photograph of the individual or other identifying information of the individual such as name, age, sex, race, height, weight or eye color. A driver's license issued by a Canadian government authority is not acceptable.
- Native American tribal document, if the document carries a photograph or other personal identifying information.
- Voter registration card.
- Identification card issued by the Federal, State or local government.
- School identification card with a photograph of the individual.
- U.S. military card or draft record.
- Military dependent's identification card.

- U.S. Coast Guard Merchant Mariner card.
- For children under the age of 19 – a clinic, doctor, hospital, or school record, including preschool or day care records.

  NOTE: A Nevada WebIZ immunization record meets this requirement.
- Any two documents containing consistent information that corroborates an individual's identity. Such documents include, but are not limited to, employer identification cards, high school and college diplomas (including high school equivalency diplomas), marriage license, divorce decree, and property deeds and/or title.

4. RESIDENCY

Applicants and eligible household members must live in Nevada to be eligible for benefits (this includes benefit payments and/or refunds or re-issuances). The Nevada residence must be the primary residence, not a vacation or secondary home

Applicants and household members receiving public assistance benefits or Supplemental Security Income from any state other than Nevada are **not eligible** for EAP assistance.

4.1 VERIFICATION OF RESIDENCY/SERVICE ADDRESS

Verification of residency and service address must be verified at each application and reapplication for benefits.

Possible sources of verification are as follows (not all inclusive):

- Valid Nevada Drivers License or Department of Motor Vehicles ID Card with a current residence address.
- Most recent utility bill/statements (electric, gas, etc.) listing the applicant's name and current physical address.
- Most recent rental/lease agreement listing the household members name and current residence address.
- Most recent completed Rental Verification form
- Landlord statement dated within the last 30 days.
- Employer's statement or records dated within the last 30 days (e.g., client's physical address listed on pay stub or Employment Verification form).
- NOMADS printout which lists the verified, current physical address and household members currently receiving TANF, SNAP and/or Medicaid benefits.

4.1.1 Motor Home and Travel Trailer Residents

Persons residing in a motor home or travel trailer may be reviewed for eligibility if 1) all adult members of the household have a Nevada driver's license and 2) the vehicle is registered in the state of Nevada. If the vehicle is not registered in Nevada, the applicant has ten (10) calendar days to comply and register the vehicle. An exception can be made at the discretion of the Energy Assistance Program Manager or Chief of Employment & Support Services. Motor home and travel trailer residents with out-of-state licenses and vehicles are **not eligible** for energy assistance.

Individuals who are living in a motor home or travel trailer that are permanently affixed to the property or can provide proof that the vehicle is stationary and not in running order do not need proof of registration and may be found eligible for energy assistance.

Only verifiable energy sources purchased in Nevada and utilized specifically for the "home" may be considered. Gasoline receipts/purchases are excluded as a source of home energy because the amount used as energy for the home, as opposed to the mobility of the vehicle, cannot be verified.

5. NON-FINANCIAL ELIGIBILITY REQUIREMENTS

An applicant household must have or qualify to have an active open account with a Nevada utility/energy vendor.

NOTE: An account that is disconnected for non-payment may still be considered by the vendor as "active".

An applicant and/or household member(s) must also

- be a U.S. Citizen--See Section 3
- be a Nevada Resident--See Section 4
- provide copy(ies) of most recent energy bill(s)
- provide proof of identity for the individual listed on the utility bill if the utility bill is not in the applicant's name along with written authorization for the applicant to apply, and;
- must list all persons in your household or provide a complete copy of a current rental agreement/lease that is no more than 12 months old (listing all persons in your household) or the most recent copy of their mortgage statement.

5.1 INELIGIBLE HOUSEHOLDS/PERSONS

Persons/households residing in the following domiciles/circumstances are ineligible for EAP benefits:

- Households residing in subsidized housing where all utilities are included in the rent and they are not billed;
- Nursing homes;
- Hospitals;
- Prisons or jails;
- Institutions (mental, medical, or correctional);
- Alcohol or drug treatment centers;
- Battered Women and Children Shelters;
- Homeless shelters;
- Group living arrangements/group care facilities/group homes;
- Assisted living arrangements, unless the household receives a separate utility bill;
- Households residing in a church-owned residence, unless the household can prove responsibility for utility surcharges or bills which they must pay directly to the utility vendor;
- Hotels, motels, dormitory or temporary shelter and does not pay a home energy supplier directly for heating/cooling costs.
- Live-in care attendant, unless the attendant financially contributes to or participates in the household, which means their income is used in determining financial eligibility.

NOTE: A live-in care attendant related by blood, marriage or adoption to any member of the household is considered a household member.

5.1.1 Fraudulent/Unlawful Activities

a) Persons/households determined by a utility/energy vendor or law enforcement agency of obtaining energy fraudulently or through unlawful activities, OR utilizing energy for the purpose of conducting unlawful activities, will have their case files marked with 'DO NOT PURGE' and are ineligible for EAP benefits as follows:

- First Violation One program year (State fiscal year--July-June)
- Second Violation Two program years (State fiscal year--July-June)
- Third Violation Permanently Ineligible (lifetime)

Examples of fraudulent/unlawful activities are as follows (not all inclusive):

- Paying their utility bill with a stolen credit card/check;
- Stealing gas/electricity or other utility by hooking up to someone else's meter;
- Tampering with the meter; or
- Using electricity, gas, etc. for the production of illegal drugs.

b) Persons/households under investigation (per the utility/energy vendor) of obtaining energy fraudulently or through unlawful activities are ineligible for EAP benefits until the investigation is completed and a determination is made by a utility/energy vendor or law enforcement agency vindicating (clearing) the household.

NOTE: If the case was denied during the investigation and the household was cleared of any wrong doing the case must be reinstated and processed to determine eligibility.

5.2 HOUSEHOLD DETERMINATION

The total number of household members living in the home is used to determine eligibility and the FAC.

5.2.1 Determining Household Size

Everyone who lives in the residence must be included in the household size unless excluded in MS 5.2.2.

A required member may not be excluded from the household.

NOTE: If verification is not provided for a required household member, the entire household is ineligible.

5.2.1.1 Ineligible/Excluded Household Members

The following individuals are excluded from the household; however, their income is counted when determining the household's gross countable income:

- Ineligible Non-Citizens;

- Persons noncompliant in providing SSN;
- Persons/household disqualified due to an Intentional Program Violation (IPV); or
- Students who live outside of the household.

5.2.1.2 Joint Custody of Children

A child is deemed to be living in the household if s/he spends fifteen (15) or more calendar days in a month in the applicant's home. The child's income is counted in full. To verify the living arrangement, the applicant parent must provide the worker with the legal papers establishing joint custody. In the event the other custodial parent with joint custody were to apply for that same child and claims the child spends fifteen (15) or more calendar days each month in their home, the child could be considered a full-time member of that household as well; and the child's income is counted in full.

5.2.1.3 Adults/Teens Living in Home Part-time

Any adult/teen who claims to reside in the applicant's household fifteen (15) or more calendar days in a month is considered a household member and has their income counted in full to the applying household. In the event, an applicant claims a teen or other adult member lives in the household less than fifteen (15) calendar days a month, the applicant must provide proof of the residence where that person resides for the other portion of the month in order for that person and their income not to be considered in determining household size, eligibility and benefits.

EXCEPTION: Students are considered living outside of the home even when they are at home only for summer breaks.

5.2.1.4 Roomer/Boarders

Roomer/boarder status is given to an individual who is not a required household member and is paying the household to reside in their residence. To qualify as having a roomer/boarder, the applicant/household must be the homeowner and must report the gross rental payment minus expenses associated with the rental unit as income. . Do not give roomer/boarder status to:

- anyone whose income can be applied to the household, **or**
- any person who is involved in a relationship with a household member (i.e., boyfriend, girlfriend, spouse, etc), **or**
- any individual who is merely sharing expenses (i.e. the rent is $500.00 and each adult member pays 50%) and the household is not making a profit.

5.2.1.5 Live In Attendants/Caregivers

Live in attendants/caregivers are considered household members if they meet one or more of the following conditions:

- They are related by blood, marriage or adoption to any member of the household;

- They contribute financially to the household;
- They are listed as a household member and considered a responsible party to the terms of the lease or rental agreement.
- One or more utility bills are in their name.

5.2.2 Verification of Household Composition

The applicant/household must list all persons in the household on their application. If information known to the Division contradicts their statement the following verification must be provided. Possible sources of verification are as follows (not all inclusive):

- Copy of the lease/rental agreement listing all members who reside in the household.
- A signed/dated statement from landlord/manager.
- Form 2880, Rental Verification, completed by the landlord/manager.
- An active NOMADS case printout which lists all household members living in the applicant's residence **only** if it is documented that it has been verified by the landlord or rental/lease agreement.

Exception: If the household composition on the current application is the same as last year's household composition, the verification used in the last program year may be pulled forward. Verification may only be pulled forward one program year.

If a household member is listed on the application, but not included in the household size, the case manager must document in an EAP system narrative why the member(s) were not included on the case.

5.3 PUBLIC HOUSING

Persons/households residing in public/subsidized housing have their eligibility and FAC benefit amount determined the same as a person/household living in a non-public housing dwelling.

Exception: Persons/households residing in public/subsidized housing where their rent/mortgage payments include utilities and they are not being billed separately for their energy costs are ineligible for an EAP benefit.

5.4 MASTER METERED COMPLEXES

Master metered complexes are complexes that are unsubsidized **and** the utilities are in the landlord's name. The following policy applies to master metered residences that meet the income criteria.

5.4.1 All Utilities in Landlord's Name and Household Receives No Bill

If all of the utilities are in the landlord's name and included in the rent, **and** the

household does not receive a separate bill that includes consumption and dollar usage, the household may receive the minimum payment of $180 paid directly to the household if all other eligibility criteria is met.

Exception: Roomers and Boarders. See MS 5.2.1.4

5.4.2 All Utilities in Landlord's Name and Household Receives Bill

If all utilities are in the landlord's name, **but** the household receives a separate bill that includes consumption and dollar usage, the fixed annual credit would be utilized to determine the household benefit not to exceed the benefit cap.

5.4.3 One Utility in Landlord's Name; One in Household's Name

Scenario 1) Utility in landlord's name does not include consumption usage.

If one of the utilities is in the landlord's name and one is in the household's name, the fixed annual credit based on the utility in the household's name will be utilized to determine the benefit to be paid to the household's utility vendor.

Scenario 2) Utility in landlord's name includes consumption usage.

If the household receives a separate bill from the landlord that includes energy consumption and dollar usage and the household receives a utility bill in their name, the household's fixed annual credit based on both utilities is used to determine the household's benefit to be payable first to the household's utility not to exceed the annual usage, and the remainder payable to the household. The total cannot to exceed the benefit cap.

5.5 SPECIALIZED HOUSEHOLDS

Participation in the Energy Assistance Program is targeted to those households that are:

- Elderly;
- Disabled (as defined in general provisions); and/or
- Have children under six (6) years of age in the home.

5.5.1 Newly Constructed Residence

If the household resides in a newly constructed residence where less than nine (9) months of historical energy usage exists, the median energy usage for the residence type (single family or multi-family), as determined by the applicable utility vendor, is used. See Appendix B for median energy usage.

5.5.2 Twelve-Month History Not Representative of Current Household Usage

When actual usage cannot be verified (i.e., the household resides in a new residence with 9 months or less of usage available, etc.) and the 12-month history of energy usage is not

representative of the applicant household's energy usage, one of the following methods must be utilized to estimate usage.

1. For the months that are not representative of the household's usage, the case manager will obtain usage from the energy vendor for a like month from a prior year; or
2. The case manager can exclude up to 3 months of the usage which is not representative of the household's usage and average the remaining figures. Compare the resulting figure against the median energy usage for the residence type (single family or multi-family), as determined by the applicable utility vendor (Appendix B). Then **use** the highest usage value when calculating the FAC benefit.

5.5.3 Utility Account Name Different Than Applicant(s)

The applicant must be the person who is responsible for paying the cost of utilities. If the utility bills are not in the applicant's name, identification of the individual named on the utility bills will be required and the applicant must provide written authorization, from the individual whose name is printed on the bill, to act on their behalf.

If a hardship exists, the Chief of Employment and Supportive Services may grant exceptions to the additional eligibility requirements.

NOTE: EAP program staff will not authorize or endorse the energy vendor to change the name on a utility account.

5.5.4 Utility Account(s) in Landlord's Name, Not Master Metered and the Household Receives No Bill

If the utility account(s) are in the landlord's name, not included in the rent or billed to the household, not master-metered, an eligible household may receive the minimum payment of $180 paid directly to the household if all other eligibility criteria are met.

5.5.5 Utility Account(s) in Landlord's Name, Not Master Metered, and the Household Receives Bill

If the landlord bills the household for the utilities separately, the landlord must provide a signed statement as to the annual usage in units of energy and dollars. The eligible household may receive a fixed annual credit computation and any benefit must be paid directly to the household if all other eligibility criteria are met.

NOTE: Actual utility bills for the applicant household in the landlord's name cannot be considered unless the landlord authorizes EAP to access annual utility usage for that account.

5.6 FIXED ANNUAL CREDIT (FAC)

Fixed Annual Credit (FAC) is the benefit amount the client will receive after eligibility

has been determined.

Fixed Annual Credit (FAC) Income is the total amount of all income received that is taken into consideration to determine the applying household's Fixed Annual Credit (FAC). FAC countable income includes income types such as AARP, Title V income, Reverse Mortgages, Supported Living Arrangements, ceased income, etc., that are not counted towards determining income eligibility.

A FAC must be determined for each household approved for energy assistance benefits.

5.6.1 FAC Benefit Address

The energy usage information from the physical address where the household resides at the time the application is processed is used to determine the FAC benefit.

5.7 ENERGY BURDEN AND USAGE

Prior to approval, the household's energy burden (cost for energy excluding any service fees) for a twelve-month period, **and** energy usage (units of energy in kilowatt hours, therms, gallons, cords of wood, etc.) for each energy vendor must be verified and documented in the EAP Vendor Detail screen.

Energy sources include natural gas, electric, wood, oil, propane, kerosene and any other source reasonably accepted. Electricity used to operate a well for irrigation or home water is excluded usage if the well/irrigation system has a separate meter. Electricity for any "out" building is excluded usage if the building has a separate meter.

5.8 VERIFICATION OF ENERGY USAGE

Energy burden cost and usage must be verified for all households.

When alternate energy sources such as wood, coal, pellets, gasoline and/or propane are considered for assistance, receipts are required and must include:

- the name of the *Nevada* vendor selling the energy source (all non-Nevada vendor receipts require program manager or supervisor approval before they can be considered. Non-Nevada vendor receipts for persons residing in a motor home or travel trailer are excluded from consideration); and
- date purchased; and
- name of person purchasing the energy source; and
- identification of the energy source, e.g., wood, coal, etc., and
- the amount of the energy source purchased, e.g., cords, gallons, weight, etc.

If the receipt is from a non-regulated energy vendor, the receipt must be notarized.
Note: Receipts for gasoline used for a vehicle, e.g., car, motor home, mini-van, etc., are not allowable as it cannot be determined what portion of the gasoline purchase is used for transportation and which is used to support the generator.

5.8.1 Universal Energy Charge (UEC) Participating Households

A UEC participating household is a household whose utility provider charges a universal energy charge to the household's energy.

Verification requested from a UEC participating household **may** include:

- Copy of the household's energy/utility bills for a 12-month period submitted by the household;
- Printout of the household's annual usage in dollars and units of energy submitted by the household;
- Household's annual energy usage from the household's energy vendor (in dollars and units of energy) secured by the case manager.

  NOTE: When a case manager contacts the utility vendor, the Client Update Form (2888-EL) must be completed unless the energy vendor provides the usage in writing or via a print out. The information must be retained in the casefile; or,
- Household's annual energy usage accessed by the case manager through a computer generated exchange of information with the major utility vendors in Nevada, i.e., Nevada Energy (Sierra Pacific Power, Nevada Power), and Southwest Gas.

Alternate energy sources such as wood, coal and propane do not participate in the universal energy charge (UEC) program and are not eligible to receive UEC funds.

5.8.2 Non-UEC Participating Households

Non-UEC participating households are households with vendors who do not charge a universal energy charge to the household's energy/utility bill.

Verification requested from a non-UEC vendor **may** include:

- Copy of the household's energy/utility bills for a 12-month period submitted by the household;
- Printout from the household's electric/heating companies of the household's annual usage in dollars and units of energy; or,
- Household's annual energy usage (in dollars and units of energy) secured by the case manager by communicating with the utility vendor.
  NOTE: When a worker contacts the utility vendor, the Client Update Form (2888-EL) must be completed unless the energy vendor provides the usage in writing or via a print out. The information must be retained in the case file.

Applicants purchasing their natural gas/electricity from a 1) rural electric cooperative; 2) a general improvement district; or 3) a cooperative association, nonprofit corporation, nonprofit association or provider of service which serves only its member and is declared a public utility pursuant to NRS 702.150, do not pay a universal energy charge.

Alternate energy sources such as wood, coal, and propane may be considered for assistance under this category.

5.9 DWELLING TYPE

A household must reside in one of the following dwelling types: home, apartment, duplex, mobile home, town home or condominium, travel trailer, motor home, or other dwelling type approved by the EAP program manager.

5.10 AGE

The applicant/head of household must be at least 18 years old or be an emancipated minor to be eligible for energy assistance. If an individual under the age of 18 submits an application and is not emancipated, the application will be denied.

5.10.1 Verification of Age

Verification of age is not required, unless questionable. If the age of a household member needs to be verified, possible sources of verification are as follows (not all inclusive):

- Official birth certificate,
- Hospital certificate (not the souvenir announcement),
- Church or baptismal certificate,
- Bureau of Vital Statistics documents,
- Bureau of Indian Affairs (BIA) or tribal documents,
- Passport,
- School records,
- Certificate of Naturalization,
- NOMADS printout which lists the child's date of birth and/or age.

5.11 SOCIAL SECURITY NUMBERS (SSN)

Social Security Numbers are required for all household members at the time of application. If the application does not contain this information and the information is not available through NOMADS or any other known source, the case manager must send a Request for Information, Form 2833-EL. If a household member does not have a SSN, a pseudo number will be generated by the system during data entry so the ineligible household member's income can be counted.

If an applicant expresses concern over the use of their SSN, the case manager must inform the applicant the information will only be used when determining their eligibility, verifying public assistance benefits and for federal reporting purposes.

If a non-citizen provides a false SSN, a pseudo number will be created by the EAP system. The case manager must document in the EAP narrative the Social Security number the client provided.

5.11.1 Verification of SSN

Once the SSN has been verified, it no longer needs to be requested with subsequent applications. Possible sources of verification are as follows (not all inclusive):

- Social Security card or check
- Social Security Administration benefit letter
- Pay stub
- NOMADS MEMB screen printout with a SSA verified number

5.12 DISABILITY

If it is determined the household has a disabled member, the case manager is required to select 'Yes' in the 'Disabled' field on the Add/Modify Household Members Screen in the EAP system when processing the case.

The following persons are considered disabled:

- Individuals receiving or approved to receive Supplemental Security Income (SSI) or Social Security disability payments,
- Veterans receiving VA benefits because they have a 100% service-connected disability according to VA, need regular aid and attendance or are permanently housebound,
- Surviving spouses of deceased veterans who meet one of the following criteria according to the VA:
    a. need regular aid and attendance; or
    b. permanently house bound; or
    c. approved for VA benefits because of a veteran's death and could be considered permanently disabled for Social Security purposes;
- Surviving children (any age) of a deceased veteran who the VA:
    a. has determined are permanently incapable of self-support, or
    b. has been approved for benefits because of the veteran's death and considered permanently disabled for Social Security purposes;
- Individuals receiving federal, state or public disability retirement benefits for a disability considered permanent under Social Security standards,
- Individuals receiving Railroad Retirement Disability who are also covered by Medicare,
- Individuals receiving Interim Assistance (IA) benefits pending receipt of SSI,
- Individuals approved for Medical Assistance to the Aged, Blind and Disabled (MAABD),
- Individuals receiving disability benefits from any other state or private employment source, e.g., EICON (Employers Insurance Company of Nevada) or workers' compensation which uses criteria at least as stringent as those used by the Social Security Administration.

6. RESOURCES/ASSETS

Resources are assets or possessions an applicant and/or member of the household can convert to cash to meet their needs. Resource types are liquid, non-liquid, or personal possessions.

Resources/assets are not a factor of eligibility but will be evaluated as a possible income source, i.e. interest, dividends, annuity payment, etc.

Income derived from resources/assets is countable. Refer to MS 7.

Enter the resource/asset value per applicant's statement on the Resource/Asset Screen in the EAP system. A household may not be denied for failure to provide information on non-income producing resources/assets.

7. INCOME

Income is any type of payment that is a gain or benefit to a household. When determining eligibility and the benefit amount, income is either considered countable or exempt in the budgeting process. Households must fall below the maximum income limit for their household size as defined in Appendix A to be eligible for benefits.

All household members' total countable gross income is considered.

> **NOTE:** A non-citizen's income is counted in determining financial eligibility; however, that individual is not counted as a household member when determining the household size.

7.1 HOUSEHOLD MEMBER INCOME LIMIT

The applying household's countable annual gross income must not exceed 150% of the federally designated level signifying poverty for the program year.

Refer to Appendix A for the maximum income limits by household size.

Every required household member's income is included in the annualized countable gross income calculation.

7.2 INCOME CONSIDERATION

a. The household must first qualify for program eligibility (meet poverty income guideline, Nevada residency, etc.).

> **NOTE:** Exempt income and FAC countable income is disregarded when determining program eligibility.

b. If the household is program eligible, then a benefit amount is calculated by determining the household's fixed annual credit (FAC). Refer to manual section 8.3, Determining Fixed Annual Credit (FAC) Benefit.

> **NOTE:** Exempt income, which comes directly to the household, is NOT disregarded when determining the FAC.

c. Households meeting program eligibility income guidelines, but ineligible for a fixed annual credit (benefit amount), are eligible for $180 in energy assistance. Exception: Households that reside in subsidized housing where all the utilities are included in the rent are not entitled to energy assistance and roomers and boarders as described in section 5.2.1.4

7.3 TYPES OF INCOME

7.3.1 Earned Income

Earned Income is **CASH** or **INCOME IN KIND** received through salary, self-employment and/or tips; including wage advances, commissions, military pay, jury duty, on-the-job, and work assessment programs through Vocational Rehabilitation. When meals are included in the gross taxable income, they are considered part of the earnings.

Income earned in a foreign currency, such as Canadian dollars or Mexican pesos, must be converted to U.S. dollars in order to know what the actual earned income is. Use the exchange rate on the last day of the budget month, unless there is a dramatic change in the foreign exchange rate impacting the amount of the earnings.

