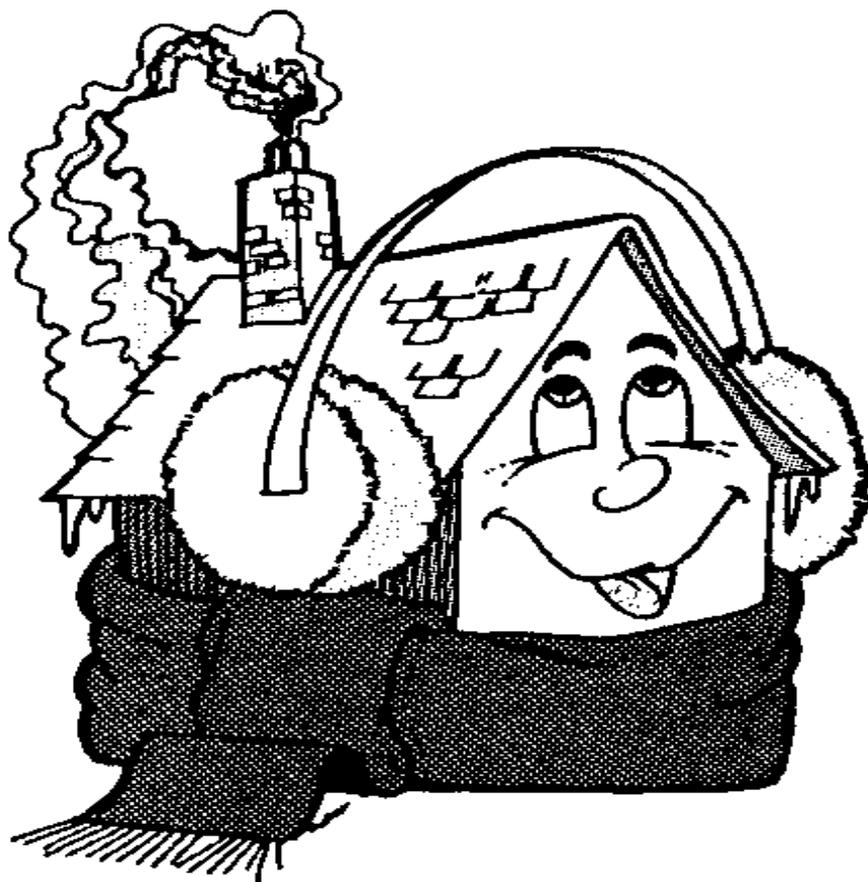


**DIVISION OF WELFARE AND  
SUPPORTIVE SERVICES**



**2014  
ENERGY ASSISTANCE  
PROGRAM  
MANUAL**

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## 1. GENERAL PROVISIONS

The purpose of the Energy Assistance Program's (EAP) is to assist low income households with meeting their immediate home energy needs. Nevada's EAP program has two funding sources, the Low Income Home Energy Assistance Program (LIHEAP) federal block grant and state revenue generated from Nevada's Universal Energy Charge (UEC). The Division operates a seamless program, with uniform eligibility requirements and benefits, incorporating the goals of each funding source. LIHEAP's goal is to ensure the highest benefit go to households with the least income and the goal for UEC funds is, to the extent practicable, provide assistance in an amount sufficient to reduce the percentage of the applying household's income spent on natural gas and electricity to the median percentage of household income spent on the same statewide.

### 1.1 DEFINITIONS

**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 Program** means one-time assistance sufficient to eliminate the applicant's arrearage debt with the heating and/or cooling vendor providing other eligibility criteria are met. Arrearage Payment Program serves as one of the specialized assistance programs for the Energy Assistance Program.

**Authorized Representative** means someone 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.

**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 verification source of information needed to determine eligibility or benefit amount.

**Crisis Intervention** means one of the specialized assistance programs offered by the Energy Assistance Program. Crisis intervention assists households whose gross annual income exceeds 150% of poverty except for allowable qualifying expenses for a crisis, which reduces the annual income to 150% of poverty or less.

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

**Disabled**

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 VA:
  - a. need regular aid and attendance;
  - b. permanently house bound;
  - 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. as determined are permanently incapable of self-support, or
  - b. as 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;
- Individuals receiving interim assistance (IA) benefits pending receipt of SSI;
- 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.

