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Governor



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DEPARTMENT OF HEALTH AND HUMAN SERVICES
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**NEVADA STATE DIVISION OF WELFARE & SUPPORTIVE SERVICES PUBLIC HEARING TO
ADOPT LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) AND NEVADA
FUND FOR ENERGY ASSISTANCE AND CONSERVATION, 2019 STATE PLANS**

The public hearing to adopt the Low-Income Home Energy Assistance Program (LIHEAP) and Nevada Fund for Energy Assistance and Conservation 2019 State Plans was brought to order by Robert Thompson, Deputy Administrator for Program and Field Operations of the Division of Welfare and Supportive Services at 9:00a.m. on Thursday, July 19, 2018.

This hearing was video-conferenced between the Division of Welfare and Supportive Services, Professional Development Center, 701 N. Rancho Drive, Training Room 5, Las Vegas, Nevada and the Division of Welfare and Supportive Services, Central Office, 1470 College Parkway, Room 148, Carson City, Nevada and teleconferenced between both locations and available to the public.

Staff Present in the North:

Steve Fisher, Administrator, DWSS
Kelly O'Meara, Executive Assistant
Betsy Ransdell, Staff Specialist DWSS
Patrick Conway, Weatherization Supervisor, Housing
Maria Wortman-Meshberger, Chief Employment & Support Services, DWSS

Staff Present in the South:

Robert Thompson, Deputy Administrator, Program and Field Operations, DWSS
Scott Nelson, Employee Development Manager, DWSS

Legal Representation:

Ryan Sunga, DAG

GUESTS PRESENT:

NORTH:

None

SOUTH:

None

"Working for the Welfare of ALL Nevadans"

Mr. Thompson opened the public hearing at 9:00a.m., explaining how the hearing would proceed and that this public hearing had been noticed in accordance with the Open Meeting Law and posted on the Division's website. All present were requested to sign in and provide their email addresses to be included on the Division's mailing list.

Mr. Thompson invited Betsy Ransdell, SSPS 3 (Energy Assistance & Training) and Patrick Conway (Housing Division) to present items on the agenda.

Ms. Ransdell explained that the U.S. Department of Health and Human Services (HHS) provides federal block grant funds to states that administer a Low-Income Home Energy Assistance Program (LIHEAP). States must submit a State Plan to DHHS annually, which serves as an application for funds.

The benefit program year begins July 1, 2018. A FY 2019 state plan is necessary to delineate the program benefits, eligibility criteria, available emergency/crisis assistance, and other policy in the Energy Assistance Program (EAP), administered by the Division of Welfare and Supportive Services, and the Weatherization Assistance Program (WAP), administered by the Housing Division.

Funding for LIHEAP Block Grant is appropriated annually. For planning purposes, staff have projected a FY 2019 award equal to that received for FY 2018.

Ms. Ransdell stated that the effective date of the State Plan is July 19, 2018 and the financial impact of the Energy Assistance Program is funded by the federal LIHEAP block grant and the Nevada Fund for Energy Assistance and Conservation.

The Weatherization Assistance Program is primarily funded by the Nevada Fund for Energy Assistance and Conservation.

Ms. Ransdell further explained that there is no financial impact upon local government and provided a summary of the proposed updates for the FY 2019 State Plan:

- The program year and other relevant dates will be updated throughout the document.
- Minor text changes intended to clarify existing policy have been incorporated throughout the document.

Mr. Conway was invited to explain the Housing Division's proposed changes for the Weatherization Assistance Program:

- The Weatherization Program defines the term "Energy Emergency" as a situation in which, a household's sole heating source is unsafe or inoperable during the winter months, or the household's primary cooling system is unsafe or inoperable during the summer months. (4.2)
- Increase the maximum weatherization benefit/expenditure per household from \$8,000 to \$10,000. (5.10)

- Add smoke detectors to the weatherization measures provided. (5.11)
- Correct who determines client eligibility to the Housing Division's Sub-grantees. (8.5a and 8.5d)
- The process for selection local administering agencies—Weatherization has an annual application and scoring process. (8.6) And, use 5 Sub-grantees. (8.7)
- The Housing Division inspects a minimum of 10% (increase from 5%) of the homes where Weatherization Assistance was provided. (10.5)

Ms. Ransdell provided the Division of Welfare and Supportive Services proposed changes for the Energy Assistance Program:

- Unselect 'insurance payments made specifically for the repayment of a bill, debt, or estimate' as Nevada does not count this benefit as income for the purposes of eligibility. (1.9)
- The Division currently provides a benefit cap to Targeted households that is \$50 greater than non-targeted households. It is proposed that we increase that amount from \$50 to \$100 to further reduce the energy burden of households whose members are the most vulnerable to temperature extremes. (2.4)
- The maximum benefit amount has been updated and approved by the Administrator. (4.12)
- Update to reflect that Nevada will utilize the most current State Median Income posted as of June 1st, or the date of the Public Hearing, whichever is later, when determining the Median Energy Burden. (2.6)
- The Division of Welfare and Supportive Services defines the term "Energy Emergency" as meeting one of three criteria: 1) A household has or is in danger of having their heating or electric service disconnected within 48 hours, is in need of heating fuel and has less than 10% in their tank, requires a deposit to establish utility service or loss of energy causes a life threatening situation, and must have requested a payment plan from the utility and been denied. 2) A household in crisis with annual gross income exceeding the current income limit, except allowable qualifying expenses attributable to the crisis reduces the income to the current income limit or less. 3) A household with arrearages on their utility account which may result in utility shut-off. (4.2)
- In the event of an unexpected 'emergency' such as a weather-related event or a supply shortage, the Division of Welfare and Supportive Services proposes to add a provision to the state plan that the Administrator has the discretion to authorize use of LIHEAP funding to assist eligible recipients with in-kind and energy related needs. (4.2)
- Updated to reflect that the Division of Welfare and Supportive Services recently joined the Housing Division's Policy Advisory Council to obtain input in the development of the Energy Assistance Program policy. (11.1)