Count the gross amount of all wages (including meals when included in the taxable gross income), salaries, and commissions as earned income. The gross figure cannot be reduced by any deduction, voluntary or involuntary such as child support deductions, child care deductions, insurance premiums, deductions for judgments, garnishments, federal taxes, etc. Evaluate paycheck stubs for irregular income such as bonus pay, holiday pay, etc.

Exception: EITC received with wages from an employer must be deducted from gross earnings.

The cash value of an in-kind benefit the household receives in exchange for performing work for the provider is budgeted as earned income.

7.3.1.1 Earned Income Deductions

The only deductions from earned income are:

1. reimbursement for travel expenses noted on an employee paycheck stub; and
2. uniform expenses noted on an employee paycheck stub.
3. EITC received with wages from an employer must be deducted from gross earnings.

Note: When meals are included in the gross taxable income, they are considered part of the earnings.

All other deductions are not subtracted from the gross income.

7.3.2 Unearned Income

Unearned income is income received without performing work-related activities. It includes benefits from other programs.

7.3.2.1 Unearned Income Deductions

The only deductions allowed from unearned income are Medicare premiums part B and/or part D from a Social Security check.

7.3.3 Actual Income

Actual income is income that has already been received.

7.3.4 Income In-Kind

Income in-kind describes a working situation where no money changes hands. The household member may barter or perform a service in exchange for goods, e.g., rent, food, transportation, payment of a bill on the household's behalf, etc.

7.3.5 Projected Income

Income that has not been received but is expected to be received. Prospective eligibility and/or budgeting is always applied to future benefit months based on verified or best available data for income/household circumstances anticipated (projected) to exist.

7.4 INCOME VERIFICATION

Household income must be verified and documented in the case file prior to the approval of benefits. Income verification can be obtained from the applicant, other agencies, computer access or printouts, and/or collateral contacts. The Application for Energy Assistance, Form 2824-EL, provides the applicant household with examples of income verification documentation. The household may be asked to verify their income via the Request for Information, Form 2833-EL, or a similar form produced electronically. In either case, the household is again provided with a "Types and Proof of Income" document informing them of what is needed to establish their eligibility.

The following is a list of acceptable verification for earned and unearned income (not all inclusive):

Earned Income:

- Consecutive checks or check stubs showing employee's gross pay per pay period and frequency of pay (weekly, biweekly, monthly, etc.) for every employer for at least the thirty (30) day period preceding the date of application;

- A signed and dated employer statement, written on the employer's letterhead stationary (must contain address and phone number at a minimum), of income for at least thirty (30) days prior to application and frequency of pay;

- Tip statement signed by employee or employer; or

- An active NOMADS case printout reflecting income within 30 days of the EAP application date or application review date.

Unearned Income:

- Check or copy of check if it shows the gross income amount;

  NOTE: Some unearned incomes, e.g., Public Employees Retirement System (PERS), Civil Services Annuity, Social Security benefits, etc., have insurance premiums and other deductions that are not shown in the NET amount. For this reason, the check itself may be insufficient to verify income. The worker must ensure all deductions are included to determine annual gross income.

- Bank statement showing automatic deposit if it shows the gross income amount;

  NOTE: Some unearned incomes, e.g., Public Employees Retirement System (PERS), Civil Services Annuity, Social Security benefits, etc., have insurance premiums and other deductions that are not shown in the NET amount. For this reason, a bank statement showing the income deposit may be insufficient to verify income. The worker must ensure all deductions are included to determine annual gross income. However, a bank statement can be requested if the applicant/clients income is questionable as it may assist the worker in determining if additional income is being received by the household.

- Award or benefit notification from source of income; or

- a Divorce decree showing alimony, child support or other support.

7.5 Alpha Listing of Types of Income and Income Status

Income is either countable or not countable when determining eligibility and/or the FAC benefit amount. Types and sources of income are listed below. "Yes" means the income is countable and is used in the determination. Some income may not be counted when determining eligibility but will be counted when determining the FAC benefit amount.

When determining eligibility, count any income not specifically listed as exempt.

Income Type	Eligibility	FAC
AARP or Title V of the Older Americans Act (Senior Citizens Service Employment Program)	No	Yes
Annuities	Yes	Yes
Capital gains from sale of an additional property (other than primary home)	Yes	Yes
Cash Contributions/Recurring Gifts	Yes	Yes
Cash drawn from an equity line of credit, credit cards, lending institutions ***only*** if household has zero income or income doesn't meet expenses.	No	Yes
Child Support, Alimony, other family support (countable only if paid to a household member)	Yes	Yes
Children's Earned Income (qualifying children under 18 years of age & living at home)	No	Yes
Church/Charitable Support	Yes	Yes
Disability Benefits	Yes	Yes
Educational assistance (except those funded by Title IV of the Higher Education Act) minus qualifying expenses.	Yes	Yes
Earned Income	Yes	Yes
Earned Income Tax Credit (EITC)	No	No
Federal Emergency Management Administration (FEMA) funds	No	No
Food Stamps	No	No
Gaming/Lottery Winnings, Settlements, Panhandling, etc.	Yes	Yes
Income from sale or refinance of property	Yes	Yes
Individual Development Account (IDA) funds *contributed by a third party* such as the federal government and banks. IDA's are intended to improve the economic independence and stability of the household.	No	No
Inheritance	Yes	Yes
In-kind income; e.g. barter, work in exchange for rent, food, etc.,	Yes	Yes
Insurance Payments	Yes	Yes

Income Type	Eligibility	FAC
Interest Income, Dividends, Royalties (countable only if paid to household member)	Yes	Yes
Lump Sum Payments (exception: lump sum retroactive Social Security benefit payments are exempt)	Yes	Yes
Uniforms and reimbursements deducted from gross pay	No	No
Military Income	Yes	Yes
Payments from ACTION programs including VISTA Volunteers, Foster Grandparent Program, Senior Companion Program, Retired Senior Volunteer Program, Mini Grant Program	No	Yes
Pensions	Yes	Yes
Personal loans received or expected to be received for:		
1) Six months or more	Yes	Yes
2) Less than six months ***only*** if household has zero income or income doesn't meet expenses	Yes	Yes
Personal Property Income (money received from the sale of personal property such as household item, vehicles, work items, etc.)	Yes	Yes
Property Income	Yes	Yes
Public Housing Assistance	No	No
Rental Income, including money rec'd from roomer/boarder	Yes	Yes
Repayment of Loans (Household is being repaid)	Yes	Yes
Reverse Mortgage Income	No	Yes
Roomer/Boarder	Yes	Yes
Self-Employment	Yes	Yes
Social Security (RSDI, SSDI, SSI)	Yes	Yes
State, County, City or Native American Public Assistance; e.g. TANF, County or Indian General Assistance, Native American Interim Assistance, etc.	Yes	Yes

Income Type	Eligibility	FAC
Striker Income	Yes	Yes
Supported Living Arrangements	No	Yes
Trust Fund Income	Yes	Yes
Unemployment Insurance Benefits (UIB)	Yes	Yes
Utility Reimbursement Payment (URP)	Yes	Yes
Vendor Payments	No	Yes
Veterans Benefits	Yes	Yes
Voluntary support payments, gifts, loans made by others on behalf of household & paid directly to creditor.	No	Yes
Wages, Salaries, Commissions, Tips (gross amount)	Yes	Yes
Workers Compensation Benefits	Yes	Yes

7.6 EXEMPT INCOME

There are types and sources of income completely exempt and therefore not considered in determining either eligibility or the FAC benefit amount. These are listed below:

Income Type	Eligibility	FAC
Child Support retained by District Attorney	No	No
Federal Emergency Management Administration (FEMA) funds	No	No
Food Stamps	No	No
Individual Development Account (IDA) funds *contributed by a third party* such as the federal government and banks. IDA's are intended to improve the economic independence and stability of the household.	No	No
Lump Sum Retroactive Social Security Payments	No	No
Meals, uniforms and reimbursements deducted from gross pay	No	No
Medicare premiums on Social Security checks	No	No
Public Housing Assistance	No	No
Tax Returns	No	No

7.7 VARIED INCOME TYPES

7.7.1 Zero Income Households/Expenses Exceed Income

Applicant households with zero income or expenses that exceed the income, require the worker to ascertain how the household is meeting its current living expenses. Current living expenses include but are not limited to: rent/mortgage, utilities (gas, power, trash, phone), food, insurance and car payments. Consideration shall be given to all countable income sources defined in Section 7.5. The worker may also consider any prior income by identifying:

1. what prior income ceased,
2. when that income ceased,
3. how long the ceased income served as a source of income to the household; and
4. the amount of the ceased income.

The prior income could be earned or unearned income, e.g., irregular child support, money from a job loss, unemployment, etc. If prior/terminated income is utilized, it is applied when establishing the fixed annual credit benefit (not eligibility) for zero income households. The prior income is "annualized" and budgeted when determining the FAC benefit.

7.7.1.1 Budgeting for Zero Income Households/Expenses Exceeds Income

If the household indicates zero income on the application, or the expenses exceed the household income, the worker must determine the projected annual income using the average income of the following:

a. up to a 12-month history of income (check stubs, ESD printouts, etc.); or

b. the year-to-date income amount; or

c. the previous year's IRS tax return *if no other income data is available.*

If the household's annual income is determined to be $1200.00 or less, the case must be referred to the Investigations and Recovery unit to determine if unreported income exists. If the income is questionable, the case may be referred to the Investigative and Recovery unit.

7.7.2 Temporary Service Agency Employment

For individuals who are enrolled with a temporary agency to provide services on a contract basis, verification of their income for at least the prior six (6) months from the date of application is required. This is considered earned income.

7.7.3 Cash Contributions

If the applicant household has ongoing or irregular cash contributions (regular or sporadic), the worker must verify the amount and duration of such contributions. If the household received the cash contribution(s) for six (6) months or more and expects to continue receiving, the total amount is averaged for the months received and multiplied by twelve to determine

1) eligibility; and
2) the fixed annual credit (FAC) benefit.

If the income was received for less than six months and not expected to continue, the actual amount received is added to the other annual income for the purpose of determining

1) eligibility; and
2) the FAC benefit.

7.7.3.1 Irregular Income

Irregular income is income received on an intermittent basis. It is typically a voluntary cash contribution, loan or gift received from a relative or friend. Irregular income can also be commission based employment, intermittent and sporadic employment such as mowing lawns, babysitting, and the like. This type of income is used to meet daily living expenses. The policy for budgeting irregular income follows:

- Income received, that is expected to continue is annualized. Add the total income together and divide by the number of months the income was received. This figure is then multiplied by twelve and counted in determining eligibility and benefit amount.

  Example: If the household receives $150 each month for eight (8) months, the total amount received is $1,200.00. To determine the annual income divide the $1,200 by 8 and then multiple by the result by 12 for a total of $1,800.00.

- If the income is not anticipated to continue, only count what was received in the last 60 days, from date of application or date of application review/case processing.

7.7.4 Reverse Mortgage

Reverse mortgage is a loan for people of qualifying age. When the loan is approved, the lending institution will pay off any existing mortgages first. If an applicant has a 1st and 2nd mortgage both have to be paid off first. The result will be that the only lien on the home will be the Reverse Mortgage. Therefore the client will not have any mortgage payments due, for the rest of their life or until they move out of that home.

If there is any money left over and above the mortgage amounts:

- It can be taken as a one time lump sum at closing; or
- It can become a Line of Credit. If this is done, the applicant has the following options:
    - Pull down money whenever the client deems necessary; or
    - Receive money in monthly payments until death or for a set amount of time. If the applicant chooses a monthly payment, it may have tenure listed on the statement form, which means until death. Otherwise, if you cannot determine the length of the payments based on the paperwork provided, request the original signed loan document, showing the monthly payment schedule to determine how long the applicant will be receiving monthly payments.

How to calculate a Reverse mortgage:

- If the Line of Credit is available for the client to draw down, calculate the current available Line of Credit and budget annually; or

- If the applicant is receiving scheduled payments, calculate the monthly amount of money received by the applicant.

7.7.5 Educational Assistance

Educational assistance is any financial aid for vocational or educational courses from

- an organization (such as fraternal, alumni, etc.); or

- government program or agency (such as U.S. Office of Education, Veteran's Administration).

Most educational assistance programs are administered through the U.S. Office of Education under Title IV of the Higher Education Act. A few examples of the most common Title IV educational assistance grants include:

- Pell grants;
- Stafford Loan Program;
- Parent Loans for Students (PLUS Loans);
- Supplemental Educational Opportunity Grants (SEOG);
- College Work Study;
- Carl D. Perkins Loans (Title IV, Part E – formerly National Direct Student Loans).

The National Community Services Act (NCSA) program also provides educational assistance. Clients are awarded from $1,000 - $4,000 per year to apply toward past or future educational expenses. Typically, educational awards are not counted as income because the award payment is made payable directly to the financial institution. However, the worker is required to review the award to ensure there are no monies being forwarded from the educational institution to the applicant student after tuition, books and other expenses are paid. The balance of any award, less books, tuitions and other educational expenses, is considered FAC countable income only.

The Veterans Administration provides educational assistance under a number of different programs. Payments are usually made monthly only for those months the veteran is in school. If school attendance is less than full time, the payments may be made less frequently. Dependents and survivors of veterans may also be eligible for educational benefits. Some VA educational benefits are based on contributions by the veteran.

1. What is Not Income?

   a) Vocational Rehabilitation – Payments made as part of a VA program of vocational rehabilitation are not income. This includes any augmentation for dependents.

   b) Withdrawal of Contributions – Any portion of a VA educational benefit which is a withdrawal of the veteran's own contribution of a resource and is not income.

2. What is Income?

   a) VA educational benefits other than those in 1.a. and b. above are unearned income. However, any portion of a grant, scholarship or fellowship used for paying tuition, fees or other necessary educational expenses is excluded from income.

Students must provide proof of up to two semesters of educational assistance.

If only one semester is available, the countable income is considered a lump-sum for the program year and is ***not*** annualized.

If two semesters of educational assistance are available, they are added together to determine the annual amount. One of the two semesters must be the semester in which application for EAP benefits are made. The second semester must be the previous semester, if applicable.

The student is also required to provide proof of the following (a signed statement by the student of these expenses is unacceptable):

a. paid expenses for tuition;

b. paid expenses for books; and

c. paid expenses for educational supplies.

The above-verified expenses are deducted from the annual educational assistance amount. Any remainder is the amount of money the student has to live on and considered annual income.

7.7.5.1 Educational Assistance General Procedures

The following are procedures for determining countable and budgetable educational assistance. Apply these procedures to students of:

- Post-secondary institutions
- Vocational education programs

"Post-secondary" includes institutions of higher education and others not requiring a high school diploma (such as, community colleges and vocational educational programs) authorized by the state to provide educational or training programs beyond secondary education.

Exempt educational assistance:

- funded by Title IV of the Higher Education Act;
- Governor's Millennium Scholarship provided by Nevada through the tobacco settlement.

Exempt the amount of assistance earmarked for **allowable** expenses, from countable education income, designated by either:

- the provider (that is, school, institution, program, or other grantor); **or**
- the student (and verify if questionable) when
  - the provider does not designate an amount; **or**
  - the amount designated by the student exceeds the amount designated by the provider.

Room and board is not **deducted** from educational assistance. Countable income may be reduced to zero after subtracting other allowable costs of attendance.

Budget as unearned income the portion of educational assistance which exceeds allowable educational expenses and prorate it over the period it is intended to cover. Do not deduct educational expenses from income other than countable educational assistance.

7.7.5.2 Budgeting - Determining Educational Assistance and Expenses

Determine educational assistance and expenses by requesting the student provide

- Student Income Verification Form 2020-EF completed by the institution; or
- proof of the amount of all types of educational assistance, such as the student's financial aid authorization letter, which lists the amount of educational assistance the student receives; and

- proof of educational expenses. An example is the student's budget for cost of attendance available from the school's financial aid office. This is developed by the school and identifies various expenses a student has at that school (such as room, board, tuition, personal expenses, books, etc.). The budget may vary for different students depending on their status as graduates or undergraduates, type of housing, degree plan, need for child care, financial dependency, etc.

  Note: Also acceptable as proof is any document or statement from the school or the grantor of the educational assistance which "earmarks" or specifies how the money is to be spent.

If the school will not provide a budget for cost of attendance, or the student claims their educational expenses will exceed the amounts on the budget, allow the costs of attendance designated by the student. If an expense claimed by the student is questionable, allow it only after it is verified.

Prepaid educational costs or monthly payments for individuals to use in future years are not allowable deductions.

NOTE: The worker must inquire if the student is attending summer school and receiving educational assistance. In these circumstances, the annual income is determined by adding summer school income and expenses to traditional school year assistance and expenses.

7.7.5.3 Step-by-Step Procedures

When a household receives educational assistance from more than one source, determine if each source is exempt or budgetable. Deduct allowable expenses from budgetable educational income.

1. Determine the total of all nonexempt educational assistance.

2. Total the allowable educational expenses and subtract them from Step 1. Do **not** subtract room and board expenses.

   Note: Ensure any amounts designated by the student include expenses for the same period of time covered by the educational assistance.

7.7.6 Lump Sum Payments

Lump sum payments received within twelve months of application or application review is considered countable income. Lump sum payments include, but are not limited to:

- Insurance settlements
- Awards or settlements received for personal injury
- Inheritance

- Gambling winnings
- Wage bonuses
- Employment severance pay
- Retroactive pay increases
- Retroactive benefit payments; or
- Income received due to the refinancing of property

NOTE: A lump sum amount received from the sale of property is considered income.

Lump sum payments may be received in one or more individual checks but are considered a lump sum if all money received is a part of the ***whole*** payment due.

7.7.7 Property Income

Determine the amount of income produced by the property. Mortgages, taxes, insurance and any other statutorily required utility may be deducted from the property income amount. The rest is considered budgetable income.

7.7.8 Roomer/Boarders

Roomer/boarder status is given to an individual who is not a required household member and is paying the client to reside in their residence. Refer to Chapter 8 for conversion methodology. To qualify as a roomer/boarder, the applicant/household must be the homeowner. Roomer/boarder payments are countable income as long as they are considered a profit to the household. Do not give roomer/boarder status to

- Anyone whose income can be applied to the household, **or**
- Any person who is involved in a relationship with a household member (i.e., boyfriend, girlfriend, etc), **or**
- Any individual who is merely sharing expenses (i.e. the rent is $500.00 and each adult member pays 50%) and the household is not making a profit.

7.7.9 School District Employees

Employees of school districts may receive pay for twelve (12) months or may receive pay just for the duration of the school year, depending on their contract. This income is considered earned income. If the duration of pay is not delineated on the pay stubs, the applicant will need to provide a copy of their contract or a letter from the school or district stating how they are paid; i.e., 12 months, 10 months, or 9 months and whether paid bi-weekly, semi-monthly or monthly. Information may also be available through the school district's website. Refer to conversion methodology in Chapter 8.

7.7.10 Self-Employment/Non-Profit Business

An individual is self-employed if engaged in an enterprise for gain, either as an independent contractor, franchise holder, or owner-operator. This includes individuals working as an Avon, Mary Kay or Tupperware representative or a newspaper delivery person. Individuals are not considered self employed if income taxes or FICA is withheld from the individual's earnings.

Self-employment income is budgeted as any other income; therefore the income and expenses must be verified. Refer to Chapter 8 for conversion methodology.

Verification of self-employment:

- Business records and income tax forms;

  NOTE: Annual or quarterly income tax statements or updated business records/accountant records can be used.

- Self-Employment Worksheet, Form 2011-EG, completed and signed by the individual. Use Form 2011-EG if the income and expenses cannot otherwise be verified by collateral contacts or documentary information.

7.7.11 Contractual and Seasonal Earnings

Contractual earnings are wages and salaries only. These earnings are considered earned income. Self-employment income, or income received on an hourly or piecework basis are not included. The two basic types of contractual earnings are:

1. **Contractual employment** - Non-seasonal if contracted for a specific amount of time and does not recur. Prorate earnings over the period of time covered by the contract.

   Example: The household member has a contract to perform a job or task within a certain time period for a set amount of wages. The amount of wages is not contingent on the number of hours worked.

2. **Seasonal employment** - Available only during certain months of the year and recurs each year.

   Examples: School-related employment, certain types of farm work, sharecroppers, and summer or winter employment.

Prorate seasonal employment that is a household's annual means of support over twelve (12) months. If the income supports only a portion of the year and the household supplements its earnings from other sources the rest of the year, average the earnings over the period of time they are intended to cover.

Example: A bus driver has a contract with the school district to drive for two or more school years. The contract has a set amount of wages for each year. The set amount is not contingent on the number of hours worked. This is considered seasonal contractual earnings because the driver only works for part of the year.

7.7.11.1 Monthly Budgeting of Contractual and Seasonal Earnings

To budget contractual and seasonal earnings monthly:

1. divide the total gross amount of earnings provided in the contract by the number of months the contract covers or by 12 months, whichever is applicable.
2. compute the total work-related expense deductions for the number of months actually worked. Then divide this amount by the number of months over which they will be prorated.
3. subtract the results in item 2 from the result in item 1.
4. add this amount to any other income, and continue to determine eligibility.

Note: If the income is not received as stipulated in the contract or labor disputes interrupt income, do not apply steps 1 through 4. If the employment situation changes:

- re-compute the income and adjust the benefits; and
- document all the facts that caused the re-computation.

7.7.11.2 Income Covers Period of Time Beyond 30 days

When income covers work performed over a period exceeding thirty (30) days, e.g., contract employment or seasonal work, etc., divide the gross income by the period of time it is intended to cover to obtain a weekly or monthly amount and project according to the appropriate conversion methodology as reflected in Chapter 8.

7.7.11.3 Inconclusive 30-day Income

If income fluctuates to the extent that a 30-day period does not provide an accurate indication of anticipated income, up to a 12-month history may be used to project income for the benefit year.

If the year-to-date income is significantly higher than the 60-day, 90-day, or 12-month history, the averaged year-to-date income or the IRS tax return for the previous year is used to project income for the benefit year.

7.7.12 Unemployment Insurance Benefit (UIB) Income

UIB is projected for a 26-week period, unless the Nevada Employment Security Department publicizes a change in the duration of benefits.

For household's that are receiving UIB, the case manager must include the two (2) most recent ESD Quarterly earnings plus the UIB income when determining the FAC benefit.

For construction workers or others who are laid off temporarily or work seasonally and receive Unemployment Insurance Benefits (UIB), the caseworker will budget the UIB *only* when determining program eligibility, and will include in the FAC benefit calculation the two most recent quarters of employment earnings from their previous job(s).

If a person has secured employment and is continuing to receive UIB, count the maximum allowable UIB and annualize their earnings. The annualized current earnings will be countable.

7.7.13 Children's Earned Income

Earned income for children who are under the age of 18, and attend elementary or high school or GED classes at least half time or are too young to attend school and who reside with applicant parent/legal guardian, is excluded income when determining eligibility, but is countable income when determining the FAC benefit. Refer to Chapter 8 for conversion methodology.