**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 or an apartment; 3) a single room or a group of rooms occupied as separate living quarters.

**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 **150%** of the federal poverty level), 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 dollar usage** means the actual cost a household pays for energy costs.

**Energy consumption** means the same as "energy usage."

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

**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.

**Fast Track** means the expedited processing of an energy assistance application to respond in emergent situations. Fast Track serves as one of the specialized assistance programs 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 1<sup>st</sup> of each calendar year and ends on June 30<sup>th</sup> 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.

**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.

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

**Intake site** means an entity/agency that contracts 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) forward 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, 3) and provides a needed (typically medical) service to a member of the household as documented by a qualified professional. 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 complexes**, for the purpose of the EAP manual, are those 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.

**Municipal utility** includes, 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. Typically, cases are in pending status due to outstanding information/collateral contacts necessary for case disposition (approval or denial).

**Program year** – The EAP Program Year is the state fiscal year in which an application is approved/denied. The state fiscal year begins on July 1 of each calendar year and ends on June 30 of the following calendar year. The fixed annual credit and the federal income poverty guideline are updated each program year.

**Public housing** is defined as a HUD, Housing Authority or Section 8; or, a residence supported by any city, county, state, tribal or other federal agency.

**Public utility** has the meaning ascribed to it in NRS 704.020 and 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.

**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 that has a contract with the Housing Division to provide weatherization assistance to eligible households.

**Subsidized housing** for purposes of the EAP program manual 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, and all energy utilities are included in the rent.

**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).

**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.

**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).

**Weatherization measures** mean ceiling, floor and duct insulation; duct leakage sealing (return and supply systems); shell infiltration sealing (replace broken windows, exterior doors and windows, weather-stripping, caulking, evaporative cooler covers, etc.); insulate water heater and adjoining pipes; solar screens in southern Nevada only; heating and cooling system repairs/replacements; health and safety measures (carbon monoxide testing of appliances, indoor air quality standards, and installation of carbon monoxide detectors); compact fluorescent lighting; mobile home roof insulation (southern Nevada only); and, refrigerators. Additional measures may be included in the aforementioned list if determined to be cost effective or address occupant health and safety hazards.

## **2 APPLICATION PROCESSING**

### **2.1 PROGRAM YEAR**

The EAP Program Year is the state fiscal year in which an application is approved/denied. The state fiscal year begins on July 1 of each calendar year and ends on June 30 of the following calendar year. The fixed annual credit and the federal income poverty guidelines are updated each program year.

### **2.2 ENERGY ASSISTANCE PROGRAM OFFICES**

All applications must be submitted either by mail or fax to one of the two following EAP offices for review and processing:

Energy Assistance Program  
2527 N. Carson St., Ste. 260  
Carson City, NV 89706  
Phone: (775) 684-0730  
Fax: (775) 684-0740

Energy Assistance Program  
3330 E. Flamingo Road, #55  
Las Vegas, NV 89121-4397  
Phone: (702) 486-1404  
Fax: (702) 486-1441

### **2.3 APPLICATION REQUESTS**

Requests for an application for energy assistance benefits may be made verbally or in writing to any Welfare Division district office or designated intake site. An Energy Assistance Application, Form 2824-EL, will be mailed no later than the next working day following the day of the request.

#### **2.3.1 Application Assistance**

Applicants for the Energy Assistance Program have the right to:

- be informed of the program's eligibility requirements;
- be counseled on required documentation; and,
- receive assistance with the application. If a staff member or volunteer assisted the household with completion of the application, they must initial the parts of the application they completed or sign the application indicating they helped complete it.

#### **2.3.2 Applications Causing Conflicts of Interest**

Caseworkers must not process applications when there is a conflict of interest. A conflict of interest exists when an applicant or household member is known to the case manager. This may include an employee/employer relationship, a dating relationship and/or situations in which the applicant is the caseworker's friend, roommate or relative. The case worker 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.

### 2.3.3 Applications Available on the Website

EAP applications in English or Spanish may be downloaded from the Division website located at <http://dwss.nv.gov>. Once completed and signed, the application may be mailed or faxed to an EAP office or taken to a designated intake site or Division of Welfare and Supportive Services district office.

## 2.4 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 may need help completing the voter registration form and collect and mail completed forms to the appropriate locations.

