

Confederated Tribes of Grand Ronde

Low Income Home Energy Assistance Program (LIHEAP) Policies

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1. Introduction - Background

The Confederated Tribes of Grand Ronde applied to operate its own direct LIHEAP program in 2004 and has operated its own program ever since. The Grand Ronde Tribe and several other Oregon tribes have an agreement/arrangement with the State of Oregon regarding LIHEAP. The Tribe receives a set sum through this agreement. The Tribe operates its own program for its own members within its LIHEAP approved service area. On the Reservation the Tribe is responsible for serving all Native Americans. Grand Ronde Tribal members need to apply to Grand Ronde within that area and are not to be served by the county agencies that otherwise provide LIHEAP to residents in that County. The Tribe works with the State and these county agencies to assure there is no duplication of services.

The Tribe deals directly with the federal government and the Tribe designs and carries out its own energy assistance program – a program based on first-hand knowledge of tribal household needs. The Tribe is responsible for carrying out the program in accordance with its application for funding, the federal statute, and the federal block grant regulations. The Tribe sets clear and consistent rules to determine whether households are eligible and how large their benefits will be.

Grand Ronde LIHEAP Service Area

The Tribe's seven county approve service area includes Polk, Yamhill, Tillamook, Washington, Multnomah, Clackamas and Marion counties. [See current map in attachments.]

2. Definitions

-Administrative Cost.

The Tribe can allocate up to 20% of the first \$20,000 (or \$4,000) plus 10% of the remaining amount of funds payable to administration and planning. The Tribe has been applying (for simplicity 10% of the full sum).

The sum allocated for staffing is to be set by the Tribe based on the geographic size of the area, the number to be served, number of eligible households, amount of funds available and the complexity of the program. If a Tribe's allotment is small it may decide that there are not enough funds to administer the program and pay adequate benefits.

Administrative and program operating costs other than direct payment of benefits include client intake accepting applications and determining household eligibility, informing them of eligibility, making payments, working with vendors, and record keeping. More administrative tasks include preparing grant reports, fair hearings, working with the annual Tribal audit, monitoring program operations, preparing the annual application and financial accounting and other costs typically associated with the Indirect Cost Rate Agreement negotiated with the federal government for all federal grant programs for administrative cost.

-Obligation

An obligation is when funds are encumbered (i.e. through purchase order or agreement)

-Expenditures

Is when a check is cut for payment for the service agreed to in the purchase order but for the actual cost.

-Crisis.

An energy crisis exists when a household faces an energy burden which depletes or threatens to deplete financial resources, or which poses a potential health threat and/or safety threat to the well-being of the household. The term crisis (or emergency) includes weather-related and supply shortage emergencies. Benefit levels for households in crisis are based on the need to reduce or eliminate the crisis.

-Life threatening crisis

A life-threatening crisis exists when a household member's health and/or well-being would likely be endangered if assistance is not provided to continue heating/cooling energy services. Generally, this would require an active medical certificate but may be deemed a life-threatening crisis if LIHEAP program staff determine extreme circumstances are present (e.g. extreme cold/heat, fuel supply shortage).

3. Types of Assistance

As part of the Tribe's annual Model Plan LIHEAP application the Tribe designates the type of assistance it proposes to provide. The plan is advertised in the local Tribal newspaper. Under LIHEAP there are caps and requirements for some of the categories. The Tribe has been using the following allocation.

- 50% to heating assistance
- 0% to cooling assistance
- 10% to crisis assistance (for heating* and cooling)
- 15% to weatherization
- 10% to carryover to the next fiscal year
- 10% to administrative and planning
- 5% to reduce home energy use including needs assessments
- 0% to leveraging activities

Funds for winter crisis* that have not been used by 3/15 will be reprogrammed to heating assistance.

A. Heating

The dates of operation are 10/1 through 6/30.