- Any public comment on the proposed plan changes received at this Public Hearing will be summarized in the State Plan as required. (11.2)
- Update the section requiring a report of fair hearing activity and outcomes. There were 10 fair hearings held and none of the decisions were reversed based on the hearing. (12.1/12.2).
- The Governor's Office of Energy Weatherization Assistance was corrected to read Home Energy Retrofit Opportunities for Seniors (H.E.R.O.S.) from LIHEAP. (14.3)

Mr. Thompson invited public comment in the South. None was heard. Mr. Thompson invited public comment in the North. None was heard.

Hearing no comments, Mr. Thompson, on behalf of the Director of the Department of Health and Human Services, adopted the 2019 State Plan, effective July 19, 2018.

Mr. Thompson invited Ms. Ransdell and Mr. Conway to discuss the next item on the agenda: Proposed Regulations of the Nevada Fund for Energy Assistance and Conservation FY 2019 State Plan.

Ms. Ransdell explained the need and purpose of the proposed State Plan. Nevada Revised Statutes, Chapter 702, requires the Department of Health and Human Services, Division of Welfare and Supportive Services, and the Department of Business and Industry, Housing Division, to adopt regulations for the administration of Energy Assistance and Weatherization services to low-income Nevadans. The benefit program year begins July 1, 2018.

Ms. Ransdell further explained that July 19, 2018 is the effective date and the financial impact falls under Nevada Revised Statutes, Chapter 702, established a Universal Energy Charge (UEC), which utilities collect from retail customers of electricity and natural gas. These funds are collected by the Public Utilities Commission of Nevada (PUCN) and deposited in the Nevada Fund for Energy Assistance and Conservation. Up to 3% of UEC monies collected may be retained by the PUCN for administration costs; the remainder is distributed to the Division of Welfare and Supportive Services (75%) and the Housing Division (25%). The PUCN estimates \$13.2 million in UEC revenues for SFY19.

Ms. Ransdell stated that there is no financial impact upon local government and provided a summary of the proposed updates:

- The program year and other relevant dates will be updated throughout the document.
- Minor text changes intended to clarify existing policy or correct grammar have been incorporated throughout the document. For example: Subgrantee to Sub-grantee.
- Update the program description for Energy Share, emergency funds are managed and distributed by Help of Southern Nevada in Southern Nevada and Friends in Service Helping (FISH) in Northern Nevada. (1.6) Previously this was done by the Salvation Army.

- Defined the Policy Advisory Council as an entity that advises and assists the Division of Welfare and Supportive Services and the Nevada Housing Division with respect to the development and implementation of policy for the Energy Assistance Program and the Weatherization Assistance Program. (2.31)

Mr. Conway was invited to explain the proposed changes for the Housing Division's FY 2019 Weatherization Assistance Program, which he explained as the following:

- Add smoke detectors as a health and safety measure. (2.22)
- Increase the average per household expenditure from \$6,750 to \$7,261 (10.2.6)
- The Maximum cost per unit weatherized will be increased from \$8,000 to \$10,000. (10.2.6)
- Add smoke detectors as a measure installed. (10.2.7)
- Add energy audit tool as a cost-effectiveness measure. (10.2.9)

Ms. Ransdell continued by describing the proposed changes for the Energy Assistance Program.

- Update to reflect that Nevada uses the most current State Median Income posted as of June 1st or the date of the Public Hearing, whichever is later, to calculate the Energy Burden. (10.1.3)
- The Division currently provides a benefit cap to Targeted households that is \$50 greater than non-targeted households. It is proposed that we increase that amount from \$50 to \$100 to further reduce the energy burden of households whose members are the most vulnerable to temperature extremes. (10.4.1)
- Add the Governor's Office of Energy Weatherization Assistance funds and the Nevada Housing Division's 15% set aside funds, as leveraging award considerations. (13.1)
- Update from utilizing the Energy Advisory Committee to the Policy Advisory Council. (16.3.3).

Mr. Thompson invited public comment in the South; None was heard. Mr. Thompson invited public comment in the North. None was heard.

Having heard no comments, Mr. Thompson adopted the State Plan changes on behalf of the Director of the Department of Health and Human Services, effective July 19, 2018.

Mr. Thompson further invited public comment not related to the agenda items heard today. Hearing none, Mr. Thompson closed the public hearing and thanked everyone who participated in the hearing.

The Public Hearing concluded at 9:20a.m.