## 2.5 REAPPLICATIONS

Households with a denied, terminated or closed case status 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 thoroughly reviewed and verified. All 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.

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

## 2.6 REINSTATEMENTS

Reinstatements are cases that have been restored to a pending or approved status when a case was denied or terminated in error or at the discretion of a supervisor if extenuating circumstances exist.

## 2.7 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 redetermination 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.

## **2.8 DATE OF APPLICATION**

An application for benefits is made when an individual completes the minimum information on the Energy Assistance Application, Form 2824-EL and submits the application to the Division. The minimum information consists of the applicant's and/or authorized representative's name, address, and signature. An unsigned application is an inquiry only and must be returned to the household for signature. Inquiries are not entered in the EAP system.

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 caseworker must evaluate the case for an Intentional Program Violation. Refer to manual section 13, Overpayments and IPV's, for further information.

All applications received by the Division must be date stamped with the date the application was received.

### **2.8.1 Registering Applications in the EAP Computer System**

All applications must be entered into the EAP computer system within three (3) working days from the date of application, unless extraordinary circumstances exist.

### **2.8.2 Utility Vendor Electronic Interface**

The EAP program has electronic interface capabilities with Nevada's largest utility vendors. 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 accessed through the vendor screen.

## **2.9 PROCESSING TIMEFRAMES**

Applications 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 an elderly, disabled or child under six years of age member are approved or denied with thirty (30) days of the Division receiving the application. Applications are processed on a first-come, first-serve basis unless the applicant meets the Fast Track guidelines or one of the Specialized Assistance Programs, defined in manual section 11.

### **2.9.1 Fast Track Program**

The Fast Track Program is designed to provide expedited services to an eligible household whose energy source is in danger of being interrupted. Fast track services cannot be provided in consecutive program years unless the EAP Program Manager or Chief approves it due to extenuating circumstances. Please refer to manual section 11 for additional information.

### **2.10 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. An authorized representative (AR) is also allowed if the applicant is incompetent or incapacitated. If the designation is made by an applicant who cannot sign, their mark must be witnessed by someone other than the AR. The AR must be 18 years of age or older, acting 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 the case at any given time.

**NOTE:** If the AR is an employee of DWSS, 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.).

#### **2.10.1 Abuse by an Authorized Representative**

Authorized representatives (AR) may be disqualified from representing a household in the program 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.

### **2.11 INTAKE SITES**

The Division of Welfare and Supportive Services may contract 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 vendors and/or other community agencies may obtain EAP applications and other related forms, fliers and posters from the Division completing and submitting a Request of Materials, Form 2854-EL.

To receive compensation, contracted intake sites are required to submit application packets with a correctly completed Intake Site Log Form 2890-EL no later than the last day of the month after the month they receive an application from a prospective applicant.

For a listing of the current program year intake sites, refer to Nevada Division of Welfare Website at: [https://dwss.nv.gov/dmdocuments/EAP\\_IntakeSiteList.pdf](https://dwss.nv.gov/dmdocuments/EAP_IntakeSiteList.pdf).

## 2.12 **RESERVED**

## 2.13 **ELIGIBILITY FACTORS**

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

- Citizenship
- Nevada Residency
- Household Composition
- Identification
- Social Security Number (SSN)
- Energy Usage
- Income

## 2.14 **VERIFICATION**

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

All verification must be dated to earlier than thirty (30) days prior to the date of application or application review date with the following exceptions:

- 12-months of income verification is required; and/or
- Individuals with fixed income from the Social Security Administration, Railroad Retirement Board, and Veterans Administration are to provide their annual benefit letter as verification.

Refer to section 8 for more information on income budgeting procedures.

### **2.14.1 Types of Verification**

#### **2.14.1.1 Primary Verification – Hard Copy**

Original or copies of 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 Divisional forms.

#### **2.14.1.2 Secondary Verification – Collateral Contacts**

When staff contacts third parties (i.e., landlords, employers, utility companies, Social Security Administration) by phone to obtain the information necessary to make an eligibility determination, it is referred to as secondary verification.

Staff using secondary verification must document the following in the case record: the name, company, title and telephone number of the person the caseworker spoke to, the information received and the date the contact was made.

