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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, 2020 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 1:00p.m. on Monday June 17, 2019.

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 149, Carson City, Nevada and teleconferenced between both locations and available to the public.

Staff Present in the North:

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

Staff Present in the South:

Robert Thompson, Deputy Administrator, Program and Field Operations, DWSS

Legal Representation:

Ryan Sunga, DAG

GUESTS PRESENT:

NORTH:

None

SOUTH:

None

"Working for the Welfare of ALL Nevadans"

Deputy Administrator Thompson opened the public hearing at 1:00p.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.

Deputy Administrator Thompson invited Maria Wortman-Meshberger (Chief Energy Assistance & Training) and Patrick Conway (Housing Division) to present items on the agenda.

Mrs. Meshberger 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, 2019. A FY 2020 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 and has been known to vary significantly from year-to-year. For planning purposes, staff have projected an FFY 2020 award equal to that received for FFY17.

Mrs. Meshberger stated that the effective date of the State Plan is July 1, 2019 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 Energy Assistance Program is solely 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.

Mrs. Meshberger stated that there is no financial impact upon local government.

Mrs. Meshberger further reported the details of the proposed update for FY 2020 LIHEAP State plan as the following:

The LIHEAP State Plan draft with the proposed updates will be available for review on the Division's website at <http://dwss.nv.gov> no later than five days before the Public Hearing. The following is 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 have been incorporated throughout the document.

The Division of Welfare and Supportive Services proposes the following changes for the Energy Assistance Program:

- Under Section 1.2 --
 - Include in the LIHEAP State Plan to be able to adjust the Weatherization funding from 5% to 15% with the approval of the DWSS Administrator based on the funding received as long as most EAP recipients are hitting the current energy burden.
- Under Section 2.3 --
 - Add – Eligible household with a solar vendor are eligible for the minimum payment of \$180 for the solar vendor.
- Under Section 2.6, 3.6, 4.12
 - The maximum benefit amount will be updated as soon as the cap table has been updated and then approved by the Administrator.
- Under Section 4.10 Section 8.2--
 - Updated to 28 service provider contracts with 38 locations.
- Under Section 4.17
 - The moratorium period for all customers is temperature-based, above 105 degrees or below 15 degrees. *Add*—unless the household has an elderly or disabled person, the temperature-base is above 95 degrees or below 20 degrees.
- Under Section 6.1
 - Updated outreach to all Welfare recipients (not just SNAP).
- *Under Section 7.1*
 - 4. Other Programs – The Division of Welfare provides program brochures, posters and/or application --*add*-- that includes the Weatherization Assistance Program website for dissemination to their clients.
- *Under Section 11.2*
 - At the Policy Advisory Council meeting on February 27, 2019, there was discussion about application counts for DWSS being low and outreach is going out to all Welfare programs. There was also discussion about transferring up to 15% of the LIHEAP funds to Weatherization, if DWSS meets the intent of the program, to get all households to the median energy burden as practicable, the DWSS Administrator would have the discretion to increase Weatherization's portion from 5% up to 15% of the funds.
 - Any public comment on the proposed changes received at this Public Hearing will be summarized in the State Plan as required.
- *Under Section 12.1, 12.2*
 - Update the section requiring a report of fair hearing activity and outcomes.

Mrs. Meshberger introduced Patrick Conway of the Housing Division to discuss the proposed changes for the Weatherization Assistance Program. Mr. Conway explained the following proposed changes.

- *Under Section 4.2*
 - “Energy emergency” for the Housing Division purposes means – *add* – “household’s primary heating system is unsafe or inoperable during the winter months, or” the household’s primary cooling system is unsafe or inoperable during the summer months.
 - Moved from 5.8, Allowable countable income is based on DOE rules. DOE allows 200% of poverty but for LIHEAP customers client eligibility for those households at or below 150% of poverty.

Mrs. Meshberger explained the need and purpose of the proposed State plan, stating:

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 effective date of the State plan is July 1, 2019

Mrs. Meshberger also explained the financial impact as follows:

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 PUC estimates \$13.4 million in UEC revenues for SFY20. There is no financial impact upon local government.

The following is a summary of the proposed updates:

- Updated the Governor.
- 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.

The Division of Welfare and Supportive Services proposed Energy Assistance Program changes for FY 2020:

- *Under Section 8 Client Eligibility*

- 8.1.8 Add--Eligible households residing in residences with solar will receive a payment of \$180.
- *Under Section 10 Program Benefits*
 - 10.1.3 Update the median income and the energy burden as soon as the State Median Income is posted by the Administration for Children and Families.
 - 10.1.9 Eligible households may elect to have their FAC benefit: 1) go directly to their UEC heating provider, or 2) go directly to their UEC cooling provider, or 3) be split between their UEC heating and cooling provider(s) **add (not to exceed usage amount for either vendor).**
- *Under Section 15 Targeted Population Efforts*
 - 15.2.1 Notice of Decision Language---Remove
 - 15.2.2 Automatic Mailing of EAP Applications---Remove

Mrs. Meshberger introduced Patrick Conway of the Housing Division to discuss the proposed changes for the Weatherization Assistance Program. Mr. Conway explained the following proposed changes.

- *Under Section 10 Program Benefits*
 - 10.2.6 -- Increase the average per household expenditure from \$7, 261 to \$7,541 and the maximum cost per unit weatherized is \$10,000, **add, unless authorized by the Housing Division staff.**
 - 10.2.14 – New – The Housing Division shall provide Funds to Sub-grantees for administration, (maximum 10% of award), program operations including marketing, liability insurance, vehicles and equipment, and training and technical assistance necessary to conduct energy audits and install energy conservation measures and/or health and safety measures.
 - 10.2.15 – New -- The Housing Division shall annually conduct an application process to select Sub-grantees and their service areas. Preference will be given to Subgrantees that have administered or are administering an effective program of weatherization assistance. The Administrator of the Housing Division, or designee, shall make the final decision on the Sub-grantee contract awards after considering public comments for the annual state plan.
 - For FY 20, the following Sub-grantees have been selected to be awarded the corresponding service areas:
 - Service Area 1 (North Las Vegas and Northern Rural Clark County) - Nevada Rural Housing Authority
 - Service Area 2 Las Vegas, Henderson and Southern Rural Clark County) - HELP of Southern Nevada
 - Service Area 3 (Washoe County) – Community Services Agency

- Services Area 4 (Eastern Rural Counties) – Rural Nevada Development Corporation
- Service Area 5 (Western Rural Counties) – Nevada Rural Housing Authority.

Having heard the proposed changes to the LIHEA program and the Nevada Fund for Energy Assistance and Conservation, Deputy Administrator Thompson invited comment from the hearing participants. Hearing none, Deputy Administrator Thompson adopted the state plans on behalf of the Director of Department of Health and Human Services, effective July 1, 2019.

Deputy Administrator Thompson thanked those in attendance for their input on the state plans heard today and pronounced the hearing closed.