7.7.14 Supported Living Arrangements/In-Home Family Preservation Program Payments

Supported Living Arrangement (SLA) payments and In-Home Family Preservation Program (FPP) payments are funds authorized by state legislation to assist individuals with disabilities or mentally disabled SSI applicants/clients so they can live in the community. In-Home and FPP payments are administered and distributed by the Nevada State Division of Mental Health and Development Services (MHDS) for:

- Persons with profound or severe mental retardation; **or**
- Children under the age of 6 years with developmental delays.

Income derived from SLA and FPP programs from state and local governments, is excluded when determining eligibility but is countable when determining the FAC benefit. Refer to Chapter 8 for conversion methodology. Income from Supported Living Arrangements (SLA) and FPP include monthly allocations noted on the SLA/FPP worksheet for:

- Rent, unless HUD reimbursement (Shelter plus Care) is checked
- Food, unless applicant household is receiving food stamps as noted
- Utilities
- Individual Travel
- Medical Services
- Other

7.7.15 Vendor Payments

Do not count payments a person or organization outside the household makes directly to the applicant's creditor or person providing the service towards the gross income, however, these payments are countable when determining the FAC benefit when the household has zero income or income does not meet expenses.

7.7.16 Government-Sponsored Programs

Count payments from government-sponsored programs unless exempted by other policy in the income section. Refer to conversion methodology in Chapter 8.

- **Income Discrepancy with Other Agency Public Assistance Programs**

  When income reported on an EAP application differs from that reflected with another agency request clarification and verification from the household and clarify the discrepancy, be sure to document the information in the EAP narrative.

8. BUDGETING

Verification of countable gross income (both earned and unearned) received in the 30-day period prior to application/application review, is used to determine the gross annual amount for eligibility. However, if the income fluctuates to the extent that a 30-day period cannot provide an accurate estimate, income from the same source for up to 12-months prior to the application/application review date may be used.

If actual income is unavailable, monthly gross income may be calculated using the conversion methodologies noted in this chapter. Annual countable gross income, used to determine eligibility and benefit amount, is annualized using the monthly circumstances. Example: If the countable gross monthly income is $500; the annual gross income is $6,000 ($500 x 12).

Documentation of the conversion methodology used in budgeting income must be recorded in the case file.

Terms:

- Budgeting: A procedure used to determine eligibility based on the income and circumstances that exist preceding the application or application review.

- Benefit Period: The dates established by a case decision to authorize EAP benefits on a specific date for a specified length of time. EAP benefits are authorized for a twelve-month period, unless the case certification is shortened or the case closes.

8.1 BUDGET MONTH

Income documentation is collected for at least the:

- thirty (30) days immediately prior to the date of application; or,

- thirty (30) days prior to case processing (aka: application review).

If the applicant household has an anticipated change in income/circumstances or reports a new income source during the application period, updated income documentation is required, for at least the thirty (30) days immediately prior to the application review/case processing. This would imply the case processing is being delayed to obtain accurate annualized income for the program year. (Refer to manual section 10.1, Change in Household).

8.2 DETERMINING INCOME ELIGIBILITY

1. Determine the number of persons in the household eligible for consideration (household size). This excludes persons not meeting the citizenship requirement. (Refer to Manual Section 5.2, Household Size, for further information.)

2. Determine the household's countable annualized gross income. This includes the income of persons not meeting the citizenship requirement. (Refer to Manual Section 7, Income)

3. Compare the household's annual gross countable income to the current federal income poverty level for a household of the same size. (See Appendix A)

4. If the household's income exceeds the current federal income poverty level, DENY the application for excess income. (Refer to Manual Section 9, Case Disposition)

5. If the household is INCOME ELIGIBLE, determine the household's fixed annual credit (FAC) benefit.

8.3 DETERMINING THE FIXED ANNUAL CREDIT (FAC) BENEFIT

1. Determine the household's countable annualized gross income. (Refer to Manual Section 7, Income)

2. Multiply the household's annual gross income by the Nevada median household income energy burden for the current program year (noted in Appendix A). This computation is the amount of money the household is expected to pay for the energy costs for the year.

3. Calculate the household's energy dollar usage for the prior twelve (12) months. Include primary heating and electric energy source costs.

4. Calculate the household's energy usage in units for the prior twelve (12) months. Include the primary heating and electric source.

5. Take the total household energy dollar usage and subtract the median household's energy burden to arrive at a figure that is either positive or negative.

    a. If there is a difference of $180 or more, this is the FAC benefit.

    b. If the difference is $179 or less (to include a negative figure), the household is eligible to receive $180.

    c. If all utilities are in the landlord's name and included in the rent, and the household does not receive a separate bill that includes consumption and dollar usage, the household is eligible to receive $180. Exceptions: Households in subsidized housing where all utilities are included in the rent and roomers and boarders as described in Section 5.2.1.4, are ineligible for energy assistance.

6. Compare the figure to the Capped Benefit Table (Appendix A). If the figure is below the capped amount, the client is eligible for the entire amount. If the figure is higher than the capped amount, the household is eligible for the capped benefit amount.

8.4 CONVERSION METHODOLOGIES

8.4.1 Hourly Income

Determine the hours worked each week for four (4) consecutive weeks. Add the hours and divide by four (4) weeks to determine the average number of hours worked for the month. Multiply the average number of hours worked in the month by the hourly wage to determine the average weekly income. Then, multiply the average weekly income by fifty-two (52) weeks to determine the annual income.

Example:	Week 1	30 hours
	Week 2	30 hours
	Week 3	40 hours
	Week 4	20 hours
	Monthly Total	120 hours

120 hours divided by 4 weeks is 30 hours/week average.
30 hours x $6 per hour = $180 per week.
$180 x 52 weeks = $9,360 annual income.

8.4.2 Weekly Income

Determine if the income varies each pay period in the month being considered or is the same.

a. If the income remains the same for a 30-day period, multiply one check by fifty-two (52) weeks to determine the annual income amount;

b. If the income varies from week to week during the 30-day period, average the four or five checks and multiply by fifty-two (52) weeks to determine the annual income amount.

8.4.3 Bi-Weekly Income

Bi-weekly pay is paid on the same day every two (2) weeks. Determine if the amount varies each pay period in the month being considered or remains the same.

a. If the income remains the same, multiply one check by twenty-six (26) weeks to determine the annual income amount;

b. If the income varies during the 30-day period, average the two checks and multiply by twenty-six (26) weeks to determine the annual income amount.

Example:	Check 1 pay stub	$420
	Check 2 pay stub	$460
	Total	$880

Divide $880 by 2; equals $440 (average bi-weekly pay).
Multiply $440 x 26 pay periods; equals $11,440 annual income amount.

8.4.4 Semi-Monthly Income

Semi-monthly income is paid twice each calendar month. Determine if the amount varies each pay period in the month being considered or remains the same.

a. If the income remains the same, multiply one check by twenty-four (24) weeks to determine the annual income amount;

b. If the income varies during the 30-day period, average the two checks and multiply by twenty-four (24) weeks to determine the annual income amount.

Example:	Check 1 pay stub	$420
	Check 2 pay stub	$460
	Total	$880

Divide $880 by 2; equals $440 (average semi-monthly pay).
Multiply $440 x 24 pay periods; equals $10,560 annual income amount.

8.4.5 Monthly Income

Income received one time a month is multiplied by twelve (12) to determine the annual income amount.

8.4.6 Quarterly Income

Income received quarterly (four times annually at regular intervals) is multiplied by four to determine the annual income amount.

If the income varies from quarter to quarter, e.g., interest income, use the most recent statement and multiply the income by four to determine annual income amount. Quarterly income is not averaged.

8.4.7 Annual Income

Annual income is received once every twelve (12) months. The annual income figure is used in budgeting.

8.4.8 Year-To-Date (YTD)/Averaged YTD Income

If a household member's pay stubs, once annualized, do not reflect their actual year-to-date income on their most current pay stub, the YTD or Averaged YTD income may be used. Typically, this occurs for a number of reasons including, but not limited to, absences from work, temporary employment, or not employed for the full year, or it's the end of the calendar year.

Example 1: Household member submits two consecutive pay stubs, each for a 14-day pay period:

The first pay stub:	11/29 thru 12/12 in the amount of:	$691.32
The second pay stub:	12/13 thru 12/26 in the amount of:	$1189.85
	Total:	$1881.17

Divided by the number of pay stubs (2): $940.59
Multiplied by 26 pay periods in a year: $24,455.34 = Annualized Income

The 2-person household does not meet the income guidelines. However, the household member's last pay stub for the calendar year (the second pay stub above) shows the YTD as $20,298.05. It is noted the member received a substantial pay increase the last week of December. It is prudent to use the actual YTD income rather than the annualized income.

Example 2: Household member submits four pay stubs, each representing a 7-day pay period:

The first pay stub:	09/20 thru 09/26 in the amount of:	$276.79
The second pay stub:	09/27 thru 10/03 in the amount of:	$307.90
The third pay stub:	10/04 thru 10/10 in the amount of:	$251.62
The fourth pay stub:	10/11 thru 10/17 in the amount of:	$283.41
	Total:	$1,119.72

Divided by the number of pay stubs (4): $279.93
Multiplied by 52 pay periods in a year: $14,556.36 = Annualized Income

The household member's YTD income on the most current pay stub is $10,364.23. The application indicates the member has been employed for less than 12 months. The hire date was 01/17 and the date on the most current pay stub is 10/17. The number of weekly pay periods during this timeframe is 40. Divide the YTD of $10,364.23 by 40 pay periods to obtain the average weekly income of $259.11; multiply by 52 weeks for the Averaged YTD income of $13,473.72. Based on the facts of the case, it is prudent to use the Averaged YTD income.

There are cases where the YTD income on the most current pay stub is ***greater*** than the annualized income. Further investigation is warranted to determine the reason, such as the household member was demoted, their hours were reduced or the pay stubs provided are not consecutive and pay periods are missing.

8.4.9 How to Calculate a Missing Pay Stub Amount

If consecutive pay stubs are not received, the case worker can determine the missing pay stub amounts as long as they have received both the starting and ending pay stubs for the desired period.

To determine the missing pay stub amount(s):

1. Take the gross income Year-To-Date (YTD) amount from the last pay stub for the desired period.

2. Subtract the gross amount of the last pay stub from the YTD figure.

3. Subtract the gross income YTD amount from the first pay stub for the desired period. The resulting figure is the gross amount earned during the period for which the pay stubs are missing.

4. If there are multiple pay periods missing, divide the resulting figure from #3 by the number of pay periods in the missing time frame. The result is the average income amount received per pay period.

9. CASE DISPOSITION

A registered application goes to a case manager for processing. A case manager is responsible for evaluating the application, and ensuring all required information/verification has been submitted.

- If all information/verification required to make an eligibility decision is provided and verified the application will be either approved or denied.
- If all of the information/verification required to make an eligibility decision is not provided with the application the household will be mailed a Request for Information (RFI) form (refer to MS 2.11).
- Any time benefits are approved, denied or terminated a Notice of Decision must be provided to the household. The Notice of Decision will be generated out of the EAP system after the eligibility determination has been saved.
  - The case manager must review the Notice of Decision for accuracy, make any necessary changes/corrections, and ensure it is mailed within two (2) working days of being printed. The case manager must check to ensure the vendor(s) and account number(s) are correct and that the vendor payment designation (single pay, split pay, uneven split pay) complies with the applicant's designation as documented on the application. See the account characters of Nevada's three largest utility providers below:
    - Nevada Power Company – fourteen (14) characters;
    - Southwest Gas Corporation – thirteen (13) characters;
    - Sierra Pacific Power Company – eighteen (18) characters.

9.1 PERIOD OF ELIGIBILITY

9.1.1 Period of Eligibility for an Annual Benefit

Eligibility is determined based on a twelve-month period. The household may be certified eligible for benefits only once in a program year. The twelve month period begins with the date of certification and continues for the next 365 calendar days.

If extenuating circumstances exist, a household may be certified eligible twice within a 12-month period as long as the certifications are not in the same program year. Example: A household may be certified eligible in December and again the following August as the August certification is a separate program year.

Chief approval must be obtained prior to the certification for these exceptions.

If the client received a 'Notice to Reapply' the household can be approved prior to 12 months **if** the client has not already received a benefit the in the same program year.

9.1.2 Period of Eligibility for an Arrearage Assistance Payment

An eligible household may receive an arrearage payment only once in a lifetime. Exceptions may be granted for households with chronic, long-term medical conditions that create a financial hardship and/or increase energy consumption. Exceptions must be granted by the Program Manager or Chief prior to approval. Refer to MS 11 for additional information regarding the Arrearage Payment Component.

9.2 BENEFIT AMOUNT

The benefit amount is based on the household size, gross countable income and their energy usage as detailed in section 8.3. Households are required to contribute to the cost of their energy usage by paying the current energy burden percentage (see Appendix B for current energy burden percentage) of their income towards their energy costs.

The EAP system is designed to determine which funding source an eligible household's benefit will be paid from based on the information entered by the case manager.

9.2.1 Households with UEC and Non-UEC Utility Vendors

If a household pays a UEC on one utility bill and also has wood, coal and/or propane energy costs, they may be eligible to receive assistance from both the UEC funding source and the LIHEAP funding source. UEC funds are paid to the UEC vendor, not to exceed the UEC annual usage. Non-UEC funding is paid to the utility vendor/client who is not a UEC participant.

9.3 ELIGIBLE HOUSEHOLDS

Benefits are approved after all eligibility requirements are met. Prior to approval, the case manager must ensure the following:

- The application form is completed and signed; **and**
- The applicant has signed the Rights & Obligations form explaining their rights and responsibilities; **and**
- All required verification according to policy is in the eligibility case file and date stamped with the date it was received by any DWSS office and/or the Energy Assistance Program office; **and**
- The authorized representative has been re-established, if applicable.

At approval the client must be issued a Notice of Decision and 'Make Your Benefits Last All Year' letter (see MS 9.3.1).

The Notice of Decision must:

- outline the benefits awarded to the household;

- indicate benefit payments are made within thirty (30) working days;
- identify the benefit year for which payment is being made;
- inform the household of their responsibility to pay on the account before the energy credit appears on the bill, and after the credit is exhausted; and,
- inform the household of their right to appeal the amount of the benefit and the instructions on how to submit the appeal.

In the event the applicant household applied for arrearage assistance, the Notice of Decision must also:

- outline the amount of the arrearage assistance being provided; and,
- identify the utility vendor(s) to whom the arrearage payment is being made and what amount each vendor will receive on behalf of the household.

9.3.1 Make Your Benefit Last All Year Letter

When a household is approved for benefits, the case manager will complete and attach the 'Make Your Benefit Last All Year' letter to the Notice of Decision. This letter details how much the client should pay on a monthly basis to extend the benefit over a twelve (12) month period.

9.3.2 Vendor Payments

If EAP is crediting a household's utility vendor account, the Notice of Decision must include the following:

- vendor/utility name;
- name on account;
- account number; and,
- payment type (single vendor or two vendors).

9.3.3 Direct Payment

If the EAP is mailing a check directly to the eligible household, the Notice of Decision must include the following:

- the amount of assistance;
- the "on or before" date the check will be paid;
- that assistance is paid in one (1) payment; and,
- to whom the check will be made payable.

9.3.4 Exchange of Information between the Division of Welfare and Supportive Services and the Housing Division

The EAP will exchange information with the Housing Division Weatherization Assistance Program (WAP) via telephone, in written form, or the computer generated system interface.

Each month the Division of Welfare and Supportive Services EAP system electronically transfers to the Housing Division's Weatherization Assistance Program all files, containing the eligible household's name, address, phone number, energy vendor and account number, energy consumption, energy dollar usage and FAC benefit.

The purpose of the referral is to identify high-energy users potentially in need of weatherization assistance. WAP, in turn, may contact the household and offer them the opportunity to apply for energy conservation measure benefits.

9.3.5 Utility Vendor Notification of Eligible Household

The utility vendor is apprised of the eligible household's benefit via the batch process in the EAP system. Once the household is determined eligible, the system places the name, address, social security number, account name and number, and the benefit amount on a vendor payment register. The register is mailed or electronically transferred to the appropriate utility vendor who then credits the eligible household's account.

9.4 INELIGIBLE HOUSEHOLDS

Benefits are denied immediately when ineligibility is established by:

- The household being over income;
- The applicant/representative failing to provide information essential to determine eligibility within the requested time period; or
- The applicant requests withdrawal of their application in writing.

A Notice of Decision must be mailed to a household determined ineligible for assistance. The notice must include:

- the reason for ineligibility; and,
- how to request a case review or hearing if the household disagrees with the decision, and the time frame they have for requesting a hearing.

If a household is denied for excess income and indicates qualifying out of pocket expenses (unreimbursed medical expenses, unreimbursed compulsory and necessary home repairs, unreimbursed automobile repairs if the transportation is needed for ongoing medical care, and unreimbursed mileage to treatment over 100 miles), , a Crisis

Intervention letter is sent to the household. Refer to MS 11 for further information regarding the Crisis Intervention component.

9.4.1 Denial Reasons for a FAC Benefit

Auto Denials (system automatically generates):

1. Over Income
2. Failure to provide all information as requested
3. Not a Valid Citizen;
4. Household in Subsidized Housing UIR (Utilities Included in Rent)
5. Lack of Funds

Manual Denials (worker must select from Demographic Characteristics screen):

1. Deceased (death of head of household)
2. Failure to Respond (RFI not received)
3. Invalid SSN
4. Lost Contact (Address Unknown)
5. Moved and Not Notified (Address is known, but client didn't report the change)
6. Moved out of State
7. Other
8. Too Early To Apply;
9. Willful Concealment of Information

For households that have already received a benefit in the current program year and submit another application, the clerical worker will select the recipient from the Recipient Search screen in the EAP system and click the Duplicate Notice button on the screen. A Duplicate Assistance Notice panel will be displayed and the worker manually populates the "Reason for Ineligible" and "Will Not Be Eligible to Apply Again Until" fields. Alternatively, the Notice may be created through the Forms/Notices screen selecting the Duplicate Assistance Notice.

9.4.2 Denial Reasons for Arrearage Payment Component (AP)

Auto Denials (system generated)

1. The client/household did not meet the arrearage burden (pay the minimum amount required toward the arrearage during the twelve (12) months in which the arrearage occurred).

Manual Denials (worker must select from Demographic Characteristics screen):

1. Client/household already received an arrearage assistance payment;

2. Arrearage payment cannot be made if the household is ineligible for a FAC benefit in the current program year.

9.5 PROGRAM FUNDING EXHAUSTED

The following policy applies when it becomes known an application is denied solely due to unavailable funding for the remainder of the program year:

- The application will be entered into the EAP system; insufficient funds automatically displays the denial reason—there are insufficient funds to pay the entire benefit.
- The EAP system will deny the household due to unavailable funding;
- The case manager must certify the case ineligible do to unavailable funding
- A Notice of Decision will be generated and mailed to the household;
- The case will be entered in the EAP system in the month of July, for the next program year. This affords these households the opportunity to participate first in the next program year.

10. CASE MANAGEMENT

10.1 CHANGE IN HOUSEHOLD CIRCUMSTANCES AND/OR CHANGES AFFECTING BENEFITS

- **Household Composition**

  BEFORE CERTIFICATION: If the worker discovers a person is added to or deleted from the household, the worker must verify (or re-verify) the household composition. A Request for Information, Form 2833-EL, or system generated form is sent to the household asking that all information pertinent to the member being added or deleted is provided so eligibility and benefits can accurately be determined.

  AFTER CERTIFICATION: If the worker discovers a person is added to or deleted from the household, the worker must complete a Client Update, Form 2888-EL, and put it in the case record. There is no change in the household's benefits unless the change occurred *before* certification but was not discovered until *after* certification. In cases such as these, if the change effects the benefit amount, then the worker requests the utility(ies) return any unused portion of the benefit. Depending on the circumstances, the recipient may be pursued for an Intentional Program Violation; see Chapter 13,

- **Households Combine/Split**

  When a household splits into two households, or two households combine into one, cross-reference notations are placed in the household case files and in the EAP system narrative. In addition, if one or more members have received arrearage assistance in another household this must be noted on the case file jacket and in the EAP narrative.

  If a member of a certified household leaves the applicant's household and establishes utility service in their name at a new residence, they may apply and be certified on their own case. If a certified household moves and establishes utility service at their new address and transfers the balance of their EAP benefits to the new address the remaining household members at the prior address may apply and be certified on their own case.

- **Direct Mailed Benefits Returned as 'Undeliverable' by the Post Office**

  When EAP benefits, paid directly to a household, are returned by the post office marked as "undeliverable," the address on the check must be compared to the address in the EAP system and the address on the application. If the address is correct, a telephone call must be placed to the household at the last known number. If the household's telephone number is no longer valid, the benefit check is re-deposited into the appropriate EAP fund source, and a narrative in the EAP system must be entered. If the household contacts the program office within the program year and they meet the program eligibility requirements (i.e., Nevada Residency, income, etc.), they may be eligible to have their benefit reissued.

- **Utility/Energy Vendor Changes**

  BEFORE CERTIFICATION: The worker must verify with the prior utility that the account is closed. The worker must also verify the account number with the new utility. This is done using the Utility Vendor Contact, Form 2880-EL.

  AFTER CERTIFICATION: If the client reports a utility change, and wants their remaining benefits transferred to **another vendor,** the worker must note their conversation with the household on the Client Update, Form 2888-EL, verify the prior account is closed using the Utility Vendor Contact, Form 2800-EL. The worker must then take the appropriate steps to have the former utility return any unused balance to the EAP. The worker assigned to handle Refunds and Reissues will ensure any remaining funds are issued to the new utility or to the recipient as the case dictates.

  If the client reports a utility change, and wants their remaining benefits transferred to **another person**, the client must submit their request in writing to the program office. The worker must note their conversation with the household on the Client Update, Form 2888-EL, and when the written request is received, verify the prior account is closed using the Utility Vendor Contact, Form 2800-EL. The worker must then take the appropriate steps to have the former utility return any unused balance to the EAP. The worker assigned to handle Refunds and Reissues will ensure any remaining funds are issued to the utility or to the recipient as the case dictates.

- **Income Changes**

  BEFORE CERTIFICATION: When a change is reported or if a change is discovered through other sources i.e. ANSRS, NOMADS, etc., prior to certification, the worker must document the change and method of discovery when applicable in the EAP system on the narrative screen. The household is then sent a Request for Information, either Form 2833-EL, or one that is system generated, to verify the change. This information is necessary to determine eligibility and benefit amount.

  AFTER CERTIFICATION: Income changes reported after the household has been certified for the program year must be documented on the narrative screen. No change will be made to their benefit amount unless the change occurred *before* certification but was not discovered until *after* certification. In cases such as these, if the change effects the benefit amount, the worker requests the utility(ies) return any unused portion of the benefit. Depending on the circumstances, the recipient may be pursued for an Intentional Program Violation; see Manual Section 13.