#### **2.14.1.3 Viewed Verification**

Any original document that cannot be legally copied (i.e., naturalization papers) 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 “viewed” verification must include the following pertinent information:

- Name(s)
- Document type(s)
- Date(s)
- Document/Certificate and/or registration number (if applicable)
- Dollar amount(s) (if applicable)
- Date the information was viewed
- The worker's signature and title

#### **2.14.1.4 Self-Declaration – Client Statement/Self-Declaration**

Self-declaration is only acceptable when all reasonable steps to obtain hardcopy or collateral verification have been exhausted or it would create an undue hardship for the client if they are required to pursue other verifications. Acceptance of this type of verification must be fully justified and documented in the case record.

A client statement or the signed application may be used for proof of income when the client does odd jobs from various sources and cannot obtain verification or if the third party who is asked to complete a form or statement on behalf of the client refuses to provide a signed document. 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.

### **2.14.2 Evaluating Verification**

The case manager must ensure the verification:

1. Meets the verification requirements for the program element;
2. Does not conflict with other evidence or conflicts are resolved and documented;
3. Proves (either by itself or in combination with other evidence) the facts being evaluated;
4. Pertains to the household member(s) or other individuals to whom it is supposed to apply; and
5. Establishes the program element for the appropriate benefits and corresponding budget month.

### **2.14.3 Evaluating Previous Application Information**

Prior year application system records can 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 needed information that does not need to be re-verified.

### **2.14.4 Questionable Information/Unclear Circumstances**

When information is questionable, conflicts with other sources of information in the file or contradicts statements made by the household, the caseworker 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 source for information. The caseworker must document the resolution in the case record.

If it appears the household is intentionally misrepresenting their circumstances, the worker must complete the Form 2683-EE, Investigative Referral Form, and forward it to the Investigations and Recovery Unit.

## **2.15 INCOMING INFORMATION**

All information signed and/or received from the client or third-party must be date-stamped with the date the Division received the document.

**2.16 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 a minimum of ten (10) work 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 posted marked by the date due, the application is denied.

When a household is attempting, but unable to provide the information by the date specified on the RFI, the due date may be extended. The household must contact the program office on or prior to the RFI expiration date to request an extension. The caseworker must document the new due date and the reason for the extension in the case record.

**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 2.17.

A supervisor, program manager or chief may extend the due date or reinstate a denied case, if the household reports extenuating circumstances preventing 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.

If a Request for Information 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.

**2.17 COOPERATION**

The applicant/recipient household is required to cooperate with the Energy Assistance Program, including the Division’s Investigation and Recovery 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 the Division, 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 caseworker 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 to the Division. This is found on the last page of the current application. To protect the household’s privacy, the caseworker must not copy the top portion of the page where the applicant/client reports resources and assets.

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 client's efforts and/or the third party non-cooperation must be documented in the case record.

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

### **2.18 REFERRALS**

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

### **2.19 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.

### **2.20 RIGHTS AND OBLIGATIONS**

A Rights and Obligations form is part of the EAP Application, Form 2824-EL, and must be signed and dated by the applicant and/or authorized representative with each application and 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, s/he should ensure the applicant 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 client/representative at their request.

### **2.21 "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 caseworker 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 Division of Welfare and Supportive Services Investigations and Recovery (I&R) Unit using the Investigative Referral Form (2683-EE).

## **2.22 SPECIAL CONSIDERATION REQUESTS**

Requests for consideration to waive specific criteria of the Energy Assistance Program policy may be submitted in writing to the EAP Program Chief for review. Documentation, which supports the request, is required. A written decision will be issued to the applicant/recipient.

### 3. CITIZENSHIP

The applicant must complete the application attesting 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 to resolve the issue.

#### 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 worker receives proof of citizenship. If the EAP program can ascertain citizenship through another public assistance program, i.e., TANF, SSI or Food Stamps, this is acceptable.

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

- Individual born outside the United States;
- 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**

Copies of the following documents will, combined with acceptable proof of identity, establish a person's U.S. citizenship or nationality for purposes of EAP benefits:

- Birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after 1/13/41), Guam, the U.S. Virgin Islands (on or after 1/17/17), American Samoa, Swain's Island, or the Northern Mariana Islands, unless the person was born to foreign diplomats in the U.S.;

**NOTE:** If a document shows the individual was born in Puerto Rico, the U.S. Virgin Islands or the Northern Mariana Islands before these areas became part of the U.S., the individual may be a collectively naturalized citizen (refer to the Nevada State Division of Welfare and Supportive Services Eligibility and Payments Manual Section A 421.6 for more detail on acceptable verification for persons in this circumstance).