The Tribe provides two levels of payment in our eligibility matrix. If their income by household size is at 43% of the threshold for the eligible income threshold they receive additional funds. For a 4 resident household it is \$530 for heating vs. \$425 for those with higher (but still eligible) incomes. We do prioritize heating assistance to the elderly, disabled and young children and also to eligible veterans but only if and when funds are low compared to demands for assistance.

The Tribe does not have added eligibility requirements for heating, no assets test and no difference for renters. There are two benefits tables in the matrix based on fuel type only natural gas is set at a lower benefit level than other fuel types. The minimum benefit across the tables is \$340 and the highest benefit is \$575 for regular heating assistance.

B. Cooling

[SECTION RESERVED]

[This service need is not provided at this time except under crisis – see below)

C. Crisis Assistance

The dates of operation are year round. The term crisis (or emergency) means weather-related and supply shortage emergencies. Benefit levels for households in crisis are based on the need to reduce or eliminate the crisis.

A life-threatening crisis exists when a household member's health and/or well-being would likely be endangered if assistance is not provided to continue heating/energy services. Generally, this would require an active medical certificate but may be deemed a life-threatening crisis if LIHEAP program staff determine extreme circumstances are present (e.g. extreme cold, fuel supply shortage).

In addition, the household must either be disconnected or at imminent risk of disconnection (within 5 days of application) to be considered as having a life-threatening crisis situation. Households with deliverable fuels must either be out of fuel or at imminent risk of being out of fuel.

Life-threatening crisis situations must be addressed within either 18 hours (if already disconnected) or 48 hours (if at risk of disconnection) of application. These timeframes must be documented to ensure compliance with federal requirement and must include comments outlining how the situation was addressed.

There are no other eligibility requirements or asset tests and no priorities based on elder, disability, children or other category. There are no added rules for renters.

A household must have received a shut off notice or have a near empty tank, as documented by the utility company / fuel supplier, to qualify the household for crisis assistance. It does not need to have already been shut off and the fuel tank (if applicable) does not need to be empty. It does not need to be medically necessary.

A household must have exhausted their regular heating benefit before they can receive crisis assistance.

Crisis assistance (in combination with regular assistance) is capped at \$800. Crisis assistance is "Fast Tracked" / expedited to the degree of severity of the crisis. If there is a need for heat system repair under a crisis the Tribe will provide up to \$1,800 for heat system repair.

The types of assistance provided covers heating or cooling system repair or replacement. It also includes wood or pellet stove under heating system.

Geographic Accessibility. The Grand Ronde office of Social Services is handicapped accessible and is served by three bus lines. The Portland Office is also handicapped accessible and served by bus routes. Applications can also be submitted on line.

D. Weatherization

The Tribe provides weatherization directly through its Tribal Housing Department which also provides needs assessments as part of that process. The rules applied are those of LIHEAP (and not those of DOE WAP).

The dates of operation are year round. There is no assets test. There is a difference in the policy for renters. Renters and rental property can be assisted if at least half the units of a structure are occupied by enrolled Tribal members before a multi-unit structure will be considered for assistance. (Per standing agreement with the State that we serve our own members, except on the Reservation where we serve all Native Americans.)

There is no preference for elder or disabled, children or energy burden. The maximum benefit or expenditure is \$3,500.

Types of weatherization measures includes weatherization needs assessments/audits, caulking and insulation, storm windows, furnace or heating system modifications or repairs, cooling system modification or repairs, compact florescent light bulbs, windows/sliding glass doors, doors, water heater and cooling system replacement. It does not include water conservation or major appliance repairs or replacements or energy related roof repairs.

Reducing energy needs

At intake a brochure will be provided and explained to eligible households describing basic conservation techniques and information. Brochures will give phone numbers, web site addresses, and will indicate that power companies can be contacted to trouble shoot a basic energy problem if a household has a sudden rise in energy bills.

The Tribe sets aside up to 5% for home energy needs reduction efforts including needs assessments. The 5% sum is budgeted with its own account code so that it will not exceed 5% and if the funds are not used up on needs assessment they are re-programmed to heating assistance. The Tribe can provide energy efficiency measures (as needed) including servicing of a furnace to clean and tune it (as the main heating source), cleaning a chimney (where it is part of the main heating source) and providing programmable thermostats.