- **Address Change**

  All reported household moves must be documented on the Client Update Form, 2888-EL. This form must be filed in the case record noting the change in address and other circumstances the household has undergone as a result of the move.

The Energy Assistance Program will NOT make any address changes in the system case record UNLESS the address change is reported by the household. Too frequently, the agency becomes aware a household has relocated by learning it from the utility. Applicant households sign the Rights and Obligations, which states clients, have ten (10) working days to report a change of address to the agency.

- **Moves within the State**

BEFORE CERTIFICATION: If a household reports an address change within the state of Nevada before their case is approved/denied, the new information on the residence must be used to determine eligibility and benefits. The reported move must be documented on the Client Update, Form 2888-EL. The worker must verify the new address and new utility account and any other required information before an eligibility determination can be made. A Request for Information, Form 2833-EL, or system generated form is sent to the household asking that all information pertinent to the new address/relocation is provided so eligibility and benefits can accurately be determined.

If the household fails to report the address change, the application is manually denied "Moved Not Notified". The household may reapply.

If the household reports a move to a city serviced by another EAP office, the EAP office having possession of the case record must complete the eligibility determination and then ship the case to the new EAP office.

AFTER CERTIFICATION: If the household reports the address change, the worker must note their conversation with the household on the Client Update, Form 2888-EL, and verify the prior account is closed using the Utility Vendor Contact, Form 2800-EL. If the household is using the same energy vendor(s), the worker shall authorize moving the benefit balance to the new account number~~s~~. A narrative of the credit balance amount, new account number, utility contact person's name and notation of the applicant's mailing address update in the EAP and Access systems must be entered into the EAP system. If the household is using a different energy vendor, the worker must then take the appropriate steps to have the former utility return any unused benefit to the EAP program and provide a copy of the Utility Vendor Contact Form 2800-EL to the EAP worker assigned to handle Refunds and Reissue who will reissue the remaining benefit amount to the new energy provider at the new address, or to the recipient as the case dictates.

An eligible household that moves within the state *after* certification will not receive a recalculation of the fixed annual credit (FAC) benefit. The FAC benefit will either be transferred to the new account if the household is with the same energy vendor, or be returned by the energy vendor to the EAP.

If the household reports a move to a city serviced by another EAP office, the case file is mailed to the other EAP office after the vendor changes have been processed.

- **Moves Out of State**

  If a household moves out of the state of Nevada, any unused EAP benefits must be returned to the EAP by the energy vendor.

10.2 UTILITY VENDOR CONTACT LOG

The worker is required to complete the Utility Vendor Contact, Form 2800-EL, when communicating with a household's utility vendor regarding the return and/or reissue of the applicant's FAC benefit credit balance. A copy of this form must be retained in the case record. This form is used for a variety of situations, e.g., account closures, reissuance of funds, etc.

In the event funds are requested to be returned from an energy vendor, a copy of the form must be provided to the program specialist, or designee, within one (1) working day to ensure fiscal accountability.

10.3 CASE NARRATIVES

Case narratives are a chronological history of case events that are maintained in the EAP system which support the actions taken by the case manager.

The following are guidelines regarding the use of case narratives in the EAP system and is not all-inclusive. It is incumbent upon EAP supervisors to determine the appropriate use of case narratives and to direct their staffs accordingly. When there is doubt about whether a narrative is prudent, it is always best to write a narrative. Persons writing a case narrative must include their name; at the least their first initial and last name.

When a narrative is confidential; i.e. an investigation is requested, the word CONFIDENTIAL must be written at the beginning of the narrative so others reading the narrative know they may not share the information with the applicant, relatives, friends, etc.

Any task not fully automated or the automated note in Case History is not fully descriptive should have a narrative written. This, of course, includes verbal communications. Lengthy conversations that are pertinent may require multiple narrative entries due to the lack of available space on the EAP narrative screen..

Examples of actions to be documented in EAP are (not all inclusive):

- Arrearage Assistance Counseling
- Promises to Pay information to vendors

- Changes to household address, composition, income, and energy providers, etc.
- Change in an authorized representative
- Client contacts (concerns or complaints from the client)
- Funds returned and/or reissued
- Any updates to the case which result in an increase or decrease of benefits
- Termination of benefits listing the reason the case is being terminated
- Overpayments/Underpayments
- Request for Hearings and results
- Investigations requested and results
- IPV investigations and results
- Special Case Status such as Hurricane Katrina Survivors, Crisis Intervention cases, Quick Cases, etc. with required and pertinent information provided
- Manual Denials for "Other", citing specific reason for denial and any other information pertinent to the decision.
- Collateral contacts [a verification source of information needed to determine eligibility or benefit amount]. Example for energy providers: "11/10/05 Contacted George at NEVP who faxed/emailed 12 mos. usage history. See file. D. Example for income: "11/10/05 Contacted employer; date of hire was 6/10/05, paid $10/hr, works an average of 32 hrs per week. D. Smith". These are just a few examples of how to report collateral contacts.
- Identifying pertinent household members such as Boarder, Live-in care attendant, etc.
- Case transferred to other EAP office *(not used for groups of cases/applications sent to assist an office with case processing)*. Case transfer might happen when a recipient moves from one location to another.
- Approvals by Supervisors of FAC benefits of $4500 or greater.
- Approvals by Program Manager of subsequent arrearage payment for households meeting the special needs criteria; EAP Manual, Section 11.5.2.2
- Joint Custody of Children
- Use of Median Household Energy Burden for Residence Type and Vendor
- Unusual budgeting circumstances when computing income, such as using YTD & why.
- Deceased applicants

Other information pertaining to the case may also be documented in the case narrative as long as it is factual and not the opinion of the case worker. **Narratives must never be backdated**. The current date must be used for making entries even if the activity took place on a previous day. The case worker must document the actual date of the activity within the narrative if it is different than the date of entry.

10.4 COMMUNICATIONS WITH CLIENTS/CLIENT VENDORS

Detailed time and expenditure records are maintained on outreach and client counseling activities. Outreach is defined as informing the elderly, disabled and high-energy burden households of the EAP. Client counseling is defined as encouraging and enabling households to reduce their home energy needs including assistance with energy providers. The reason these records are kept is to charge these costs to other categories and reduce administrative costs. To accomplish this task, workers and clerical staff are required to complete the Weekly Staff Activities Log, an internal form, documenting the following:

Workers:

- Number of cases certified eligible
- Number of vendor contacts
- Number of clients counseled

10.5 RECORD RETENTION

10.5.1 Definition of a Record

A record includes, but is not limited to case record papers, exhibits, correspondence, photocopies, computer records, etc. Please be reminded information created and stored by electronic media such as, but not limited to, e-mail, CD-Rom, computer, floppy disk or computer tape is an "official state record," and therefore subject to record retention requirements as well.

Welfare Administrative Manual, Chapter 1300, contains detailed information and requirements on the disposition of Division of Welfare and Supportive Services records, with which the Energy Assistance Program must comply. Any questions on record retention should be directed to the Coordinator of Research & Statistics in Central Office. This person serves as the liaison between the Division and the State Records Manager, Nevada State Library, Division of Archives and Records.

10.5.2 Purging and Shredding of Client Case Files

EAP staff purge and shred case files annually in both the northern and southern offices to provide for space in the file room area. Unnecessary files are removed, and unnecessary papers within current files are removed. Each file is reviewed for potential purging/shredding. The workers are assigned which sections of the alphabet they are responsible for purging/shredding and the date by which this task must be accomplished. Purge means to "thin." Shred means to "destroy." Documents older than three (3) fiscal years within a current case file are shredded (this does not count the current program year). Inactive case files older than three (3) fiscal years are shredded (this does not count the current program year). Inactive case files are purged from the EAP office files and archived until such time as they meet the destruction criteria.

DO NOT PURGE NOTATION

A file having a notation "Do Not Purge" may not be purged of any documents. The file may contain an overpayment, Intentional Program Violation (IPV), or documentation on some other case problem/ situation. Only the program manager or their designee can remove the "Do Not Purge" notation.

ARREARAGE PAYMENT PROGRAM (APP) NOTATION

A case file containing a capital "A" and a program year marked in red ink on the front lower right-hand side of the case jacket may not be purged of the application and accompanying documentation authorizing the FAC and APP benefits for the program year noted. APP benefits may only be authorized once for as long as the client participates in EAP, with few exceptions. This documentation must be retained for possible future reference.

Each file is reviewed for a current program year approval or denial of benefits.

- If activity in the current program year, the worker identifies program year activity three (3) fiscal years prior. These documents are extracted from the case file and shredded. All other documents remain in the case file. Example: Current program year is 2005. 2001 program year documents are shredded. Years 2002, and 2003 and 2004 remain in file.

- If **no** activity in the current program year, (meaning the household has not reapplied for EAP assistance), the worker identifies program year activity three (3) fiscal years prior to the current program year. These documents are extracted from the case file and shredded. The case record is archived. Example: Current program year is 2005. 2001 documents are shredded. Years 2002, 2003, and 2004 remain in file and the file is archived.

- If case file noted as "deceased," the caseworker identifies program year activity three (3) fiscal years prior to the current program year. These documents are extracted from the case file and shredded. The case file is archived. Example: Client dies in Fiscal Year 2005 with an open case. 2001 documents are removed and shredded. The case file is then archived.

10.5.3 Purging and Shredding of Other EAP Records

The Record Retention policy for other EAP records is as follows per the Division of Welfare and Supportive Services Research and Statistics Unit:

- Program Files (includes contracts) – Six (6) fiscal years from the expiration of the contract;
- State Plans – Transfer to State Archives after six (6) calendar years;
- System Reports – Three (3) fiscal years.

10.6 CONFIDENTIALITY

The EAP adheres to federal, state, and agency confidentiality policies. See the Welfare Administrative Manual, Chapter 600, for a complete overview of the agency's policy as it pertains to confidentiality.

The State of Nevada restricts the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administrative needs of the program(s) the applicant or recipient is requesting/receiving.

Every EAP applicant signs a general release of information providing a written consent for the program to conduct business as it pertains to the applicant and the members of the applicant's household. The applicant should understand and agree that information will be obtained to 1) establish eligibility and benefits and 2) shared if necessary with other entities.

One general policy used in EAP is the client is required to provide their social security number to verify themselves before case information can be discussed on the phone. If a worker is in doubt they are speaking with the client, even though the party on the line has supplied the correct social security number, they should immediately seek guidance from their supervisor.

10.6.1 Information on Household Provided by Utility

Any and all information/data provided to the Division of Welfare and Supportive Services by the public utility shall remain confidential except as specified in this paragraph. Any and all information/data provided to the Division of Welfare and Supportive Services by the public utility shall be used by the Division for the purpose of establishing the eligibility and fixed annual credit benefit of the household. The Division of Welfare and Supportive Services may share any and all information/data provided by the utility with the Housing Division for the purpose of targeting households with high

energy consumption. Use of information/data provided to either the Division of Welfare and Supportive Services, or Housing Division via the Division of Welfare and Supportive Services, by a utility for any reason other than the purposes stated here is prohibited.

10.6.2 Disclosure of Information

Information may be disclosed about applicant/client households to:

- Clients, authorized representatives, or an adult household member listed on the application who wants to review their case record for information used in the eligibility determination. All other disclosures require a written statement from the client, e.g., an adult child of an elderly EAP client wanting to assist in resolving a case problem for the parent. The client's written permission must note the topics and/or parameters of what can be discussed within the case record. Withhold confidential information from the case record such as 1) names of persons who have disclosed information about the household without the household's knowledge, and 2) the nature or status of pending criminal prosecution;
- Persons directly connected with the administration and enforcement of government or government-aided assistance programs based on need;
- Utility vendor employees;
- Local, state or federal enforcement officials, for investigation of alleged waste, fraud or abuse;
- Other non-government assistance programs based on need, with written permission of the applicant;
- Weatherization Assistance Program, Housing Division, Department of Business and Industry; and,
- Government agencies conducting case audits, reviewing expenditure reports, or conducting financial reviews.

Refer all requests from federal, state, or local law enforcement officials for case information to the local I&R Unit supervisor.

10.6.3 Exchange of Information between the Division of Welfare and Supportive Services and Other Energy Assistance Providers

The EAP may exchange information with other energy assistance providers in the state. The Division of Welfare and Supportive Services will, at any time, provide needed information to other energy providers, e.g., verifying if a household has received benefits and in what amount. Conversely, EAP will solicit necessary information from the energy assistance providers on an as needed basis to ensure funds are judiciously expended on those truly meeting eligibility criteria. All information received from a public utility regarding energy usage at a specific address shall remain confidential.

10.6.4 Preventing Disclosure of Information

If the worker receives a request for information which cannot be released, inform the person requesting the information about the confidentiality of case records based on federal and state laws.

If the worker receives a subpoena to appear in court with a household's record, notify the program manager and deputy attorney general (DAG). The worker must receive instructions on court protocol, appearance and disclosure laws, etc.

See Administrative Manual – Chapter 600 for more information on confidentiality and disclosure of information.

10.7 REPORTING OF ABUSE AND NEGLECT

Policies on confidentiality do not prohibit reporting of abuse or neglect. Workers must report instances of suspected physical or mental injury, sexual abuse, exploitation, or neglect. Refer to Division of Welfare and Supportive Services Administrative Manual, Chapter 2500, for specific policies and procedures on reporting neglect and abuse.

The NRS enumerates an extensive list of persons/professionals who must make a report to a child protective services agency or law enforcement agency immediately, but in no event later than 24-hours after there is reason to believe a child has been abused or neglected. Though some Nevada State Division of Welfare and Supportive Services employees are not mandatory reporters per Nevada law, all must report abuse/neglect situations made known to them to the proper authorities immediately.

10.8 NON-DISCRIMINATION

The Division of Welfare and Supportive Services does not discriminate against any applicant or participant in any aspect of program administration. Benefits are extended to all eligible households without regard to age, race, color, sex, handicap, religious creed, national origin, or political beliefs.

The Division of Welfare and Supportive Services must inform the public of non-discrimination policy and the applicable complaint procedures, and must provide access to nondiscrimination information within ten (10) days of request. All Division of Welfare and Supportive Services offices must post nondiscrimination and civil rights policy in lobby areas.

10.9 DISCRIMINATION COMPLAINTS

Explain the following procedures to clients who believe they have been discriminated against and want to file a claim. Encourage the client to complete the Discrimination Complaint Form, Form 2174-EG. An electronic copy of this form is on the Division of Welfare and Supportive Services "I" drive. The client completes the form. Staff sign and date the form as received in the EAP office. The Program Manager dates when the form is received and completes an investigation of the complaint. When the investigation is complete, the Program Manager forwards their findings with all the related back up to the Civil Rights Coordinator in Central Office via the Chief, Employment and Support Services. Clients may also submit the complaint directly to the appropriate federal office, either EAP office, Central Office or all of the above. Below is the contact information for the federal Civil Rights Office:

Office for Civil Rights, DHHS
90 7th Street, Suite 4-100
San Francisco, CA 94103

Phone: (415) 437-8310
Toll free: 1-800-368-1019 or TDD (415) 437-8311
Fax: (415) 437-8329

Clients must file their complaints in writing within 180 calendar days of the incident causing the complaint. In the event the complainant refuses to put the allegation in writing, the person to whom the allegation is made must put the elements of the complaint in writing. The complaint may be made anonymously.

See Administrative Manual Chapter 500 for more information on nondiscrimination.

11. SPECIALIZED ASSISTANCE PROGRAM COMPONENTS

The EAP has three specialized assistance components. They are:

1. Fast Track,
2. Crisis Intervention (CI); and
3. Arrearage Payment (AP)

11.1 REQUESTS FOR SPECIALIZED ASSISTANCE

Requests for specialized assistance can be made by:

- the household; or
- the utility on behalf of the household; or
- another interested party (i.e., landlord, Authorized Representative, etc.).

When a utility company notifies the agency that a client household is in need of specialized assistance or EAP staff become aware a household may be eligible for specialized assistance, EAP staff will evaluate the information received and/or contact the household and offer Fast Track, Crisis Intervention or Arrearage Payment services. The request may be taken in person or over the phone.

11.2 SPECIALIZED ASSISTANCE REQUIREMENTS

- All specialized components are available year round;
- All household members' total countable gross income is considered in determining eligibility for the specialized components;
- There is no resource/assets test;
- An applicant determined eligible under the Fast Track or Crisis Intervention components would receive a benefit based on the fixed annual credit (FAC) calculation.
- An AP-eligible household will have their arrearage debt paid in full.
- To receive a specialized assistance component, an applying applicant must meet other EAP criteria such as, but not limited to, citizenship, residency, etc., unless otherwise specifically addressed below. Income consideration, budgeting, and payments will all be made in accordance with income guidelines in manual section 7 and budgeting guidelines in manual section 8.
- An applicant applying for Fast Track, Crisis Intervention or Arrearage Payment assistance must provide required documentation for eligibility.
- An EAP application (including the Rights and Obligation form), and all other necessary forms applicable to the household's situation are required; and

- The Fast Track Evaluation, Form 2873-EL, and/or Crisis Intervention Worksheet, Form 2807-EL, must be completed by the worker and retained in the case file.

11.3 FAST TRACK COMPONENT

The Fast Track Component provides expedited services to eligible households whose energy source is in danger of being interrupted. A case decision must be made by the end of the second business day after receipt of a request for Fast Track. If the energy crisis causes the household to be in a life-threatening situation, the case decision must be made by the end of the next business day after receipt of a request for Fast Track.

When a Fast Track request is received by the EAP office a case manager must review the case file and the EAP computer system to verify that the household did not receive Fast Track assistance in the prior program year. Fast track services cannot be provided in consecutive years unless extenuating circumstances exist. If extenuating circumstances exist and are approved by the EAP Program Manager/Supervisor, Fast Track services may be approved within a 12-month period as long as it's not in the same program year.

> **Example:** In 12/13 an eligible household received Fast Track services. Then in 08/14 they have an approved extenuating circumstance which allows for the household to be eligible prior to their 12-month period. Because 8/14 is a new program year, the application can be reviewed under the Fast Track guidelines.

11.3.1 Qualifying Circumstances

If a household meets the following criteria, evaluate for Fast Track:

- The household received a 48 hour disconnect notice from their heating or electric service provider, **or**
- has been disconnected, **or**
- has less than 10% of heating fuel in their tank, **or**
- needs a deposit to establish service; **or**
- has an energy crisis that causes a life threatening situation; **and**
- the household paid at least $25 on their utility bill(s) during the sixty (60) days prior to the emergency; **and**
- has requested a payment plan **and** been denied; **or**
- has established a payment plan but cannot meet the terms of the agreement.

11.3.2 Income Limit

The household's annual income must not exceed the current income limit percentage of the federal poverty level, as determined by the DWSS. Eligibility is based on the income of the entire household. The household's income must be documented during the application process.

See Appendix A for income limits by household size.

11.3.3 Required Documentation Time Frame

The day a request for Fast Track assistance is received the application must be given to a case manager to review so they can determine if the applicant household qualifies for Fast Track assistance. If documentation/verification is missing, the case manager will contact the applicant household the same day to request the missing documentation/verification (the case manager must narrate who was contacted in the EAP system). The applicant household is required to provide the documentation/verification necessary to establish eligibility and benefits within twenty-four (24) hours of the request. An applicant household that does not comply with the 24 hour time frame is denied Fast Track assistance and put back in date order for application processing.

If the verification is received, the application may be pulled forward for review/processing.

If the household has been notified by the utility provider their energy source is going to be disconnected within 48 hours and the household requests Fast Track assistance, the applicant household will need to contact the utility provider to request a 24 hour extension on the disconnect to enable them the opportunity to provide verifications to EAP. If the 24 hour period occurs on a weekend or holiday, the household has until the next business day to provide the requested verification.

Once the requested documentation/verification is received the case can be processed. The case manager must process the case the same working day the applicant household provides the requested data and inform the utility vendor if benefits were authorized.

NOTE: The benefit may not cover all arrearages. If a disconnect/shut-off occurs, all arrearages will remain unless the household applies and qualifies for an arrearage payment. (Refer to MS 11.5).

11.3.4 Household Income Reduction

Under specific circumstances, household income used to determine eligibility may be reduced by qualifying expenses. To consider a household income reduction the household must have experienced a recent (during the last 2-5 months) unexpected (event a reasonable person would not have anticipated or planned for) loss, or reduction in income of at least 15% of the household's total gross income, which resulted in the inability to pay heating and/or cooling costs. A loss or reduction of income from a seasonal or temporary position or for being terminated for misconduct does not qualify;
or
The household must have experienced recent unexpected emergency expenses of at least 15% of the household's total gross income, which caused the inability to pay heating/cooling costs. Increases in utility costs due either too 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 expenses include:

- Unreimbursed medical expenses for a medical emergency, (to include expenses paid by a credit card as long as the expense is only allowed once); or
- Unreimbursed compulsory and necessary home repairs; or,
- 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, e.g., tire purchases, oil changes, etc.

The emergency expense must be supported by valid and verifiable documentation. All documentation must be included in the case file.

The following situations are not considered "unexpected" (not all inclusive):

- Child support or alimony that is generally received sporadically and then ceases.
- Unemployment benefits cease due to the ESD time limits.
- Voluntarily quitting employment.
- Being incarcerated which results in the loss of employment.
- Dismissed from employment during the probationary period for misconduct or other reasons within the employee's control.

11.3.5 Ineligible Households

Households are ineligible for Fast-Track assistance if they:

1. received Fast Track assistance in the previous EAP program year, **or**
2. received an Arrearage Payment, **or**
3. failed to meet other component requirements.

Exceptions for 1) and 2) above may be made if there are extenuating circumstances, e.g., terminal illness, car accident, etc. Exceptions must be approved by an EAP supervisor or Program Manager.

Applications of households determined ineligible for Fast Track assistance are placed in date order by application date and will be evaluated for energy assistance benefits within the regular EAP program timeframes.

11.3.6 Case Processing

The staff member who is processing Fast Track applications will adhere to the following process:

- Application/request for Fast Track assistance received;
- Case is immediately referred to the Fast Track case manager; and,
- Fast Track case manager must complete and retain in the file the Fast Track Evaluation, Form 2873-EL. The form contains:
  - Household data, e.g., name, social security number, address, phone, etc.;
  - Date of any application that may be pending;
  - Energy vendor identification including account number(s);
  - Initial screening requirements;
  - Identification of emergent need;
  - Energy vendor contacts;
  - Documentation required (page 2 of Form 2873);
  - Computation of 15% loss or reduction of income;
  - Promise to Pay notation if household meets criteria, and
- If applicable, issues the Fast Track Requirement letter to the applicant. If a household member is not in the office to receive the letter the case manager must contact the household to inform them of the documentation/verification that is required to make a case decision.