- United States passport;
- Report of birth abroad of a U.S. citizen (FS-240) issued by the Department of State to U.S. citizens;
- Certificate of birth (FS-545) issued by a Foreign Service post or Certification of Report of Birth (DS-1350) issued by the State Department;

- Certificate of Naturalization (N-550) or N-570) issued by the United States Citizenship and Immigration Service (USCIS) through a court;
- Certificate of Citizenship (N-560 or N-561) issued by USCIS to persons who derive citizenship through a parent;
- United States Citizen Identification Card (I-197) issued by USCIS until 4/7/83 to citizens living near the Canadian or Mexican border who needed it for frequent border crossings (formerly I-179, last issued February 1974);
- Northern Mariana Identification Card issued by the USCIS to a collectively naturalized citizen born in the Northern Mariana Islands before November 3, 1986;
- Statement provided by the U.S. consular officer certifying the individual is a U.S. citizen (this is given to a person born outside the U.S. who derives citizenship through a parent, but does not have a FS-240, FS-545 or DS-1350); or
- American Indian Card with a classification code “KIC” and a statement on the back identifying U.S. citizens of the Texas Band of Kickapoos living near the U.S./Mexican border.

There are other secondary sources of verification which may include religious records, U.S. civil service employment records dated before June 1, 1976, early school records, census records, adoption papers, and any other document source establishing or denoting a place of birth.

**NOTE:** Copying Certificates of Naturalization is prohibited by law. The case manager must note in the case file the Certificate number and petition number, personal identifying information, date, and the city where the Certificate was issued.

### 3.2 VERIFICATION OF NON-CITIZEN STATUS

Non-citizens must provide documentation verifying Resident Alien status to be eligible for EAP benefits. Check USCIS documents that verify non-citizen status for expiration dates. If a person’s document has expired, it is not acceptable.

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.”
- 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): See Appendix C
- 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: Adult: “Certification” letter issued from Health and Human Services (HHS); Children: letter issued from HHS;

### 3.3 **ILLEGAL NON-CITIZEN REPORTING 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 all other 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 PRUCOL VERIFICATION CHART**

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).

### **3.7 DESCRIPTION OF IMMIGRATION CATEGORIES**

To provide a framework for understanding the U.S. Immigration system, it may be useful to examine the immigration categories in the following order: U.S. citizens, lawful permanent residents, conditional permanent residents, Immigration Reform and Control Act of 1986 (IRCA) legalized immigrants, persons fleeing persecution, immigrants granted permission to remain in the U.S. with employment authorization, trafficking victims, non-immigrants and undocumented non-citizens who have not been granted any status by the **USCIS**.

- 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.”

- 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. Refugees – 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 fast becoming a primary form of identification for people who are lawfully here, but have not yet been granted LPR status.

Individuals granted permission to remain in the U.S. might argue they are Permanently Residing in the U.S. Under Color of Law (PRUCOL). 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. The countries that have been designated under the TPS program in the past include El Salvador, Kuwait, Lebanon, Somalia and Liberia. 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 for 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. Family Unity replaced an earlier program called Family Fairness. 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.

Family Unity recipients are disqualified from access to certain federal programs for the same length of time and in the same manner as their legalized family member is disqualified. That is, while the legalized non-citizen spouse or parent is under the five-year disqualification for receipt of certain benefits, the relative granted Family Unity is also ineligible. As soon as the Family Unity recipients obtain LPR status, they will qualify for these benefit programs.

Due to a technicality in the law, the spouses and children of individuals who are legalized under the farm worker (SAW) amnesty program, but who applied for legalization between May 5, 1988 and November 30, 1988, do not qualify for Family Unity. However, if they otherwise qualify for Family Unity, the **USCIS** will grant them the same benefits: a two-year permission to stay in the U.S. and work authorization. Persons in this situation should be eligible for the same public benefits as those granted Family Unity.

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 and I-94.
5. Applicants for Immigration Status – Because of long delays in processing applications, 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. However, some may argue they are PRUCOL because they are living in the U.S. with the knowledge and permission of the **USCIS**.