The energy needs assessment is primarily used with the weatherization program. An assessment is done to determine what is needed and to qualify for weatherization assistance (which has its own separate cost code and) which then improves energy use conservation and energy savings. During the provision of these services the Tribe also advises the recipient of the comparative benefit of the weatherization measures and the energy savings they provide.

4. Intake & Eligibility

As noted above, the Grand Ronde office of Social Services provides LIHEAP intake. We also have a Portland Office and applications can also be submitted on line. The offices are open daily except for holidays and applications are accepted every day. The heating assistance period ends June 30th. Application requirements are largely noted in the service sections of these policies.

Determination of Eligibility

The Tribe does consider households categorically eligible if one household member receives one or more of TANF, SSI, SNAP, or Means-tested Veterans Programs. Each year they need to reapply for LIHEAP, they are not automatically renewed.

-How the Tribe ensures there is no difference in treatment of categorically eligible households from those not receiving other public assistance when determining eligibility & benefit amounts.

The Grand Ronde Tribes will use their existing payment matrix which takes into consideration household income, household size, and energy cost. They also need to be within the service area. Highest benefits will go to the households with the lowest income and the largest family size. Households may also be made eligible where one or more individuals receive TANF, Food Stamps / SNAP, SSI, or certain means tested veterans program payments. Their benefit level will be as shown on the income by household size matrix but if their household is over income (and yet they are still categorically eligible) they would still receive the minimum payment shown for that household size. Our existing LIHEAP service area includes Polk, Yamhill, Marion, Clackamas, Multnomah, Washington and Tillamook counties of Oregon. (From Plan Section-1.)

5. Income & Benefits

Income eligibility - Countable income

The Tribe uses 60% of State Median Income method. Income eligibility takes are based on gross income, not net income.

Income inclusions. The Tribe considers the following in determining income eligibility: Wages, self-employment income, unemployment insurance, supplemental security income, general assistance benefits, TANF, one time lump sum payments, alimony, child support, Veteran's Administration, and income tax refunds.

The Tribe does not count Social Security, Medicare, SNAP, retirement, strike pay, WIC, savings accounts, WIA, jury duty, rental income, interest, commissions, insurance payments, funds for care of foster children or mileage reimbursements.

[The law requires that households applying for energy assistance meet income guidelines in order to be eligible for LIHEAP benefits. (Maximum and minimum income guidelines are listed in section 2605(b)(2) of the law, see page C-5.) The law does not define for you what items or sources of funds are to be counted as income, so it is important to define what your tribe will count as income.]

-Calculation of countable income

Base income is usually defined as the gross countable income of all persons living in the household. Income is based on the past months income. Documentation can be a pay stub for the month or bi-weekly (and adjusted for a month).

Benefit Determination

The current income and benefit matrix is attached. It includes income, household size, type of service and amount of (possible) benefit.

Energy Suppliers -Vendor information

The Tribe makes payments directly to heating and crisis energy suppliers. Vendors do not need a vendor agreement.

Client Notification of amount of assistance paid

Eligible households will receive a copy of the authorization form at the time of intake as per instructions in the operation policy. Eligible applicants are instructed at the time of intake to monitor monthly billing to ensure LIHEAP benefits are received. The authorization form will have the household name, current address, and current account number for crediting purposes. Statement of procedure to follow through with energy suppliers in the event of non-credit will be included in the information packet at the time of intake.

Assurance that supplier will charge the client in the normal billing process the cost difference between the actual cost and the amount of the LIHEAP payment.

All area energy suppliers will have agreements with the Grand Ronde Tribes. All energy suppliers will charge households in the normal billing process the difference between actual cost of home energy and the amount of LIHEAP payment.