- Complete the appropriate field on the 'Characteristics Details' screen in the EAP computer system:
  - If the household did not have utility energy services and the Division assisted with restoring the utility services then select the vendor(s) energy type in the Home Energy Services Restored field(s); **or**
  - If the Division helped prevent the household's services from being disconnected/shut off select the Crisis reason in the Crisis Prevention field(s); **or**
  - Select the Fast Track checkbox, Fast Track Status, Fast Track Determination, Fast Track Denial Reason as appropriate.

11.4 CRISIS INTERVENTION COMPONENT

The Crisis Intervention Component assists households experiencing a special circumstance or crisis and whose gross annual income exceeds the current income limit percentage of poverty except for allowable qualifying expenses that reduce the annual income to the current income limit percentage.

11.4.1 Qualifying Circumstances

The applicant must have income exceeding the current income limit percentage of the federal poverty level ***and*** qualifying expenses, when taken into consideration, would place the household's income at or below the current income limit percentage of the federal poverty level. EAP is not required to screen each applicant for Crisis Intervention; however, any case that becomes known to the agency as having circumstances with potential qualifying expenses that may be deducted from their gross income may be considered for Crisis Intervention.

The Division may be made aware of applicants who may qualify for the Crisis Intervention Component by the applicant, a utility vendor, another agency, or any other interested party (e.g., landlord, Authorized Representative , etc.). The request may be verbal or in writing.

An applicant who requests Crisis Intervention assistance will have their case processed in date order as with any other pending application unless they qualify for Fast Track and Crisis Intervention assistance simultaneously. Requests for and any subsequent approvals of Crisis Intervention assistance must be substantiated with the applicable verification(s) in the case record. (Refer to Manual Section 2.6 Processing Time Frames)

11.4.2 Income Limit

The household must have an annual income exceeding the current income limit percentage of the federal poverty level, as determined by the DWSS. The applicant must present "qualifying expenses" that reduce the annual countable income at or below the eligibility threshold income limit.

Eligibility is based on the income of the entire household. The household's income must be documented during the application process.

See Appendix A for Income Limits.

11.4.3 Qualifying Expenses

Qualifying expenses include:

- Unreimbursed medical expenses for medical emergencies or long-term, chronic medical conditions (to include expenses paid by a credit card as long as the expense is only allowed once); or
- Unreimbursed compulsory and necessary home repairs; or
- 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 maintenance is excluded, e.g. tire purchases, oil changes, etc.; or
- Unreimbursed mileage to medical treatment over 100 miles roundtrip.

The qualifying expense must be supported by valid and verifiable documentation, and must create a financial hardship for a period of three (3) months or more. All documentation must be included in the case file. Physician statements are required to support medical related expenses.

11.4.4 Case Processing

The staff member who is processing a Crisis Intervention case will adhere to the following process:

- Application/request for Crisis Intervention assistance received; and,
- Worker reviews the case for qualifying criteria and refers the case record to the EAP Program Manager/Supervisor.

The Crisis Intervention Eligibility Determination Worksheet, Form 2807-EL, must be completed and retained in the case file. The form guides the case manager to collect the following data/verification(s) to determine eligibility:

- Annual gross income;
- Total qualifying expenses;
- Adjusted annual gross income (gross income less qualifying expenses); and,
- Compare the adjusted annual gross income to the current income limit percentage of poverty.

If the adjusted annual gross income of the household is at or below the current income limit percentage of the federal poverty level, the household is eligible for Crisis Intervention. If the household is eligible the case manager must check the 'Crisis Intervention' box in the EAP system's 'Characteristics Details' screen in the EAP system. If the household is not below the current income limit percentage of the federal poverty level, the case would be denied for excess income. Narrate the case decision in the EAP system.

11.5 ARREARAGE PAYMENT COMPONENT

The Arrearage Payment Component (AP) eliminates the past due debt an applicant owes to their Nevada heating and/or electric vendor(s) at their current address, excluding deposits, reconnection fees, and penalties assessed by the utility for improper or fraudulent activities related to obtaining or using energy. AP is a once in a lifetime benefit.

Arrears accumulated in a state other than Nevada will not be considered when determining the arrears benefit amount.

11.5.1 Request for Arrearage Payment Component Services

11.5.1.1 Current Request for AP Services

The applicant may request AP assistance on an EAP application, Form 2824-EL, 2824-EL/VI, or 2824-ELS, or, the request may be in writing. Document all activity in the EAP system. A request for AP assistance cannot be made without the applicant applying for or receiving a FAC benefit. If the applicant applies after receiving a FAC benefit the case manager will re-verify eligibility.

When an Arrearage Payment (AP) assistance request is received by the EAP office a case manager must review the case file and the EAP computer system to verify that the household did not previously receive an Arrearage Payment. Arrearage payments are only available to applicants once in a life-time. For exceptions refer to Manual Section 11.5.6.

The applicant may request AP assistance on their:

1) past due heating bill (gas, propane, etc.); or
2) past due electric bill; and/or
3) past due heating ***and*** electric bill.

11.5.1.2 Subsequent Request for AP Services

Once an applicant has received AP assistance with their heating ***OR*** electric bill, they are no longer eligible to receive AP Services (even if the applicant did not include one of their vendors).

11.5.2 Counseling Applicant Requesting AP Services

If an applicant requests AP services and it may be in their best interest to reconsider the request, the case manager is required to provide the applicant with the policy information necessary for them to make an informed decision, keeping in mind most households may only receive AP assistance once in a lifetime.

EXAMPLE: An applicant submits a $200 natural gas debt, while processing the case the case manager determines the household will be eligible for a $1,500 FAC benefit. The household may elect to manage the $200 debt with the FAC benefit and “save” the opportunity to request AP assistance for a future time.

A prudent case manager is required to provide information to the household to aid them with their decision. Discussions with the applicant on this matter must be documented in a case narrative in the EAP system. Ultimately the decision to apply for AP assistance is the applicant’s, as other issues may factor in their decision.

11.5.3 Qualifying Circumstances

To be eligible for an Arrearage Payment the applicant must:

- receive their heating and/or cooling energy from a Nevada energy vendor; and
- have a past due balance accrued at their current residence; and
- be eligible for or have received a FAC benefit in the program year; and
- have not previously received an arrearage payment (Exception: See MS 2.18).

Any heating and/or cooling bill with an arrearage accrued outside the state of Nevada is ineligible for payment.

11.5.4 Income Limit

The household's countable annual income must not be more than the current income limit percentage of the federal poverty level, as determined by the DWSS. Eligibility is based on the income of the entire household. The household's income must be documented during the application process.

See Appendix A for current income limits for each household size.

11.5.5 Benefit Limit/Payment

There is no dollar limit on the amount of funds authorized to eliminate an eligible household's arrearage.

All AP must be made to the participating vendor. Under no circumstances will an AP be made to the applicant.

The Arrearage Payment Component is available only when there is funding in the program year, as determined by the Administrator.

11.5.6 Qualifying Requirements

The applicant must have paid an amount equal to AP energy burden percentage (See Appendix A) of their current income toward the arrearage during the 12 months in which the arrearage accrued.

For household's suffering from a hardship refer to MS 2.18.

11.5.7 Frequency of Receipt

An applicant may receive an arrearage benefit only once in a lifetime.

Exception: Applicants with chronic, long-term medical conditions that create a financial hardship and/or increase energy consumption.

Any case requesting AP assistance for a second time that may qualify under the above 'exception' must be sent to the EAP Manager for review and/or approval/denial. The decision must be documented in the EAP system narrative.

11.5.8 Ineligibility for Future Fast Track Assistance

Once an applicant receives AP assistance, the applicant is ineligible for expedited case processing, such as Fast Track.

For household's suffering from a hardship see MS 2.18.

11.5.9 Case Processing

The case processing and eligibility/benefit determination should occur within the 30 or 60-day timeframe for processing a standard application. In processing eligibility for AP assistance, the case manager is required to document the arrearage debt and other pertinent information provided by the heating and/or electric vendor in the EAP system Narrative.

11.5.10 Reasons for Non-Payment of AP Benefits

See to MS 11.3.6 for the AP denial reasons.

12. HEARINGS

12.1 DEFINITION

A hearing is an orderly, readily available proceeding before a hearing officer which provides an impartial process to determine 1) the correctness of an agency action being appealed, and 2) the eligibility of the applicant/recipient as it relates to the issue of the hearing. Hearing officers may neither hold hearings nor render decisions on the issue of discrimination.

12.2 RIGHT TO APPEAL

A hearing may be requested by a household member or an authorized representative on 1) an action to deny benefits or 2) because they disagree with the benefit amount.

12.3 NOTIFICATION OF THE RIGHT TO A HEARING

Clients must be informed in writing of their right to a conference or hearing at the time of application, via the Rights and Obligations, and at any time an action is taken to deny their EAP benefits. The Rights and Obligations is now part of the EAP Application, Form 2824-EL.

12.4 TIME PERIOD TO APPEAL

The EAP allows for the right to request a 1) conference, and 2) a hearing. The *conference is the pre-hearing conference* at which the issue in dispute can be discussed with the applicant/recipient. The issue may be resolved at the pre-hearing conference. If unresolved at this point, the case proceeds to the hearing. Both the conference and hearing request must be received in writing within ninety (90) days of the case action.

As previously stated, a written request for a hearing must be received within ninety (90) days from the date on the Notice of Decision. Hearing requests must be received within the specified time limit unless the client can substantiate "good cause" for not doing so. Good cause may include illness. When the deadline falls on a weekend or holiday, the deadline is extended to the next working day.

12.5 WHERE TO APPEAL

EAP applicants/recipients may request a conference/hearing if they believe they have been unfairly treated or a mistake has been made concerning their eligibility or benefit amount. On the EAP application, applicant/recipients are required to call or write their local Energy Assistance Office.

A verbal request for a conference or hearing must be documented in the case record on the Client Update Form, 2888-EL, or in the case narrative. The client must be instructed to put their request for a conference/hearing in writing.

If a written request is received by the program office, a copy of the request must be forwarded to the Hearing Office within ten (10) working days after receipt. The request must contain the claimant's name, address, case number, date received in the program office and the name and address of the authorized representative, if applicable.

The Hearing Office address is:

Nevada State Welfare Division
Hearings Unit
701 North Rancho
Las Vegas, NV 89106

Phone: (702) 486-1437
Fax: (702) 486-1438

A copy of the request must also be maintained in the client's case record.

12.6 CLIENT REQUEST FOR CLARIFICATION

If the applicant/recipient calls (as instructed on their Rights and Obligations) and has a question/concern about their case, and does not wish to formally request a hearing, the program manager/program officer or their designee may perform a review of the situation and take corrective action if applicable. Should the question/concern be unfavorable or not to the applicant/recipient's liking, they shall be informed to formally request a hearing and be instructed on how to do so.

12.7 CONFERENCE PROCEDURES

Within ten (10) calendar days of the appeal request, the EAP Program Manager/Program Officer or other designated staff member must review the case action for accuracy and supporting evidence and attempt to resolve the contested action either in writing or verbally with the household. The conference should be scheduled as soon as possible considering the locations of the client and EAP office staff. In no case should a conference occur more than fifteen (15) working days after the request is made.

EAP staff must attempt resolution through either of the two following methods:

- An in-person conference; or
- A telephone conference (customary since many of the EAP cases are processed via the mail/phone).

12.7.1 Conference/Hearings, Form 2254-EL

At the conference held with the household (either in-person or via the phone), the EAP staff member must document a summary of what occurred on the Conference/Hearings, Form 2254-EL. Utilizing Form 2254-EL allows the applicant/recipient to 1) initiate a hearing request, 2) continue with the hearing request because no resolution occurred at the pre-hearing conference, or 3) withdraw from the hearing because resolution occurred at the pre-hearing conference. The 2254-EL allows the agency to document the pre-hearing conference with the client. The 2254-EL is NCR and allows for copies for 1) the hearing officer (white), 2) case file (canary), and 3) the client (pink).

12.7.2 Conference Results

12.7.2.1 Dismissal/Withdrawal of Hearing Request

If the conference results in a *resolution acceptable to both the applicant/recipient and the agency*, any case action needed or agreed upon must be taken within five (5) working days. The client may opt at this point to accept the case action taken by the agency wherein no case action is needed. The results of the pre-hearing conference is documented on the Conference/Hearings, Form 2254-EL. The client can also indicate their intent withdraw from the hearing using the 2254-EL. The EAP staff member conducting the pre-hearing conference must ensure the client receives their copy of the 2254-EL: 1) at the time of the pre-hearing conference if held in-person, or 2) mail it to them within ten (10) working days if the conference is held over the phone.

The appropriate copy of the 2254-EL is forwarded to the Hearings Officer so they have a record of how the hearing request was resolved.

12.7.2.2 Case Proceeds to Hearing

If the conference results in *no change in eligibility or benefit amount*, the Program Manager/Program Officer or their designee is required to document this on the Conference/Hearings summary form. The applicant/recipient has the right to state their intention to pursue a hearing using the 2254-EH. The EAP staff member conducting the pre-hearing conference must ensure the client receives their copy of the 2254-EL: 1) at the time of the pre-hearing conference if held in-person, or 2) mail it to them within ten (10) working days if the conference is held over the phone.

12.8 HEARING PROCEDURES

If the household wishes to pursue the hearing, staff proceed to comply with the hearing procedures.

See Division of Welfare and Supportive Services (DWSS) Administrative Manual, Chapter 3100, for more detail on proceeding with the hearing request.

12.9 DENIAL OF A HEARING REQUEST

A hearing need not be granted in the EAP when 1) the request was not received timely, or 2) the sole issue is either state or federal law requiring an automatic adjustment for classes of recipients, unless the reason for an individual request is incorrect benefit computation.

12.10 SCHEDULING THE HEARING

The hearing notification, scheduling and location are the responsibility of the hearing officer. The household is notified by mail of the time, date and place the hearing has been scheduled. Clients are also given a written explanation of the hearing procedures at this time. At the discretion of the hearing officer, a hearing may be postponed if requested by the client or local office.

A hearing is considered abandoned when neither the household nor their authorized representative appear for a scheduled hearing, unless the hearing officer finds good cause for failing to appear.

For more details, see DWSS Administrative Manual, Chapter 3100.

12.11 AGENCY AND CLIENT RESPONSIBILITIES

It is the responsibility of the agency to provide testimony and evidence to substantiate the agency action. Most pre-hearings are done via the mail or by phone by the EAP. If done in person, agency staff and/or members representing the agency must attend the pre-hearing conference and hearing. An agency supervisor/staff member responsible for or involved in the action, or a legal representative of the agency, may also attend.

The client's responsibility is to provide testimony and evidence in support of their position. Clients must be informed in writing by the agency of their right to be represented by others or to represent themselves at the pre-hearing conference and hearing.

12.12 PREPARATION AND PRESENTATION

For more information than is contained below, see DWSS Administrative Manual, Chapter 3100.

12.12.1 Agency

Confidential information, such as documents or records containing the names of individuals who have disclosed information about the household without its knowledge or the nature and status of pending criminal prosecutions is protected from release. Protected information, which the client will not have the opportunity to challenge, shall not be introduced at the hearing.

The agency representative shall have the right to question the claimant and/or his representative or any witnesses who present testimony.

12.12.2 Client

Clients/representatives may request to examine their documents/records in the case file. The case file must contain written client authorization for a representative to have access to their file. Clients may request copies of case information to determine if a hearing will be requested or to prepare for a hearing. The agency will provide the copies free of charge. The client shall not have access to confidential information.

12.13 HEARING DECISION

The Hearing Officer will render a written decision within ninety (90) days after the hearing has been held, unless the dispute is otherwise resolved. The decision will be based on evidence and testimony presented at the hearing, as well as applicable law/policy. Upheld decisions are adverse to the client. When a decision is upheld, the client must be notified of his/her right to a judicial review. Client withdrawal and abandonment are equivalent to an upheld decision. Reversed actions are favorable to the client. Withdrawals by the agency are equivalent to a reversed decision.

12.14 TIMELY ACTION ON HEARING DECISION

Once the hearing decision has been rendered, and the action is in favor of the household, EAP staff has thirty (30) days to take the action directed by the hearing officer.

12.15 APPEAL OF HEARING DECISION

It is the Hearing Officer's responsibility to inform the claimant of their right to judicial review if the Hearing Officer finds in favor of the agency. The hearing decision maybe appealed to the district court of the State of Nevada within ninety (90) days from the date of the decision letter.

13. CLAIMS AND INTENTIONAL PROGRAM VIOLATIONS (IPVs)

This chapter contains direction on handling claims in the Energy Assistance Program (EAP) and the procedures necessary for persons/households that "intentionally violate" program regulations. The Division of Welfare and Supportive Services (DWSS), Investigations and Recovery Unit (I&R), works in concert with the EAP staff to recover misspent energy assistance funds, be they federal or state funds, and to remove persons from the program who have committed an intentional program violation.

> **NOTE:** Claims are addressed in detail in the I&R Manual, Sections 300 and 400, respectively. Intentional Program Violations are addressed in detail in the I&R Manual, Section 200. Reference should be made to these manual sections for issues/events not addressed in this chapter.

13.1 CLAIMS

13.1.1 Claims Defined

A claim means any benefit provided under the Energy Assistance Program paid to, or on behalf of, any individual or household which exceeds the amount the individual or household was eligible for.

Claim amounts reflect the difference between what the individual/household incorrectly received in the form of a benefit less what they were actually entitled to receive.

When calculating a claim amount, the worker must use budgeting procedures and policy in effect at the time the claim was incurred.

13.1.2 Date of Discovery

The date of discovery is the date the DWSS confirms through investigation of the claim allegation an overissuance has occurred.

13.1.3 Calculating the Claim

When information is received indicating a claim may exist, it is the responsibility of the worker for that household to calculate the amount of the claim, unless the program manager assigns this task to another staff member. The DWSS employee charged with calculating the claim amount must obtain written verification of the questionable issue. Claims must be calculated within 15 working days of receipt of the necessary collateral contacts or return of the Investigative Follow-Up Form and documented in the case file.

13.1.4 Claim Classifications

A claim is established for intentional program violations, client errors, and agency errors. Every claim is classified through the use of one of the following definitions.

Intentional Program Violation: a claim is classified as an Intentional Program Violation (IPV) when the Division of Welfare and Supportive Services (DWSS) is in receipt of:

- a written notice of decision from a hearings officer with a finding the individual/household intentionally violated program rules;
- a criminal court conviction for violation related to public assistance crimes; or
- a signed and I&R approved waiver.

Client Error: a claim may be classified as client error if the claim was caused by a misunderstanding or unintended error by any or all members of the household.

All client errors that cannot be immediately recovered from the current benefit are referred to the I&R Unit for recovery.

Agency Error: a claim may be classified as an agency error if the agency:

- failed to take timely action on a reported change;
- incorrectly determined and authorized benefits;
- erroneously issued duplicate benefits;
- incorrectly computed income, expenses, deductions or annual benefits; or
- made any other error unrelated to the client's withholding or incorrect reporting of eligibility information.

Recovery will not be pursued for claims established as a result of agency error, unless the error is:

- so "obvious" and would be considered "obvious" to the household; or
- of such a large amount it is considered prudent to recover.

The EAP Program Manager will refer agency error claims in excess of the cap benefit amount to the Chief of Employment and Support Services. The Chief or their designee will determine if recovery is to be pursued.

13.1.5 Claim Referral

Following the calculation and approval of a client error claim the claim is referred to DWSS I&R Unit via the Investigations and Recovery Information System (IRIS).

Immediately after claim referral, the worker shall establish a "claim packet." The claim packet shall include:

- copy or original of all pertinent documents (application, picture ID, etc.) contained within the case file;
- copy or original of substantiating documentation relative to the claim;
- a case narrative containing at a minimum how the claim occurred; and
- a copy of the claim referral.

The claim packet must be sent to the I&R Unit responsible for their program office no later than five (5) working days after referral.

13.1.6 Collection of Claim

13.1.6.1 Open Cases

Vendor Payment: If the claim is collectible by recouping monies credited to the household's utility vendor, immediate action shall be taken by the EAP worker to notify the utility vendor(s) to return any unused monies to the Division of Welfare and Supportive Services. These monies shall be deducted from the claim balance owed by the household.

If after this is accomplished, a claim balance remains, the case shall be referred to the I&R Unit for recovery. See "Direct Payment" below.

Direct Payment: If the claim must be collected directly from the household, it shall be referred to the I&R Unit for recovery. It is I&R's responsibility to contact the household, send demand letters, and keep an account of all household payments toward the claim until the claim is paid.

If a claim balance remains and the household applies for benefits in the subsequent program year, the claim balance may be deducted from the subsequent year's benefits to satisfy the claim if the household is eligible and agrees to amend any previous repayment agreement negotiated with the division. This can be accomplished without regard to whether the household receives a vendor payment or direct payment. Once these benefits are withheld, the I&R Unit shall be notified so their debtor file can record the "collection."

13.1.6.2 Closed Cases

Recovery of claims for closed cases fall within the functional responsibilities of the I&R Unit. Notifications, follow-up and enforcement actions will be accomplished through I&R personnel.

Closed cases with outstanding claims are not purged from the applicable EAP office.

13.2 INTENTIONAL PROGRAM VIOLATIONS (IPVs)

13.2.1 IPV Defined

An Intentional Program Violation is an action by an individual/household member for the purpose of establishing or maintaining program eligibility, or increasing or preventing a benefit reduction when they:

- Make a false or misleading oral or written statement, or misrepresented, concealed or withheld information; or

- Commit an act that violates Nevada Revised Statute 422A.700 or intentionally violates any rule or regulation established by the Division of Welfare and Supportive Services; or

- Make an attempt to obtain, increase or continue energy benefits for themselves or others to which they would otherwise not be entitled to; or

- Receive energy benefits to which they would otherwise not be entitled; or

- Fail to comply with reporting requirements set forth in the Energy Assistance Program manual; or

- Submit a false document to the Energy Assistance Program staff and/or Division of Welfare and Supportive Services.

Intent may be demonstrated in a number of ways, such as:

- The accused individual had reason to know or had knowledge of the information withheld or misrepresented;

- The accused individual failed to report or clarify the information withheld or misrepresented during contact with DWSS or contracted staff, either in person, by mail, by phone, FAX or Electronic Mail;

- The accused individual has demonstrated the ability to report or clarify required information in the past; or

- The accused individual has a history of previous program violations and/or client caused claims.

The following acts are illustrative of an IPV, but not exclusive:

- Concealing or misrepresenting – identity, Social Security Number, employment information, paternity information, pregnancy information, marital status, household resources, persons living in the home, earned or unearned income, child care information, assets, residency, household expenses, non-custodial parent information, citizenship, household members temporary absence from the home, receipt of public or government assistance, criminal information, school attendance of children, child support issues, medical expenses, separate food units, medical conditions of persons living in the home, lump sum disbursements, winnings, fleeing felon status, subsidized housing, prior Intentional program Violations or any other information specifically addressed on the public assistance application.

