

## CHAPTER 2-000 APPLICATION AND ELIGIBILITY

2-001 Application: To apply for LIHEAP, a Household must complete an agency-approved application or ask the Department to add a request for LIHEAP to the Household's current Economic Assistance case.

2-001.01 Application Processing: The Department must determine eligibility within 30 days of the Application Date. This deadline may be extended if the Household fails to provide requested documentation within the timeframe specified to do so.

2-001.02 Approval: An approved application establishes Household eligibility for the remainder of the Program Year, notwithstanding changes in Household income or composition.

2-001.03 Re-Application: To re-apply after a denial, a Household must submit a new application or request.

2-002 Eligibility: To qualify for LIHEAP, a Household must:

1. Be considered an Economically-Vulnerable Household;
2. Meet income guidelines according to Household size;
3. Meet citizenship and residency requirements; and
4. Not otherwise be disqualified or ineligible.

2-002.01 Income Guidelines: The total annual income of a Household may not exceed 130% of the federal poverty level. For purposes of calculating and treating income for LIHEAP eligibility, the Department applies the rules and regulations from the Supplemental Nutrition Assistance Program, Title 475 NAC.

2-002.02 Citizenship and residency: For purposes of determining LIHEAP eligibility, the Department applies the residency and citizenship/alien status requirements from the Supplemental Nutrition Assistance Program, Title 475 NAC. A person who does not meet the citizenship and residency requirements must be excluded from a Household for purposes of determining eligibility for LIHEAP.

2-002.03 Ineligibility: A Household that includes a person who is ineligible under this section may still remain eligible for LIHEAP. Household size will be reduced by the number of ineligible Household members for purposes of determining eligibility and payments.

2-002.03A Misrepresenting Residence: Any person convicted in federal or state court of having fraudulently misrepresented his/her residence in order to obtain Home Energy assistance in two or more states is ineligible for LIHEAP for ten years from the date of conviction.

2-002.03B Fleeing Felon: A person is ineligible for LIHEAP during any period in which the person is

1. Fleeing to avoid prosecution or custody or confinement after conviction for a crime or attempt to commit a crime that is a felony under the law of the place from which the person is fleeing; or
2. Violating a condition of federal or state probation or parole.

2-002.03C Intentional Program Violations: A person who commits an IPV is ineligible for LIHEAP as follows:

1. A person is ineligible for LIHEAP during the period the person is disqualified from receiving other Economic Assistance benefits due to a non-LIHEAP IPV.
2. A person who commits a LIHEAP IPV is ineligible as follows:
  - a. For a First IPV, the person becomes ineligible for any LIHEAP benefits for the remainder of the Program Year and the next full Program Year.
  - b. For a Second IPV, the person becomes ineligible for any LIHEAP benefits for the remainder of the Program Year and the next three full Program Years.
  - c. For a third (and any subsequent) IPV, the person becomes permanently ineligible for LIHEAP benefits.

2-003 Cooling Assistance: To qualify for cooling assistance, a Household must qualify for LIHEAP and include a Household member who:

1. Is a child under age six who receives ADC;
2. Is age 70 or older;
3. Has a severe illness or condition which is aggravated by extreme heat as verified by a medical statement signed by a licensed healthcare provider; or
4. Has received air conditioner from the Department within four years of the Application Date.

#### 2-004 Crisis Assistance

2-004.01 Eligibility: To qualify for Crisis Assistance, a Household must be eligible for LIHEAP, be in a Crisis Situation and have an unanticipated inability to pay Home Energy costs because within the most recent 90 days the Household has experienced:

1. An unanticipated medical or household expense;
2. A significant, permanent and involuntary loss of work hours, wages, or employment;
3. The departure of a primary wage earner;
4. The inability of a primary wage earner to work because of illness or injury;
5. A significant income loss because of the death of a Household member.

2-004.01A A Household may also be eligible for an unspecified crisis related to a loss of income or inability to pay as determined in the Department's discretion.

2-004.02 Time Limits for Crisis Assistance: For an eligible Household, the Department must provide Crisis Assistance to resolve the Crisis Situation:

1. within 48 hours of receiving the application, or
2. within 18 hours of receiving the application if the Household includes a Household member who uses a medical device that requires electricity or has a severe illness or condition which is aggravated by extreme heat as verified by a medical statement signed by a licensed healthcare provider.

2-004.03 Ineligibility

2-004.03A: A Household is ineligible for Crisis Assistance during any period a Household member is under a sanction for non-cooperation with Child Support Enforcement or the ADC - Employment First program.

2-004.03B: A Household is ineligible for Crisis Assistance to pay any bill incurred during any period a Household is in Overpayment Status.

2-004.03C: A Household is ineligible for Crisis Assistance to pay any bill incurred during any period a Household member is under a sanction for an IPV.

2-004.04 Alternate Sources of Crisis Assistance: The Department must provide a client who is denied Crisis Assistance with information about potential alternate sources of assistance.

2-004.05. Deposit or Reconnect Fees: To qualify for assistance with a deposit or reconnect fee, the Household must be eligible for Crisis Assistance and must have received no deposit or reconnect assistance for the same fuel type within the previous 36 months unless extenuating circumstances exist in the Department's discretion.

2-005 Furnace or Air Conditioner Repair or Replacement Assistance:

2-005.01 To qualify for repair or replacement assistance for a furnace or central air conditioner in a home owned or being purchased by a Household, the Household must be eligible for LIHEAP heating (for furnace) or cooling (for air conditioning) assistance, provide documentation that emergency repair or replacement is necessary, provide estimates for the cost of repair or replacement as requested by the Department, and have received no repair or replacement assistance for a furnace or air conditioner within the previous 60 months unless extenuating circumstances exist as determined in the Department's discretion.

2-005.02 To qualify for assistance to purchase a window air conditioning unit, the Household must be eligible for cooling assistance, provide estimates for the cost of purchase as requested by the Department, and have received no assistance to purchase a window air conditioning unit within the previous 60 months unless extenuating circumstances exist as determined in the Department's discretion.

2-006 Notice to Household

2-006.01 Approval: When a Household is approved for assistance, the Department will send written notice indicating (1) that the Department has made a payment to a Provider on behalf of the Household or (2) the payment schedule by which the Department will make payment(s) directly to the Household.

2-006.02 Denial: When the department denies a Household's application or request, the Department will send to the Household written notice that states the reason for denial and notifies the Household of its right to appeal.