Eligible households will receive a copy of the authorization form at the time of intake as per instructions in the operation policy. Eligible applicants are instructed at the time of intake to monitor monthly billing to ensure LIHEAP benefits are received. The authorization form will have the household name, current address, and current account number for crediting purposes. Statement of procedure to follow through with energy suppliers in the event of non-credit will be included in the information packet at the time of intake.

Assurance that no household is adversely treated because of LIHEAP assistance.

Again, all area energy suppliers will have agreements with the Grand Ronde Tribes. All energy suppliers will charge households in the normal billing process the difference between actual cost of home energy and the amount of LIHEAP payment.

Eligible households will receive a copy of the authorization form at the time of intake as per instructions in the operation policy. Eligible applicants are instructed at the time of intake to monitor monthly billing to ensure LIHEAP benefits are received. The authorization form will have the household name, current address, and current account number for crediting purposes. Statement of procedure to follow through with energy suppliers in the event of non-credit will be included in the information packet at the time of intake.

6. Appeals

Fair Hearing Procedure

There will be an oral description of the grievance procedure during intake. The intake specialist will attach a copy of the process to the eligible household's file and will see to it that the head of household initials a copy of the grievance process.

The intake specialist will be an employee of the Tribal Social Services Department or will be under sub-contract with the Department. It will be the responsibility of the Tribal Social Services Department to monitor the actions of the intake specialists. In the event of any need for further technical assistance for the intake specialist, the Tribe is committed to immediate self-determined adjustment of training programs in order to effectively and efficiently meet all grant planning goals.

Fair administrative hearings will be provided for persons who are denied assistance for whose applications are not acted upon with reasonable promptness by the Social Services Department. Within 15 days of a written request for a hearing, the Director will attempt to resolve the situation informally. If this attempt is unsuccessful, the individual may request in writing to have a hearing with the General Manager of the Tribe, or his/her appointee.

At the time of the application, the Tribe will inform all households that they are allowed a fair administrative hearing if they are denied assistance or if their application is not acted upon in a timely manner. Notices shall be posted at all intake offices regarding hearing procedures.

7. Integrity Fraud

There is a public review, comment and participation process for the annual plan and application and notices in the Tribal newspaper on the plan and during the year on program availability. There is an appeals process for those denied service or the level of service they wanted. There is no hotline to call here regarding fraud, waste, or abuse. Members have no difficulty knowing who to call at the Tribe to complain. They call Tribal Administration or Tribal Council if they are not satisfied with programs or if they want to report suspected fraud, waste or abuse.

We require SSN card for all household members, however if person doesn't have it we request a SNAP report. SNAP reports list all persons in the home and all SSN's.

Tribal ID of applicant required unless the applicant is not tribal (has tribal member child in the home), then we request the child's Tribal ID from applicant or we request a CIB from the Tribe's Member Services Office.

If documentation is already on file from the previous year we do not make them submit it again (except if needed, such as for a name change).

The client brings documents to the intake interview and we use that for systems information including Social Security award letters/notices, SNAP print-out (program requests from SNAP), and child support letters/printouts.

Eligible residency of US Citizens also applies, the residence needs to be within the seven county service area (we use billing statement from energy company).

The Tribe doesn't currently use State employment directories but we do have contracted hours (not through LIHEAP) here by a State TANF worked and that provides us some access to other records and we access SNAP/Food stamp records. We also access Tribal employee rosters.

The Tribe matches State computer information as a print-out that we request. State DOL proof of unemployment benefits as a print-out the client submits. Social Security income as a copy of current award letter the client provides.

Vendor authenticity. Most all the electric and natural gas companies are those we regularly work with already. For new companies (perhaps propane) we do require a new W-9 form them and a tax ID number. We do verify that households have not received LIHEAP from another Agency for the current budget year.

Bulk fuel vendor benefit policy. This applies to wood delivery contract showing the amount of cords of wood and the client signs off that they received it and the vendor then brings it in for payment.

ATTACHMENTS

1. Current Service Area Map
2. Current Income & Benefit Matrix