- Altering, forging, duplicating or transferring of DWSS vouchers, forms, checks, affidavits, or any documents submitted to DWSS.

- Misuse or unauthorized presentation, transfer, acquisition, receipt or possession of vouchers, checks, warrants or affidavits.

13.2.2 Disqualification Penalties

Accused individuals found to have committed an IPV either through an administrative disqualification hearing or by a court of appropriate jurisdiction, or have signed a disqualification consent agreement, are ineligible for Energy Assistance Program benefits for:

- First Violation One program year (State fiscal year)
- Second Violation Two program years (State fiscal year)
- Third Violation Permanently Ineligible (lifetime)

13.2.3 Administrative Disqualification/Penalty Waiver, Form 6021-AF

An Administrative Disqualification/Penalty Waiver, Form 6021-AF, is used to disqualify an individual found to have committed an Intentional Program Violation. The form's purpose is:

- to formally notify the accused, before the hearing date, of the Division's charge of an IPV; and
- to allow the accused the opportunity to waive the right to an impartial review by the hearing authority thereby accepting the disqualification penalty.

13.2.4 IPV Repository

The Division of Welfare and Supportive Services Investigations and Recovery (I&R) Unit in Central Office maintains a central repository for all prior IPVs. Before submitting the Administrative Disqualification/Penalty Waiver, the caseworker must verify if prior IPV penalties have been imposed.

If prior IPV penalties are identified, the worker must obtain a copy of the previous IPV waiver, hearing decision or criminal court disposition and attach this paperwork to the new Administrative Disqualification/Penalty Waiver, Form 6021-AF, to substantiate pursuit of enhanced penalties.

13.2.5 Identification of IPVs

International Program Violations may be identified through a variety of means. The violation does not have to be discovered through an investigation or omission by the applicant or recipient, and does not have to include an incorrect payment of benefits.

The mere attempt to acquire benefits incorrectly may be reason enough to pursue disqualification penalties.

Identification may be accomplished through, but is not limited to, collateral contacts, automated interfaces, case investigations, or eligibility interviews.

13.2.6 Referral Procedures for IPVs

13.2.6.1 Known IPV

If an EAP employee/contracted employee *has verification* an IPV has occurred, the worker *must* initiate or request I&R to initiate an IPV action against the applicant(s)/recipient(s) who misrepresented or withheld information, falsified documents or attempted any other action to secure benefits to which they were not entitled to. An IPV action is:

- completion of the Administrative Disqualification/Penalty Waiver, Form 6021-AF; or
- written correspondence (Next Occurrence Notice) to the accused individual addressing:
    1) the area of concern;
    2) what is expected for divisional compliance; and
    3) a statement that future occurrences may result in program disqualification.

13.2.6.1.1 Completing the Administrative Disqualification/Penalty Waiver, Form 6021-AF

When completingForm 6021-AF, the EAP staff member must limit their actions to *"one person per form" and "one program per form."* Evidence to support the IPV **is not** included or attached to the Waiver. Documentary evidence of prior occurrences is the only acceptable attachment and must be attached when other than a first program occurrence is marked. Prior occurrence information may be obtained by contacting the Investigations & Recovery Unit in Central Office. To effectively research prior occurrences, the last name, first name, date of birth, Social Security Number, and any alias of the accused is needed.

13.2.6.1.2 Signed IPV Waiver

If a signed waiver is obtained, the worker shall do the following no later than the end of the next business day:

- create an Investigations and Recovery information System (IRIS) referral by completing the applicable referral detail fields;
- select the "IPV Waiver Attached" option;
- enter IPV waiver information and save the referral; and
- scan and attach the signed IPV waiver (and proof of prior occurrence, if applicable) document to the referral.

Upon successful referral generation, IRIS will route the referral to the Referral Management Unit (RMU) for case establishment and routing through the IPV process.

13.2.6.1.3 Request I&R Pursue IPV

If the accused individual refuses to sign the waiver, the worker must refer the case to the Investigations and Recovery Unit for an investigation to pursue an IPV by:

- creating an IRIS referral by completing the applicable referral detail fields;
- selecting "I&R to Complete IPV Waiver"; and
- entering IPV waiver information and then saving the referral.

Upon successful referral generation, IRSI will route the referral to the RMU for case establishment and routing through the investigative process.

13.2.7 IPV Methods

There are three methods by which an accused individual may be penalized. They are:

- Acknowledgment and voluntary acceptance of the penalty by the accused via a signed Form 6021-AF ***and*** a notification from I&R;
- By formal order of the Division of Welfare and Supportive Services Hearings Officer after conclusion of the administrative penalty/disqualification hearing process; or
- By conviction in a criminal court for any offense related to violation of Energy Assistance Program rules.

It should be noted the applicant/recipient may elect to 1) sign/not sign Form 6021-AF, and/or 2) participate/not participate in the administrative penalty/disqualification hearing process.

13.2.8 Coordination of IPV Actions

To eliminate confusion and duplication of effort, all Administrative Disqualification/Penalty Waivers, Form 6021-AF, must be approved by the EAP Program Manager before being transmitted to the I&R Unit assigned responsibility for the submitting office. The signature and approval of the EAP Program Manager is mandatory to ensure prior penalty occurrences have been checked and worker actions are not duplicating the actions of I&R staff. When a 6021-AF is signed by the accused and approved by the designated EAP staff, it must be forwarded to the I&R Unit within two (2) business days.

13.2.9 Imposing Intentional Program Violation (IPV) Penalties/Repayment Obligations

Signed IPV disqualification waivers are forwarded immediately, via IRIS referral and attachment, for review and approval signature. After approval, I&R staff will prepare and send a copy of the waiver and Notice of Imposition of Penalties to the accused individual and the appropriate case manager advising of DWSS's intent to impose disqualification penalties.

Issues sent to the hearings office or criminal courts are resolved on a case-by-case basis. Only **written decisions** issued by the hearings officer or criminal courts are enforceable. The formal written decision order may:

- deny or approve the request for a hearing;
- deny or approve the request for a disqualification based on a hearing; or
- approve, with modification of the penalties.

If a signed waiver or hearing decision is obtained, penalties shall not be imposed until the worker has received notification from I&R staff.

Following I&R notification impose the appropriate penalty as follows:

- if the household has not been certified eligible (received a benefit) for the current program year, the disqualification period will start with the current program year.
- if the household has already been certified eligible (received a benefit) for the current program year, the disqualification period will begin with the next program year.

No further administrative appeal procedure exists after an accused individual waives his/her right to an administrative disqualification hearing and a disqualification penalty has been imposed. The accused individual, however, is entitled to seek relief in a court having appropriate jurisdiction.

Accused individuals who disagree with the decision of the hearings officer may appeal their case to district court within ninety (90) days of the date of the hearings officer's decision.

Recovery of incorrectly paid benefits **is not** interrupted or affected by the pursuit of the administrative penalty action.

14. OUTREACH

The Energy Assistance Program is committed to conducting outreach activities designed to assure eligible households, especially households with young children, elderly or disabled individuals, and households with high home energy burdens, are made aware of the assistance available in Nevada. Outreach opportunities through utility/energy vendors, Intake Sites, and community partners will be supported by EAP staff within practical limits.

14.1 INTAKE SITES

The DWSS contracts with intake sites to provide EAP outreach/ancillary services. Contracted intake sites receive compensation for each complete application packet they submit on behalf of potentially eligible households.

Contracted intake sites, utility/energy vendors and/or other community partners may obtain EAP applications and other related forms, fliers and posters from DWSS by completing and submitting a Request of Materials, Form 2854-EL, available at: https://dwss.nv.gov/pdf/EAP_2854_RequestForMaterials.pdf

The contracted intake sites throughout the state are encouraged by DWSS to do program outreach with the populations of Nevadans they serve.

The EAP develops contracts with various intake sites on an ongoing basis. Intake sites are equipped to provide EAP applications and help individuals complete their applications in a number of Nevada communities. Intake sites may elect to be paid for this service; however, many provide the service at no cost. A listing of current intake sites is located on the Nevada Division of Welfare and Supportive Services Website at: https://dwss.nv.gov/pdf/EAP_Manual.pdf

Intake sites also provide the service of accepting completed applications and forwarding them to one of the two EAP offices within the state.

GLOSSARY

Applicant means the person who signs the application on behalf of the household. The applicant does not have to be the head of the household.

Arrearage Payment Component means a once-in-a-lifetime assistance payment sufficient to eliminate the applicant's arrearage debt accrued at their current address, with the heating and/or cooling vendor providing other eligibility criteria are met. This program serves as one of the specialized assistance components offered by EAP.

Authorized Representative means someone authorized by the applicant and acting on behalf of and in the interests of an applicant in the application and/or reapplication process.

Boarder means an individual who pays the household only for lodging expenses, is not related to the household by blood, marriage or adoption, utilizes different or separate sleeping quarters from the rest of the household, and has a signed, dated and notarized rental or lease agreement with the property owner. A boarder, by this definition, is not a member of the household.

Case Narratives are a chronological history of case events that are maintained in the EAP system which support the actions taken by the case manager.

Child means a household member less than six (6) years of age.

Client means a person who *is receiving* EAP benefits (as opposed to an applicant who is *applying for* benefits). The term *client* and *recipient* are synonymous.

Collateral Contact means a third party verification source of information needed to determine eligibility or benefit amount.

Crisis Intervention Component means one of the specialized assistance components offered by EAP. This component assists households whose gross annual income exceeds current program year federal poverty level except for allowable qualifying expenses for a crisis, which reduces the annual income to the current program year federal poverty level or less.

Current means within the prior 30 calendar days from the date of application or application review.

Disabled refers to persons meeting one of the following:

- receiving or approved to receive Supplemental Security Income (SSI) or Social Security disability payments;
- receiving VA benefits because they have a 100% service-connected disability according to the VA, need regular aid and attendance or are permanently housebound;
- a surviving spouse of a deceased veteran who meet one of the following criteria according to VA:
    a. need regular aid and attendance;
    b. permanently housebound;

c. approved for VA benefits because of a veteran's death and could be considered permanently disabled for Social Security purposes;

- Surviving children (any age) of a deceased veteran who the VA:

  a. has determined are permanently incapable of self-support, or

  b. has approved for benefits because of the veteran's death and is considered permanently disabled for Social Security purposes;

- receiving federal, state or public disability retirement benefits for a disability considered permanent under Social Security standards;

- receiving Railroad Retirement Disability;

- receiving Interim Assistance (IA) benefits pending receipt of SSI;

- receiving disability benefits from any other state or private employment source, e.g., EICON (Employers Insurance Company of Nevada) or workers' compensation which uses criteria at least as stringent as those used by the Social Security Administration.

Dwelling Unit means any of the following dwelling units, whether or not the dwelling unit is owned, rented or subsidized: 1) a single-family dwelling unit, including, without limitation, a house or stationary mobile home; 2) a multi-family dwelling unit, including, without limitation, a townhouse/condo or an apartment; 3) a single room or a group of rooms occupied as separate living quarters—include duplex, motor home, and/or travel trailer.

Elderly means a person age 60 or over.

Eligible Household means one or more persons living together who receive energy assistance because they are income eligible (at or below current program year federal poverty level percentage), and meet other program criteria.

Emancipated Minor means an individual under the age of 18 who is emancipated either by marriage or court order.

Energy Assistance Program (EAP) means energy assistance administered by the Division of Welfare and Supportive Services.

Energy Audit means the process used to determine which weatherization measures are most cost-effective in reducing the energy consumption of the household.

Energy Burden means the *percent* of a household's income spent on energy costs.

Energy Consumption see "energy usage" definition.

Energy Dollar Usage means the actual dollar amount a household accrues for household energy needs.

Energy Usage means the measurement of the quantity of energy the household uses, e.g., therms, kilowatts, gallons, cords, etc.

Fast Track means the expedited processing of an EAP application to respond in emergent situations. Fast Track serves as one of the specialized assistance components for EAP.

Federal Poverty Level means the federally designated level signifying poverty determined in accordance with criteria established by the Director of the Office of Management and Budget (OMB) of the Executive Office of the President of the United States.

Fiscal Year means the state government fiscal year, which begins on July 1st of each calendar year and ends on June 30th of the following calendar year.

Fixed Annual Credit (FAC) means an annual amount of money sufficient to reduce the percentage of the applying household's income spent on heating/cooling to the median percentage of the household income spent on heating/cooling statewide annually.

Fixed Annual Credit (FAC) Income means the total amount of all income received that is taken into consideration to determine the applying household's Fixed Annual Credit (FAC). FAC countable income includes income types such as AARP, Title V income, Reverse Mortgages, Supported Living Arrangements, ceased income, etc., that are not counted towards determining income eligibility

Group Care Facility means any facility where three or more people live together due to a need for special care, support or supervision.

Health and Safety means the health and safety of a household's occupants. Typical health and safety measures may include, but are not limited to, heating and cooling system repairs/replacement, and mechanical measures as approved by the Housing Division, testing for carbon monoxide, adherence to minimum ventilation requirements, and installation of carbon monoxide detectors.

Household means one or more persons, whether or not related, who reside in the same dwelling unit and who share a primary heating system and/or a primary cooling system. Relatives who reside in the same dwelling unit or share the same main heating/cooling source are not considered separate households.

Housing Division means the Housing Division of the Department of Business and Industry.

Income means any type of payment that is a gain or benefit to the household. Income can be considered either *countable* or *exempt* when determining eligibility and benefit amount, depending on the source of the income.

Infant means a person twelve (12) months of age or younger.

Intake Site means an entity/agency contracted with the Division of Welfare and Supportive Services to: 1) provide energy assistance applications to the public, 2) accept energy assistance applications from the public, ensuring the appropriate documents are attached, and 3) forwards the completed applications to the Division.

Last Known Address (LKA) means the household's address as last reported by the household to the agency.

Leverage means the state can report all non-federal monies spent on low-income energy and weatherization assistance within the State to the Department of Health and Human Services for the purpose of augmenting the LIHEAP annual grant.

Live-In Care Attendant means a person, not considered part of the household, who 1) is unrelated by blood, marriage or adoption to any member of the household, 2) does not contribute financially to the household, and 3) provides a needed (typically medical) service to a member of the household as documented by a qualified professional. Exception: If the utility bill is in the attendant's name, they are considered part of the household. Live-in care attendants who do not meet all of the above criteria are considered part of the household/economic unit.

Master Metered Complex means those complexes that are 1) unsubsidized and 2) the utilities are in the landlord's name.

Multi-family Dwelling Unit means a dwelling unit that has one or more walls attached to one or more other dwelling units, e.g. condo/townhouse, apartment.

Municipal Utility means, without limitation: 1) a utility established pursuant to chapter 709 or 710 of NRS, or 2) any utility that is owned, operated or controlled by a county, city or other local governmental entity.

Pending Status means an applying household's eligibility and/or benefit has not been determined.

Program Year – means the state fiscal year (July 1st-June 30th).

Public Housing means HUD, Housing Authority or Section 8; or, a residence supported by any city, county, state, tribal or other federal agency.

Public Utility means the definition ascribed to it in NRS 704.020 and 704.021. See below:

NRS 704.020 "Public utility" or "utility" defined.

1. "Public utility" or "utility" includes:

(a) Any person who owns, operates, manages or controls any railroad or part of a railroad as a common carrier in this State, or cars or other equipment used thereon, or bridges, terminals, or sidetracks, or any docks or wharves or storage elevators used in connection therewith, whether or not they are owned by the railroad.

(b) Any person, other than a provider of commercial mobile radio service, that provides a telecommunication service to the public, but only with regard to those operations which consist of providing a telecommunication service to the public.

(c) Any provider of commercial mobile radio service, but such providers:

(1) Must be regulated in a manner consistent with federal law; and

(2) Must not be regulated as telecommunication providers for the purposes of this chapter.

2. "Public utility" or "utility" also includes:

(a) Any plant or equipment, or any part of a plant or equipment, within this State for the production, delivery or furnishing for or to other persons, including private or municipal corporations, heat, gas, coal slurry, light, power in any form or by any agency, water for business, manufacturing, agricultural or household use, or sewerage service, whether or not within the limits of municipalities.

(b) Any system for the distribution of liquefied petroleum gas to 10 or more users.

Ê The Commission may supervise, regulate and control all such utilities, subject to the provisions of this chapter and to the exclusion of the jurisdiction, regulation and control of such utilities by any municipality, town or village, unless otherwise provided by law.

3. The provisions of this chapter and the term "public utility" apply to all railroads, express companies, car companies and all associations of persons, whether or not incorporated, that do any business as a common carrier upon or over any line of railroad within this State.

[Part 7:109:1919; A 1925, 243; 1928, 58; NCL § 6106]—(NRS A 1963, 10, 811, 1115; 1967, 1230; 1969, 1155; 1971, 724; 1977, 630; 1981, 154; 1983, 154; 1985, 1016, 2049; 1987, 1541; 1997, 1904; 2003, 3036; 2007, 693, 1771)

NRS 704.021 "Public utility" or "utility" further defined. "Public utility" or "utility" does not include:

1. Persons engaged in the production and sale of natural gas, other than sales to the public, or engaged in the transmission of natural gas other than as a common carrier transmission or distribution line or system.

2. Persons engaged in the business of furnishing, for compensation, water or services for the disposal of sewage, or both, to persons within this State if:

(a) They serve 25 persons or less; and

(b) Their gross sales for water or services for the disposal of sewage, or both, amounted to $25,000 or less during the immediately preceding 12 months.

3. Persons not otherwise engaged in the business of furnishing, producing or selling water or services for the disposal of sewage, or both, but who sell or furnish water or services for the disposal of sewage, or both, as an accommodation in an area where water or services for the disposal of sewage, or both, are not available from a public utility, cooperative corporations and associations or political subdivisions engaged in the business of furnishing water or services for the disposal of sewage, or both, for compensation, to persons within the political subdivision.

4. Persons who are engaged in the production and sale of energy, including electricity, to public utilities, cities, counties or other entities which are reselling the energy to the public.

5. Persons who are subject to the provisions of NRS 590.465 to 590.645, inclusive.

6. Persons who are engaged in the sale or use of special fuel as defined in NRS 366.060.

7. Persons who provide water from water storage, transmission and treatment facilities if those facilities are for the storage, transmission or treatment of water from mining operations.

8. Persons who are video service providers, as defined in NRS 711.151, except for those operations of the video service provider which consist of providing a telecommunication service to the public, in which case the video service provider is a public utility only with regard to those operations of the video service provider which consist of providing a telecommunication service to the public.

9. Persons who own or operate a net metering system described in paragraph (c) of subsection 1 of NRS 704.771.

10. Persons who for compensation own or operate individual systems which use renewable energy to generate electricity and sell the electricity generated from those systems to not more than one customer of the public utility per individual system if each individual system is:

(a) Located on the premises of another person;

(b) Used to produce not more than 150 percent of that other person's requirements for electricity on an annual basis for the premises on which the individual system is located; and

(c) Not part of a larger system that aggregates electricity generated from renewable energy for resale or use on premises other than the premises on which the individual system is located.

Ê As used in this subsection, "renewable energy" has the meaning ascribed to it in NRS 704.7811.

[Part 7:109:1919; A 1925, 243; 1928, 58; NCL § 6106]—(NRS A 1963, 403, 816; 1969, 1001; 1971, 725, 1208; 1979, 1717; 1981, 661; 1983, 234, 1227; 1985, 1017, 2298; 1987, 477, 1388, 1542; 1997, 1905; 2001, 346; 2007, 489, 1351; 2009, 1201, 1392; 2011, 1940)—(Substituted in revision for NRS 704.030)

Recent means an event or expense that occurred within the last 2-5 months.

Recipient means a person who *is receiving* EAP benefits (as opposed to an applicant who is *applying for* benefits). The term *recipient* and *client* are synonymous.

Roomer (see Boarder definition).

Shared Utilities means two or more households residing on the same property in separate dwellings and sharing heat and/or electric from the same energy source.

Single-family Dwelling means a dwelling unit that is not attached at any point to another dwelling unit, e.g. house, stationary mobile home.

Student means an individual who is enrolled at least half time, as defined by the educational institution, in a post-secondary school through the regular school year and vacation.

Subgrantee means an entity has a contract with the Housing Division to provide Weatherization Assistance to eligible households.

Subsidized Housing means a housing unit for which at least a portion of the rent/mortgage payment is paid by a government entity based on the household's income.

Unexpected means an event a reasonable person would not have anticipated or planned for.

United States Citizenship and Immigration Service (USCIS) is the agency formerly known as Bureau of Citizenship and Immigration Service (BCIS) is a component of the United States Department of Homeland Security. It performs many administrative functions formerly carried out by the former United States Immigration and Naturalization Service (INS), which was part of the Department of Justice. The stated priorities of the USCIS are to promote national security, to eliminate immigration case backlogs, and to improve customer services.

Utility Fuel Allowance (UFA) means a reduction allowed to the monthly rent of tenants in subsidized housing, based on the cost of utilities.

Utility Reimbursement Payment (URP/UA) means the payment rebated to the household for subsidized housing in excess of the household's *actual* rent.

Weatherization Assistance Program (WAP) means the weatherization assistance program administered by the Nevada Housing Division and funded by the U.S. Department of Energy and the LIHEAP Block Grant.

Weatherization Assistance Program – Fund for Energy Assistance and Conservation (WAP-FEAC) means the weatherization assistance program administered by the Nevada Housing Division and funded by the Fund for Energy Assistance and Conservation (universal energy charge monies).

APPENDIX A

ENERGY ASSISTANCE PROGRAM
FY 2016 INCOME GUIDELINES/ENERGY BURDEN/ BENEFIT CAP TABLE

MAXIMUM ANNUAL GROSS INCOME					
Household Size	***75% Poverty***	***100% Poverty***	***125% Poverty***	***150% Poverty (Annual Income Limit)***	**Maximum Monthly Income**
1	$ 8,828	**$ 11,770**	$14,713	$17,655	$1,471
2	$11,948	**$15,930**	$19,913	$23,895	$1,991
3	$15,068	**$20,090**	$25,113	$30,135	$2,511
4	$18,188	**$24,250**	$30,313	$36,375	$3,031
5	$21,308	**$28,410**	$35,513	$42,615	$3,551
6	$24,428	**$32,570**	$40,713	$48,855	$4,071
7	$27,548	**$36,730**	$45,913	$55,095	$4,591
8	$30,668	**$40,890**	$51,113	$61,335	$5,111
Add for each additional person:	$ 3,120	**$ 4,160**	$5,200	$6,240	$520

FY 2016 ENERGY BURDEN

FY 2016 Median Household Energy Burden: The Nevada median household energy burden for electricity and heating is **2.59%.**

BENEFIT CAP TABLES

FY 2016 BENEFIT CAP TABLE – ALL ENERGY SOURCES (except propane and oil)

HH Size	<75%	75-125%	125-150%
1	$1,136	$634	$571
2	$1,196	$668	$601
3	$1,259	$703	$633
4	$1,325	$740	$666
5	$1,391	$777	$699
6	$1,461	$816	$734
7	$1,534	$857	$771
8+	$1,611	$899	$810

(Add $50 for Targeted Households)

FY 2016 BENEFIT CAP TABLE IF ENERGY SOURCE INCLUDES PROPANE AND OIL

HH Size	<75%	75-125%	125-150%
1	$1,336	$834	$771
2	$1,396	$868	$801
3	$1,459	$903	$833
4	$1,525	$940	$866
5	$1,591	$977	$899
6	$1,661	$1,016	$934
7	$1,734	$1,057	$971
8+	$1,811	$1,099	$1,010

(Add $50 for Targeted Households)

FY 2016 ARREARAGE PAYMENT REQUIREMENT

FY 2016 Arrearage Payment Requirement: The Nevada arrearage payment requirement that the applicant must have paid toward their arrearage during the 12 months in which the arrearage occurred is **2.53**%

FY 2016 UTILITY UNIT CHARGES

Utility Company	Single Family Residential (RS)	Multi Family Residential (RM)
Nevada Power	0.12577	0.11608
Sierra Pacific - Electric	0.10107	0.09039
Sierra Pacific - Gas	0.77412	0.77412
Sierra Pacific - Propane	0.77412	0.77412

FY 2016 VENDOR DEDUCTION AMOUNTS

VENDOR	ANNUAL AMOUNT	MONTHLY AMOUNT
ALAMO POWER DISTRICT	**$120.00**	**$10.00**
BOULDER CITY	**$60.00**	**$5.00**
CALIENTE PUBLIC UTILITY	**$36.00**	**$3.00**
CITY OF FALLON	**$144.24**	**$12.02**
HARNEY ELECTRIC	**NONE**	**NONE**
LINCOLN COUNTY PWR	**$244.80**	**$20.40**
MT WHEELER POWER	**$108.00**	**$9.00**
OVERTON POWER	**$300.00**	**$25.00**
PIOCHE PUBLIC UTILITY	**$199.68**	**$16.64**
RAFT RIVER ELECTRIC	**$120.00**	**$10.00**
SOUTHWEST GAS	**SR $129.60**	**SR $10.80**
SOUTHWEST GAS	**MR $108.00**	**MR $9.00**
VALLEY ELECTRIC	**$180.00**	**$15.00**
WELLS RURAL ELECTRIC	**$305.04**	**$25.42**

APPENDIX B

FY 16 AVERAGE/MEDIAN ENERGY USAGE BY RESIDENCE TYPE & REGION

Manual Sections 5.5.2 **Energy Burden 2.59%**

NEVADA ENERGY- NEVADA POWER

AVERAGE ELECTRIC BILL CALCULATION
SINGLE FAMILY RESIDENTIAL
AVERAGE KWH: 1122 MONTHLY/ 13461 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$1,698.24**

AVERAGE ELECTRIC BILL CALCULATION
MULTI-FAMILY RESIDENTIAL
AVERAGE KWH: 641 MONTHLY/7688 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$895.42**

NEVADA ENERGY-SIERRA PACIFIC POWER

AVERAGE ELECTRIC BILL CALCULATION
SINGLE FAMILY RESIDENTIAL
AVERAGE KWH: 742 MONTHLY/ 8902 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$900.02**

AVERAGE ELECTRIC BILL CALCULATION
MULTI-FAMILY RESIDENTIAL
AVERAGE KWH: 451 MONTHLY/ 5414 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$491.48**

AVERAGE **NATURAL GAS** CALCULATION
AVERAGE THERMS: 51 MONTHLY/ 612 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$395.45**

SOUTHWEST GAS SOUTHERN NEVADA

AVERAGE NATURAL GAS CALCULATION
SINGLE FAMILY RESIDENTIAL
AVERAGE THERMS: 36 MONTHLY/ 432 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$446.52**

AVERAGE NATURAL GAS CALCULATION
MULTI-FAMILY RESIDENTIAL
AVERAGE THERMS: 21 MONTHLY/ 252 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$350.66**

SOUTHWEST GAS NORTHERN NEVADA

AVERAGE NATURAL GAS CALCULATION
SINGLE FAMILY RESIDENTIAL
AVERAGE THERMS: 56 MONTHLY/ 672 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$913.54**

AVERAGE NATURAL GAS CALCULATION
MULTI-FAMILY RESIDENTIAL
AVERAGE THERMS: 32 MONTHLY/ 384 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$571.04**

PROPANE VENDORS NORTH AND SOUTH

AVERAGE PROPANE CALCULATION
AVERAGE GALLONS: 30.66 MONTLY / 368 ANNUAL

TOTAL ANNUAL DOLLAR AMOUNT	**$626.02**

APPENDIX C

PRUCOL Verification Chart

First Three Digits	Second Two Digits		First Three Digits	Second Two Digits		First Three Digits	Second Two Digits	
001	Odd	01 - 09	135-150	Odd	01 - 09	249-251	Odd	01 - 09
	Even	10 - 48		Even	10 - 52		Even	02 - 98
002-003	Odd	01 - 09	151-158	Odd	01 - 09	252-260	Odd	01 - 09
	Even	10 - 46		Even	10 - 50		Even	02;10 - 98
004-006	Odd	01 - 09	159-176	Odd	01 - 09	261-266	Odd	01 - 35
	Even	10 - 60		Even	10 - 48		Even	02 - 98
007	Odd	01 - 09	177	Odd	01 - 09	267	Odd	01 - 33
	Even	10 - 58		Even	10 - 46		Even	02 - 98
008-009	Odd	01 - 09	178	Odd	01 - 09	268-290	Odd	01 - 09
	Even	10 - 46		Even	10 - 48		Even	10 - 58
010-025	Odd	01 - 09	179	Odd	01 - 09	291	Odd	01 - 09
	Even	10 - 48		Even	10 - 46		Even	10 - 56
026-028	Odd	01 - 09	180	Odd	01 - 09	292	Odd	01 - 09
	Even	10 - 46		Even	10 - 48		Even	10 - 58
029	Odd	01 - 09	181-211	Odd	01 - 09	293	Odd	01 - 09
	Even	10 - 48		Even	10 - 46		Even	10 - 56
030-034	Odd	01 - 09	212-218	Odd	01 - 09	294	Odd	01 - 09
	Even	10 - 46		Even	10 - 70		Even	10 - 58
035-039	Odd	01 - 09	219-220	Odd	01 - 09	295-302	Odd	01 - 09
	Even	10 - 38		Even	10 - 68		Even	10 - 56
040-044	Odd	01 - 09	221-222	Odd	01 - 09	303-314	Odd	01 - 09
	Even	10 - 54		Even	10 - 44		Even	10 - 66
045-049	Odd	01 - 09	223-227	Odd	01 - 09	315-316	Odd	01 - 09
	Even	10 - 52		Even	10 - 88		Even	10 - 64
050-100	Odd	01 - 09	228-231	Odd	01 - 09	317	Odd	01 - 09
	Even	10 - 50		Even	10 - 86		Even	10 - 66
101-125	Odd	01 - 09	232-236	Odd	01 - 09	318	Odd	01 - 09
	Even	10 - 48		Even	10 - 92		Even	10 - 54
126-133	Odd	01 - 09	237-246	Odd	01 - 09	319-320	Odd	01 - 09
	Even	10 - 50		Even	02;10 - 98		Even	10 - 52
134	Odd	01 - 09	247-248	Odd	01 - 11	321-323	Odd	01 - 09
	Even	10 - 48		Even	02 - 98		Even	10 - 54
324-325	Odd	01 - 09	426-428	Odd	01 -09	480-485	Odd	01 - 09
	Even	10 - 52		Even	2 - 06; 10 - 98		Even	10 - 76
326-327	Odd	01 - 09	429	Odd	01 - 15	486-489	Odd	01 - 09
	Even	10 - 54		Even	02 - 98		Even	10 - 66
328-361	Odd	01 - 09	430-432	Odd	01 - 13	490-500	Odd	01 - 09
	Even	10 - 52		Even	02 - 98		Even	10 - 64
362-384	Odd	01 - 09	433-439	Odd	01 - 09	501	Odd	01 - 09
	Even	10 - 64		Even	02;10 - 9		Even	10 - 74
385	Odd	01 - 09	440-441	Odd	01 - 09	502	Odd	01 - 09
	Even	10 - 62		Even	10 - 62		Even	10 - 72
386-396	Odd	01 - 09	442-447	Odd	01 - 09	503	Odd	01 - 09
	Even	10 - 64		Even	10 - 60		Even	10 - 76
397-398	Odd	01 - 09	448	Odd	01 - 09	504	Odd	01 - 09
	Even	10 - 62		Even	10 - 58		Even	10 - 74
399	Odd	01 - 09	449-451	Odd	01 - 13	505	Odd	01 - 09
	Even	10 - 64		Even	02 - 98		Even	10 - 82

PRUCOL Verification Chart

First Three Digits	Second Two Digits		First Three Digits	Second Two Digits		First Three Digits	Second Two Digits	
400-405	Odd	01 - 09	452	Odd	01 - 11	506-508	Odd	01 - 09
	Even	10 - 86		Even	02 - 98		Even	10 - 80
406-407	Odd	01 - 09	453-457	Odd	01 - 13	509-514	Odd	01 - 09
	Even	10 - 84		Even	02 - 98		Even	10 - 64
408	Odd	01 - 09	458-465	Odd	01 - 11	515	Odd	01 - 09
	Even	02;10 - 98		Even	02 - 98		Even	10 - 62
409	Odd	01 - 09	466	Odd	01 - 09	516	Odd	01 - 09
	Even	02 - 04; 10 - 98		Even	02 - 98		Even	10 - 74
410-415	Odd	01 - 09	467	Odd	01 - 11	517	Odd	01 - 09
	Even	02;10 - 98		Even	02 - 98		Even	10 - 72
416-420	Odd	01 - 09	468-470	Odd	01 - 09	518-519	Odd	01 - 09
	Even	10 - 82		Even	10 - 72		Even	10 - 74
421-424	Odd	01 - 09	471-477	Odd	01 - 09	520	Odd	01 - 09
	Even	10 - 80		Even	10 - 70		Even	10 - 70
425	Odd	01 - 09	478-479	Odd	01 - 09	521-524	Odd	01 - 09
	Even	02 - 98		Even	10 - 78		Even	10 - 90
525	Odd	01 - 09	550-551	Odd	01 -11	583-584	Odd	01 - 09
	Even	10 - 98		Even	02 - 98		Even	10 - 84
526-527	Odd	01 - 21	552	Odd	01 - 09	585	Odd	01 - 09
	Even	02 - 98		Even	02 - 98		Even	10 - 88
528-529	Odd	01 - 09	553-558	Odd	01 - 11	586	Odd	01 - 09
	Even	10 - 92		Even	02 - 98		Even	10 - 60
530	Odd	01 - 09	559-560	Odd	01 - 09	587	Odd	01 - 09
	Even	10 - 56		Even	02 - 98		Even	02 - 98
531-534	Odd	01 - 09	561	Odd	01 - 11	700-723	Odd	01 - 09
	Even	10 - 64		Even	02 - 98		Even	10 - 18
535-539	Odd	01 - 09	562-573	Odd	01 - 09	724	Odd	01 - 09
	Even	10 - 62		Even	02 - 98		Even	10 - 28
540-544	Odd	01 - 09	574	Odd	01 - 09	725-726	Odd	01 - 09
	Even	10 - 74		Even	10 - 30		Even	10 - 18
545-546	Odd	01 - 11	575	Odd	01 - 09	727	Odd	01 - 09
	Even	02 - 98		Even	10 - 76		Even	10
547	Odd	01 - 09	576	Odd	01 - 09	728	Odd	01 - 09
	Even	02 - 98		Even	10 - 74		Even	10 - 14
548	Odd	01 - 11	577-579	Odd	01 - 09	729	Odd	01 - 09
	Even	02 - 98		Even	10 - 78		Even	(No Even)
549	Odd	01 - 09	580-582	Odd	01 - 09			
	Even	02 - 98		Even	10 - 98			

APPENDIX D
● EAP ENERGY VENDOR LIST ●
FY 2013 through FY 2016

(Revised July 1, 2015)

AFFORDABLE PROPANE
SEE M F BARCELLOS

AL PARK PETROLEUM, INC.
Galen Schorsch, Operations Manager
275 12TH ST
PO BOX 1600
ELKO NV 89803
(775) 738-3835 **"F"**
(775) 738-6172 (Fax)
alpark@frontiernet.net
For usage: call Doreen at # above

ALAMO POWER DISTRICT #3
Douglas J Miller, Manager
240 MAIN ST
PO BOX 189 *Alamo, Hiko,*
ALAMO NV 89001 *Lincoln County*
(775) 725-3335 **"E"**
(775) 725-3441 (Fax)
dshumway58@yahoo.com
For usage: call Denise at # above

ALLIED WASHOE, INC.
SEE FLYERS ENERGY – RENO

AMERIGAS - CARSON CITY
Joel Nelson, Plant Manager
Sheri Silsby, Customer Service Rep
4501 GONI RD *CC, GV, VC, Slvr Sprngs,*
CARSON CITY NV 89706 *Stagecoach,*
(775) 882-2191 *Dayton, Moundhouse*
(775) 882-7981 (Fax) **"P"**
For usage: call # above

AMERIGAS – COLEVILLE
Kyla Foster, Customer Rel. Rep. *Walker, Smith Vly,*
47 HACKNEY DR *Wellington, Topaz, Gardnerville,*
COLEVILLE CA 96107 *Holbrook, Spring Vly*
(530) 495-2324 **Toll Free (800)289-3106**
(530) 495-2519 (Fax) **"P"**
For usage: klya.foster@amerigas.com or call # above or (800)289-3106

AMERIGAS - ELKO
Retta Frieze, Manager
150 LANDMARK LN *Beowawe,*
MA: 441 LANDMARK LN #3 *Spring Creek*
SPRING CREEK NV 89815
(775) 778-9444 **"P"**
(775) 778-9543 (Fax)
For usage: retta.frieze@amerigas.com

AMERIGAS - FALLON
Ann Thom, Office Manager
Kris Bruflat, Customer Relations
4490 RENO HWY *Lovelock, Smith Vly,*
FALLON NV 89406 *Fallon, Fernley,*
(775) 423-3632 *Wadsworth, Yerington*
(775) 423-2948 (Fax) **"P"**
For usage: kristine.bruflat@amerigas.com, or ann.thom@amerigas.com

AMERIGAS – GARDNERVILLE
Karen Stout, Customer Service Rep
1267 US HWY 395 STE E
GARDNERVILLE, NV 89410
(775) 782-2371
(775) 782-2496 (Fax)
For usage: kyla.foster@amerigas.com, or send request to fax # above

AMERIGAS - HAWTHORNE
Julie McFatridge, Customer Relations
1118 E 5TH ST *Mina, Luning, Gabbs, Walker Lake,*
PO BOX 1810 *Hawthorne, Schurz, Yerington,*
HAWTHORNE NV 89415 *Tonopah*
(775) 945-3335 **"P"**
(775) 945-2743 (Fax)
For usage: Julie.mcfatridge@amerigas.com

AMERIGAS - LAS VEGAS
David Vance, Manager
Dannel English, Custom Service Rep
4420 MCGUIRE ST
N LAS VEGAS NV 89081 *parts of Logandale*
(702) 643-3241 **"P"**
(702) 643-3244 (Fax)
dannel.english@amerigas.com
For usage: ruth.guidera@amerigas.com

AMERIGAS - MOUNTAIN HOME
Lee Mitchell, Customer Relations
324 2ND ST SOUTH *Owyhee,*
NAMPA ID 86351 *Mountain City, NV*
(208) 587-5367 **"P"**
(208) 466-4680 (Fax)
For usage: mitchellm@amerigas.com

AMERIGAS - PAHRUMP
Moranda Taylor, Customer Service Rep.
31 EAST WILSON
PAHRUMP, NV 89048
(775) 727-4238
(775) 727-7093 (Fax)
For usage: cynthia.wheeler@amerigas.com

AMERIGAS - PANACA
Tracey Smith, Customer Service Rep *Alamo,*
3807 S 1600 E Circle 7B *Caliente, Pioche, Hiko,*
ST. GEORGE, UT 84790 *Lincoln County, Bunkerville,*
(435) 628-1651 *Logandale (splits with Las Vegas),*
(435) 586-0308 (Fax) *Mesquite, Moapa Valley* **"P"**
For usage: joan.brown@amerigas.com, or
tobesuwyn@amerigas.com

AMERIGAS – SAINT GEORGE
Joan Brown or Tobi Suwyn
3807 S 1600 ST E CIRCLE 7B *Mesquite, Moapa Vly,*
ST GEORGE, UT 84790 *Bunkerville,*
(435) 628-1651 *parts of Logandale*
(435) 628-0445 (FAX) "P"
For usage: joan.brown@amerigas.com or
tobi.suwyn@amerigas.com

AMERIGAS - SPARKS
Jodi Littlefield, Customer Rel
1410 GREG ST STE 403
SPARKS NV 89431 *Reno, Nixon, Sutcliffe*
(775) 331-3100 **"P"**
(775) 331-3569 (Fax)
For usage: amerigas-sparks-
5135@amerigas.com or
call # above

AMERIGAS - TONOPAH
Nicole Thibodeaux Customer Relations
410 CUTTING ST (Hawthorne)
PO BOX 1626 *Silver Peak, Rnd Mtn, Dyer,*
Tonapah, NV 89049 *Belmont, Manhattan,*
(775) 482-3303**"P"** *Goldfield, Tonopah*
(775) 482-9614(Fax)
For usage: joeii.thibodeaux@amerigas.com

AMERIGAS - WINNEMUCCA
Rocky Nicholson, Manager
3400 W WINNEMUCCA BLVD *Battle Mountain,*
WINNEMUCCA NV 89445 *McDermitt, Imlay,*
(775) 623-5055 *Valmy*
(775) 623-0763 (Fax) **"P"**
For usage: winnemucca-0600@amerigas.com

AMERIGAS - YERINGTON
Jessica Hixon, Customer Relations
20 HWY 95 A NORTH *Yerington,*
YERINGTON, NV 89447 *Smith Vly, Schurz*
(775) 463-2363 **"P"**
No Fax Number
For usage: Jessica.Hixon@amerigas.com, or
Harry.loll@amerigas.com

BI-STATE PROPANE - CARSON CITY
SEE AMERIGAS - Carson City

BI-STATE PROPANE – FALLON
SEE AMERIGAS - Fallon

BI-STATE PROPANE – GARDNERVILLE
SEE AMERIGAS - Gardnerville

BI-STATE PROPANE - SPARKS
Shelley Moore, Office Manager
1410 GREG ST STE 403 *Cold Springs*
PO BOX 2200
SPARKS NV 89432
(775) 331-3100 **"P"**
(775) 331-3569 (Fax)
For usage: shelley.moore2@amerigas.com,
tracy.fox@amerigas.com,
tara.ellison@amerigas.com, and
laura.pierce@amerigas.com

BI-STATE PROPANE - YERINGTON
Jessica Hixon, Customer Relations Rep
20 HWY 95 A NORTH *Silver Springs, Yerington,*
YERINGTON, NV 89447 *Schurz, Smith Valley*
(775) 463-2363 **"P"**
For usage: Jessica.Hixon@amerigas.com or
Harry.loll@amerigas.com

CALIENTE PUBLIC UTILITIES
Kelli Haluzak, City Clerk
100 DEPOT AVE
PO BOX 1006
CALIENTE NV 89008
(775) 726-3131 **"E"**
(775) 726-3370 (Fax) **UEC**
cityhall@cityofcaliente.com
For usage: KHaluzak@cityofcaliente.com, or
call # above

CAMPORA PROPANE
Brenda Rowe, Bookkeeper
1507 HWY 395 North #C
GARDNERVILLE NV 89410
(775) 782-2301 **"P"**
(775) 782-0082 (Fax)
For usage: mharvey@campora.com

CARSON VALLEY OIL INC.
Regina Blanchard, Office Manager
PO BOX 643
4551 GONI RD
CARSON CITY NV 89702
(775) 887-7777 **"F"**
(775) 887-7766 (Fax)
reginab@cvoil.net
For usage: call # above

CHRIS'S SERVICE INC.
William Ward, Manager
1715 AVE E
ELY, NV 89301
(775) 289-4525 **"F"**
(775) 289-6053 (Fax)
chrisservice01@yahoo.com
For usage: call Sandra Williams – call # above

CITY OF BOULDER CITY Mon-Thurs 7am-6pm
Lorene Krumm, City Clerk
401 CALIFORNIA AVE
BOULDER CITY NV 89005
(702) 293-9208 **"E"**
(702) 293-9411 (Fax) **UEC**
For usage: jpetrie@bcnv.org, or
LKrumm@bcnv.org

CITY OF FALLON ELECTRIC
Elsie Lee
55 W WILLIAMS AVE
FALLON NV 89406
(775) 423-5104 **"E"**
(775) 423-8874 (Fax) **UEC**
For usage: billing@ci.fallon.nv.us

COAST GAS, INC. (Now Bi State Sparks)

COMSTOCK PROPANE, INC.
Laura Milton, Manager
36 MILES RD
CARSON CITY NV 89706
(775) 626-2558 **"P"**
(775) 626-2559 (FAX)
For usage: laura@comstockpropane.com

CRYSTAL ICE & OIL COMPANY
Sabrina Web, Customer Service Rep.
1345 W 4TH ST
RENO NV 89503-5106
(775) 323-5145 **"F"**
(775) 323-3049 (Fax)
For usage: office@crystalice.biz

EAGLE ENERGY CORPORATION
Woody Miller, President
3394 LAKESIDE CT
PO BOX 18737
RENO NV 89511
(775) 852-8558 **"P"**
(775) 824-9992 (Fax)
For usage: energy411@gmail.com
or call # above

ED STAUB & SONS PETROLEUM
Jack Britton, Manager
406 W 8TH ST
PO BOX 1684
ALTURAS CA 96101
(530) 233-2610 **"P" "F"**
(530) 233-2633 (Fax)
For usage: KathyOates@edstaub.com

FERRELL GAS
Cherie Alfred, Customer Service Rep.
364 LOWER GRASS VALLEY RD
NEVADA CITY, CA 95959
(775) 331-1313 or (530) 265-5896 **"P"**
(530) 265-5560 (Fax) *(Ely, McGill, Ruth)*
For usage: call # above

FLYERS ENERGY LLC - ELKO
Sue Wharton, Office Manager
205 14TH ST
ELKO NV 89801
(775) 738-5340 **"F"**
(775) 738-8227 (Fax)
For usage: suew@4flyers.com or
cindys@4flyers.com

FLYERS ENERGY LLC - FALLON
Ed Sequeira, Plant Manager
335 E WILLIAMS Ave
FALLON NV 89406 **"F"**
(775) 423-3197
(775) 423-3127 (Fax)
For usage: cindys@4flyers.com

FLYERS ENERGY LLC - SPARKS
Kerrie Craff, Cardlock Manager
655 S STANFORD WY
SPARKS NV 89431
PO BOX 20637
RENO NV 89515 **"F"**
(775) 689-1234
(775) 689-1299 (Fax)
For usage: cindys@4flyers.com.

FLYERS ENERGY LLC RENO
Jody Johnson or Laverne, Customer Serv. Rep
2500 E 4TH ST
RENO, NV 89512
(775) 323-3146
(775) 789-7900 (Fax)
For usage: cindys@4flyers.com.

GRANITE PROPANE COMPANY
Michelle Smith, Office Manager
2685 ALMOND DR
PO BOX 600
SILVER SPRINGS NV 89429
(775) 577-2361 **"P"**
(775) 577-2366 (Fax)
For usage: granitepropane@yahoo.com

HARNEY ELECTRIC CO-OP, INC.
Fred Flippence, Office Manager
277 LOTTERY LN
PO Box 587
Hines, OR 97738
(541) 573-2061 **"E"**
(541) 573-3930 (Fax)
fred.flippence@harneyelectric.org-contracts
For usage: tanya.smith@harneyelectric.org

JIM MENESINI PETROLEUM PRODUCTS
Jim Menesini, Owner
27 BULK PLANT RD
PO BOX 817
YERINGTON NV 89447
(775) 463-2076 **"F"**
(775) 463-3076 (Fax)
For usage: call # above

LINCOLN COUNTY POWER DIST #1
Melissa Cheeney, Office Clerk
SR 320 CASELTON
HC 74 BOX 101
PIOCHE NV 89043
(775) 962-5122 **"E"**
(775) 962-5299 (Fax)
LCARLSON@LCPD1.COM
For usage: call # above

LYLE'S PROPANE
See Norcross Service Stations

M F BARCELLOS, INC. – MASON VALLEY AUTO BODY (AKA Affordable Propane)
Bill Stone, President
18 BULK PLANT RD
PO BOX 569
YERINGTON NV 89447
(775) 463- 2916 **"P" "F"**
(775) 463-5919 (Fax)
For usage: call # above

METRO LIFT PROPANE – (PROFLAME LAS VEGAS)---SEE AMERIGAS LAS VEGAS
Justin Torres, CSR
4420 MCGUIRE ST
N LAS VEGAS NV 89081
(702) 643-3242 **"P"**
(702) 643-3244 (Fax)
For usage: Dannel.English@amerigas.com

MT WHEELER POWER CO., INC.
Kevin Robison, Member Service Mgr.
1600 GREAT BASIN BLVD
PO BOX 151000
ELY NV 89315-1000
(775) 289-8981 **"E"**
(775) 289-1471 (Fax)
smarquez@mwpower.org
kjackson@mwpower.org
For usage: call Shelly – (775) 289-8981 ext. 125

NATIONAL OIL & BURNER COMPANY
SEE FLYERS ENERGY - RENO

NEVADA ENERGY
Armando Romo, Retail Customer Rep.
6226 W SAHARA AVE ENERGY ASST STN 18
LAS VEGAS NV 89151
(702) 402-5564 or (702) 402 5478 **"E"**
(702) 402-5547 (Fax) **UEC**
For usage: aromo@nvenergy.com, or
cloman@nvenergy.com (702)402-5094

NEVADA PETROLEUM, INC.
Patricia Geraghty, Sec/Tres
PO BOX 7433
RENO NV 89510
(775) 355-1970 **"F"**
NVPETRO@AOL.COM
For usage: call # above

NORCROSS SERVICE STATIONS
DBA**: Lyles Propane**
Business closed

OVERTON POWER DISTRICT #5
Lorrie Laird, Billing Supervisor (or Mandy)
615 N MOAPA VALLEY BLVD
PO BOX 395
OVERTON NV 89040
(702) 397-2512 EXT 3013 or (3010) **"E"**
(702) 397-2583 (Fax)
For usage: llaird@opd5.com or
billingsupport@opd5.com

PALOMINO PROPANE
Ashley Helton
4400 AMY RD
Reno, NV 89510
(775) 475-0556
(775) 475-0108
For usage: palominopropane@yahoo.com

PETROLEUM DISTRIBUTORS INC
Myneer Walker, Manager
317 SUTRO ST
RENO NV 89512
(775) 322-4006 **"F"**
(775) 322-2112 (Fax)
For usage: beer@intercomm.com

PIOCHE PUBLIC UTILITY
Rita Cheeney, Office Manager
766 MAIN ST *Beatty*
PO BOX 35
PIOCHE NV 89043
(775) 962-5840 **"E"**
(775) 962-5518 (Fax) **UEC**
pputilities@lcturbonet.com
For usage: call # above

PROFLAME GAS, INC.—PAHRUMP
SEE AMERIGAS- PAHRUMP

PROFLAME OF LAS VEGAS—(METRO LIFT PROFLAME)—SEE AMERIGAS – LAS VEGAS

PROPANE OF WENDOVER INC./WENDOVER GAS CO.
Nancy Green, President
460 MESA ST
PO BOX 3174
W WENDOVER, NV 84083
(775) 664-2291 **"P"**
(775) 664-4422 (Fax)
njg6@frontier.com for usage: call # above

RAFT RIVER RURAL ELECTRIC CO-OP, INC.
Trudy Tracy
155 N MAIN ST
PO BOX 617 **"E"**
MALTA ID 83342
(208) 645-2211 or (800) 342-7732
(208) 645-2300 (Fax)
For usage: trudy@rrelectric.com or sherriee@rrelectric.com

REBEL OIL COMPANY
Lisa Kilgore, Plant Manager
444 DEPOT ST
PO BOX 951
TONOPAH NV 89049
(775) 482-6456 **"F"**
(775) 482-3488 (Fax)
tonopah@rebeloil.com
For usage: call # above

RENO FUEL CO., INC.
David Poulos, President
1250 W 4TH ST
PO BOX 6118
RENO NV 89513
(775) 323-5141
For usage: call # above **"F"**

RON MENESINI PETROLEUM PRODUCTS
SEE JIM MENESINI PETROLEUM PRODUCTS

SHOSHONE PROPANE, INC.
Carl Metz, Office Manager
1020 W HARDY LN
PAHRUMP NV 89048
(775) 727-9544 **"P"**
(775) 727-1620 (Fax)
shoshonenergy@yahoo.com
For usage: call # above ask for Carl Metz

SIERRA FUEL COMPANY-
SEE PETROLEUM DISTRIBUTORS INC

SIERRA PACIFIC POWER COMPANY/NV ENERGY
Jennifer Rose, Customer Asst. Administrator
6100 NEIL RD
PO BOX 10100
RENO NV 89520
(775) 834-4003 **"E,G,P"**
(775) 834-4713 (Fax) **UEC**
For usage: jrose@nvenergy.com, or call # above

SOUTHWEST GAS CORPORATION
5241 SPRING MOUNTAIN ROAD (Corp HQ)
PO BOX 98512 **"G"**
LAS VEGAS NV 89193-8510 **UEC**
Christy Bertinotti, Supervisor
(877) 967-9427
(866) 997-9427 (Fax)
For usage: SCA-SWGAgencies@swgas.com, or call # above
RECONNECT # - (877) 860-6020

SUBURBAN PROPANE – ELKO 1484
Robert Voortmeyer, Customer Service Rep
276 14TH ST *Wells, Carlin, Battle Mtn,*
ELKO NV 89801 *Owyhee, Ruby Vly, Spring Creek,*
(775) 738-3151 *Cresent Valley* **"P"**
(775) 738-7642 (Fax)
For usage:
rvoortmeyer@suburbanpropane.com

SUBURBAN PROPANE – ELY, EUREKA, TONOPAH 1485
Blake Hayword, CSC Manager
Angie Mangum, Customer Service Rep.
1700 E AULTMAN ST *Round Mtn, Duckwater,*
ELY NV 89301 *Ruth, Austin, McGill, Pioche, Panaca*
(775) 289-2901 **"P"**
(775) 289-4137 (Fax)
bhayward@suburbanpropane.com
For usage: amangum@suburbanpropane.com or call # above

SUBURBAN PROPANE - LAS VEGAS 1487
Adrian Perrish, CSC Manager
Michelle Jordon
4520 MITCHELL ST *Pahrump, Beatty*
N LAS VEGAS NV 89081 *& Overton*
(702) 643-1738 **"P"**
(702) 643-6203 (Fax)
For usage: aperrish@suburbanpropane.com

SUBURBAN PROPANE – SPARKS
Pat Carey, Manager 1483
400 WOLVERINE WY STE A *Nixon, Sutcliffe,*
SPARKS NV 89431 *Lovelock*
(775) 359-8383
(775) 359-2675 (Fax) **"P"**
For usage: call # above

SUBURBAN PROPANE – TONOPAH 1486
(*Payments sent to Ely Office)*
Blake Hayword, Office Manager
421 DEPOT RD Goldfield, Silver Peak
Tonopah, NV 89049
(775) 482-6252 **"P"**
Mailing: USE SUBURBAN ELY INFO
For usage: call # above

UNIVERSAL PROPANE
Otty Cosper
1081 AIRPORT RD
MINDEN, NV 89423
(775) 782-0400
(541) 956-1867
otty@ucepropane.com
For usage: call # above

VALLEY ELECTRIC ASSOCIATION, INC.
Sue Fresques, Credit & Collections
800 E HWY 372 *Promise Payments to Gina Cummins*
PO BOX 237 *Beatty, Amargosa Vly, Sandy Vly,*
PAHRUMP NV 89041 *Pahrump, Fish Lake*
(775) 727-2120 **"E"**
(775) 727-2261 (Fax)
quint@vea.coop
For usage: suef@vea.coop or
call # above

VALLEY PROPANE SERVICE
Susan Goddard, Owner
620 BRUCITE ST *Gabbs, Reese River, Luning,*
PO BOX 87 *Mina, Cold Springs, Hawthorne*
GABBS NV 89409
(775) 285-4094 **"P"**
(775) 285-2629 (Fax)
valleypropane@att.net
(*Contacts for Hawthorne-Becky or Susan at (775)945-5094*
For usage: call # above

VEGAS PROPANE, INC.
Tiffany Garrison, Accounts Rec.
4610 EAKER ST
N LAS VEGAS NV 89081
(702) 643-9657 **"P"**
(702) 643-6711 (Fax)
vegaspropane@yahoo.com
For usage: call # above

WELLS PROPANE
Jessica Mauchley, Credit Manager
333 EASY ST
PO BOX 485
WELLS NV 89835 **"P"**
(775) 752-3421
(775) 752-3124 (Fax)
For usage: wpropane.ar@gmail.com, or
call # above

WELLS RURAL ELECTRIC COMPANY
Jannette Ritchie, Member Serv. Sup.
1451 HUMBOLDT AVE
PO BOX 365 *Spring Creek, Wendover,*
WELLS NV 89835 *Carlin*
(775) 752-3328 **"E"**
(775) 752-3407 (FAX)
For usage: memberaccounting@wrec.coop,
JRitchie@wrec.coop or call # above

WESTERN CENTRAL PETROLEUM, INC.
SEE FLYERS ENERGY
William Pearson, Manager
3000 INDUSTRIAL LOOP
PO BOX 2496
Hawthorne NV 89415
(775) 945-2978
(775) 945-2987 (Fax)
For Usage: call # above

WESTERN ENERGETIX
SEE FLYERS ENERGY LLC. *Correspondence & payments go to PO BOX 49002, Auburn California, 95604)*

WESTERN STATES PROPANE
Julie A Kraus, General Manager
1207 WATER ST
ELKO NV 89801
(775) 753-5950 **"P"**
(775) 293-4065 (Fax)
juliewsp1075@gmailcom
For usage: roxannewsp1075@gmail.com
or call # above

APPENDIX E
FY16 INTAKE SITES
LIST BY CITY (Updated 7/1/2015)

BATTLE MOUNTAIN

BATTLE MOUNTAIN FAMILY RESOURCE CNTR
470 S Broad St
Battle Mountain, NV 89820
Phone: (775) 635-2881
Fax: (775) 635-2366

CALIENTE

LINCOLN COUNTY COMMUNITY CONNECTION
300 Lincoln Street
PO Box 46
Caliente, NV 89008
Phone: (775)726-3325
Fax: (775)726-3880

RURAL NV RSVP
195 Clover St
PO Box 611
Caliente, NV 89008
Phone: (775) 726-3126
Fax: (775) 726-3447

CARSON CITY

RON WOOD FAMILY RESOURCE CENTER
2621 Northgate Lane Ste 62
Carson City, NV 89706
Phone: (775) 884-2269
Fax: (775) 884-2730

THE SALVATION ARMY – CARSON CITY
661 Colorado St
Carson City, NV 89701
Phone: (775) 887-9120
Fax: (775) 887-9173

CRESCENT VALLEY

CRESCENT VALLEY SENIOR CENTER
728 7th St.
PO Box 211072
Crescent Valley, NV 89821
Phone: (775) 468-0466
Fax: (775) 468-0631

DAYTON

LYON COUNTY HUMAN SERVICES – DAYTON
5 Pine Cone Rd., Ste. 103
Dayton, NV 89403
Phone: (775) 246-6326
Fax: (775) 246-6312

ELKO

ELKO COUNTY HUMAN & SOCIAL SERVICES
540 Court St Ste 105
(Mailing: 571 Idaho Street)
Elko, NV 89801
Phone: (775) 738-4375
Fax: (775) 738-5984

ELKO SENIOR ACTIVITY PROGRAM, INC.
1795 Ruby View Drive
Elko, NV 89801
Phone: (775) 738-3030
Fax: (775) 738-4308

FAMILY RESOURCE CENTERS OF NORTHEASTERN NEVADA
331 7th St
Elko, NV 89801
Phone: (775) 753-7352
Fax: (775) 777-9102

ELY

LITTLE PEOPLE'S HEAD START/FAMILY RESOURCE CENTER
435 S 13th Street
Ely, NV 89301
Phone: (775) 289-9081 x 121
Fax: (775) 289-6209

WHITE PINE COUNTY SOCIAL SERVICES
297 11th St. E
Ely, NV 89301
Phone: (775) 293-6528
Fax: (775) 289-2405

EUREKA

EUREKA COUNTY SOCIAL SERVICES
20 W Gold St
Eureka, NV 89316
Phone: (775) 237-5597
Fax: (775) 237-6024

FALLON

CHURCHILL COUNTY SOCIAL SERVICES
485 W. B St., Ste. 105
Fallon, NV 89406
Phone: (775) 423-6695
Fax: (775) 423-8057

FALLON TRIBAL HEALTH CENTER
1001 Rio Vista Drive
PO Box 1980
Fallon, NV 89407
Phone: (775) 423-3634
Fax: (775) 423-1363

FERNLEY

LYON COUNTY HUMAN SERVICES - FERNLEY
460 W. Main Street Ste. 110
Fernley, NV 89408
Phone: (775) 575-1703
Fax: (775) 575-3373

GARDNERVILLE

DOUGLAS COUNTY SOCIAL SERVICES
1133 Spruce Street; Gardnerville
Mailing: PO Box 218; Minden, NV 89423
Phone: (775) 782-9825
Fax: (775) 782-9874

HAWTHORNE

CONSOLIDATED AGENCIES OF HUMAN SERVICES (CAHS)
924 5th St
PO Box 331
Hawthorne, NV 89415
Phone: (775) 945-2471
Fax: (775) 945-2499

MINERAL CO CARE & SHARE SENIOR CENTER
975 K Street
PO Box 1058
Hawthorne NV 89415
Phone: (775) 945-5519
Fax: (775) 945-3977

HENDERSON

CITY OF HENDERSON-HERITAGE PARK SENIOR FACILITY
300 S Racetrack Rd
Henderson, NV 89015
Phone: (702) 267-2956
Fax: (702) 267-2951

HOPELINK FAMILY RESOURCE CENTER
178 Westminster Way
Henderson, NV 89015
Phone: (702) 566-0576
Fax: (702) 566-0494

INCLINE VILLAGE

TAHOE FAMILY SOLUTIONS
948 Incline Way
Incline Village, NV 89451
Phone: (775) 298-0004
Fax: (775) 298-0005

LAS VEGAS

BOYS & GIRLS CLUB OF LAS VEGAS/ LAS VEGAS WEST FAMILY RESOURCE CENTER
2850 Lindell Road
Las Vegas, NV 89146
PO Box 26689 (mailing)
Las Vegas, NV 89126
Phone: (702) 932-1880
Fax: (702) 932-0647

EAST VALLEY FAMILY SERVICES
1800 E. Sahara Ave Ste 117
Las Vegas, NV 89104
Phone: (702) 369-7098
Fax: (702) 733-6144

HELP OF SOUTHERN NEVADA
1640 E. Flamingo Rd. Suite 100
Las Vegas, NV 89119
Phone: (702) 369-4357, ext. 1221
Fax: (702) 836-2187

LAS VEGAS URBAN LEAGUE
3575 W Cheyenne Ave
N. Las Vegas, NV 89032
Phone: (702) 473-9400
Fax: (702) 629-6232

NEVADA HAND, INC.
295 E Warm Springs Rd
Las Vegas, NV 89119
Phone: (702) 739-3345
Fax: (702) 739-3305

OLIVE CREST
4285 N Rancho Dr., Ste. 160
Las Vegas, NV 89130
Phone: (702) 221-6224
Fax: (702) 851-8528

ROSE FOUNDATION (SNRHA)
5390 E Flamingo Rd
Las Vegas, NV 89122
Phone: (702) 451-8041
Fax: (702) 922-1651

THREE SQUARE
4190 N Pecos. Rd.
Las Vegas, NV 89115
Phone: (702) 644-3663
Fax: (702) 365-6574

LOVELOCK

PERSHING COUNTY SENIOR CENTER
630 Western Avenue
PO Box 838
Lovelock, NV 89419
Phone: (775) 273-2291
Fax: (775) 273-5023

MESQUITE

SALVATION ARMY MESQUITE/HEIDE'S COTTAGE
355 W Mesquite, Ste B50
Mesquite, NV 89027
Phone: (702) 345-5116
Fax: (702) 346-7599

VIRGIN VALLEY FAMILY SERVICES
312 West Mesquite Blvd #7
Mesquite, NV 89027
PO Box 1436 (mailing)
Mesquite, NV 89024
Phone: (702) 346-7277
Fax: (702) 346-1957

MINA

MINERAL COUNTY CARE & SHARE (Senior Center)
211 8th St
Mina, NV 89422
Phone: (775) 573-2344
Fax: (775) 573-2342

OVERTON

CAPPALAPPA FAMILY RESOURCE CENTER
189 N Moapa Valley Blvd
Overton, NV 89040
Phone: (702) 397-6400
Fax: (702) 397-6450

PAHRUMP

NYE COUNTY HEALTH & HUMAN SERVICES
1981 E. Calvada Blvd. N. Ste. 120
Pahrump, NV 89048
Phone: (775) 751-7095
Fax: (775) 751-4284

NEVADA OUTREACH TRAINING ORGANIZATION
621 S Blagg Rd
Pahrump, NV 89048
PO Box 2869
Pahrump, NV 89041
Phone: (775) 751-1118, ext. 201
Fax: (775) 751-1195

PANACA

LINCOLN COUNTY HUMAN SERVICES
10 Atchison Dr.
PO Box 508
Panaca, NV 89042
Phone: (775) 728-4477
Fax: (775) 728-4297

RENO

CENTRAL/SOUTH RENO FAMILY RESOURCE CENTER
(Appointment Required)
1950 Villanova Dr.
Reno, NV 89502
Phone: (775) 321-3185
Fax: (775) 322-3986

COMMUNITY SERVICES AGENCY (CSA)
1090 East 8th Street
Reno, NV 89512
PO Box 10167 (mailing)
Reno, NV 89512
Phone: (775) 786-6023
Fax: (775) 786-5743

NORTHEAST RENO FAMILY RESOURCE CENTER
(Appointment required)
2750 Elementary Dr
Reno, NV 89512
Phone: (775) 353-5563
Fax: (775) 353-5725

NORTH VALLEYS FAMILY RESOURCE CENTER
(Appointment Required)
10500 Stead Blvd
Reno, NV 89506
Phone: (775) 677-5437
Fax: (775) 677-5434

SILVER SPRINGS

LYON COUNTY HUMAN SERVICES
1075 Pyramid Street
PO Box 1141
Silver Springs, NV 89429
Phone: (775) 577-5009
Fax: (775) 577-5093

SPARKS

SPARKS FAMILY RESOURCE CENTER
(Appointment Required)
921 12th St.
Sparks, NV 89431
Phone: (775) 353-5733
Fax: (775) 353-5964

SUN VALLEY

SUN VALLEY FAMILY RESOURCE CENTER
(Appointments encouraged)
115 W 6th Ave
Sun Valley, NV 89431
Phone: (775) 674-4411
Fax: (775) 674-4418

TONOPAH

NYE COUNTY HEALTH & HUMAN SERVICES-TONOPAH
1120 Globemallow Ln
Tonopah, NV 89049
Phone: (775) 482-8125
Fax: (775) 482-7261

WELLS

WELLS FAMILY RESOURCE CENTER
261 First St.
PO Box 773
Wells, NV 89835
Phone: (775) 752-2345
Fax: (775) 752-3079

WINNEMUCCA

FRONTIER COMMUNITY ACTION AGENCY
640 Melarkey St, Ste 3
Winnemucca, NV 89445
Phone: (775) 623-9003
Fax: (775) 623-1420

YERINGTON

LYON COUNTY HUMAN SERVICES – YERINGTON
26 Nevin Way
Yerington, NV 89447
Phone: (775) 463-6583
Fax: (775) 463-6534

APPENDIX F

ENERGY ASSISTANCE PROGRAM (EAP) FORMS

FORM TITLE	FORM NO.
Administrative Disqualification/Penalty Waiver (IPVs)	6021-AH
Affidavit – General and Forged	1060-MF
Authorized Representative	2840-EL
Client Update Form	2888-EL
Conference/Hearings (Pre-Conference Summary)	2254-EL
Crisis Intervention Evaluation	2807-EL
Energy Assistance Program (EAP) Application	2824-EL
Energy Assistance Program (EAP) Application Large Print	2824-EL/VI
Energy Assistance Program (EAP) Application Spanish	2824-ELS
Fast Track Evaluation	2873-EL
Intake Site Log	2890-EL
Rental Verification Form	2880-EL
Request for Information	2833-EL
Request for Materials	2854-EL
Self-Employment Worksheet	2011-EG
Utility Vendor Contract	2800-EL