- Trafficking Victims

Traffickers force adults (mostly young women) and children into prostitution, slavery and 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 Manual Section A436 if more details are needed for this category.

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

#### **4. RESIDENCY**

Applicants must live in Nevada to be eligible for benefits. Applicants must reside in the state at the time of application, benefit payment, and/or refund or re-issuance of benefits. Applicants can not be receiving public assistance benefits or Supplemental Security Income (SSI) from any state other than the State of Nevada. The Nevada residence must be the primary residence, not a vacation or secondary home.

##### **4.1 VERIFICATION OF RESIDENCY/SERVICE ADDRESS**

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

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

Valid Nevada Drivers License with current residence address.

- Utility bill/statements (electric, gas, etc.) listing the applicant's name and current physical address.
- Rental/Lease Agreement listing the applicant's name and current residence address.
- Completed Rental Verification form
- Current landlord statement
- Employer's statement or records (e.g., client's physical address listed on pay stub or Employment Verification form).
- NOMADS printout which lists the household members as currently receiving TANF, Food Stamps and/or Medicaid.

##### **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 ineligible 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 vehicle, cannot be verified.

## 5. NON-FINANCIAL ELIGIBILITY REQUIREMENTS

An applicant household must have or be able 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”.

### 5.1 INELIGIBLE HOUSEHOLDS/PERSONS

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

- 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;
- Households residing in subsidized housing where all utilities are included in the rent and they are not billed;
- 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 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)
- Second Violation                    Two program years (State fiscal year)
- Third Violation                      Permanently Ineligible (lifetime)

Examples of fraudulent 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;  
or
- Tampering with the meter.

An example of utilizing energy for the purpose of conducting unlawful activities is when a household uses electricity, gas, etc. for the production of illegal drugs.

b) Persons/households under investigation of a) **above**, or b) are ineligible for EAP benefits until the investigation is completed and a determination is made by a utility or law enforcement agency vindicating (clearing) the household. The household must meet all other eligibility criteria.

## 5.2 HOUSEHOLD SIZE

Eligibility is determined using the total number of household members. Each person living in the home must be counted when determining 1) household eligibility and 2) the fixed annual credit (FAC) allotted the household.

### 5.2.1 Determining Household Size

A household is defined as a group of persons, who live in the same residence. Everyone who lives in the residence must be included in the household size unless they meet the criteria listed in section 5.1.1.

The household may not exclude a required member from the household unit. 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-Citizen;
- Persons noncompliant in providing SSN;
- Roomers and/or boarders who do not have 1) a separate heating source, 2) a separate entrance, or 3) who cohabitate with another household member.
- Persons/household with an active Intentional Program Violation (IPV) ruling; 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 parent's home. The child's income is counted in full. To verify this 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; however, 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 a 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 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 client to reside in their residence. To qualify as a roomer/boarder, the applicant/household must be the homeowner. 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 is in their name.

#### 5.2.2 Verification of Household Composition

Current verification of the household composition is required with each application, unless the household composition on the application is the same as last year's household composition. In this instance, the verification used in the last program year may be pulled forward. Verification may only be pulled forward one program year.

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

- copy of the lease/rental agreement listing all members who reside in the household.
- 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 client's residence.

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

### **5.3 STUDENT HOUSEHOLDS**

Adult students enrolled at least half-time (as defined by the educational institution) in a regular curriculum are eligible to receive EAP benefits if they meet all other program criteria.

Enrollment begins the first day of the first school term. Once enrolled, the student is considered enrolled through the regular school year and vacation; unless the student graduates, is suspended/expelled, drops out or does not intend to register for the normal school term (excluding summer school).

### **5.4 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, unless their rent/mortgage payment includes utilities and they are not being billed separately for energy costs. These households are ineligible for energy assistance benefits.

### **5.5 ENERGY BURDEN AND USAGE**

Prior to approval, the household's 1) energy burden (cost for energy excluding any service fees) for a twelve-month period, and 2) 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.

#### **5.5.1 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.

### 5.5.2 Newly Constructed Residence

If the household resides in a newly constructed residence where less than nine (9) months of historical energy usage does not exist, the median energy usage for the residence type (single family or multi-family), as determined by the applicable utility vendor, is used. The median energy usage for the various residence types is noted in Appendix B.

### 5.5.3 Twelve-Month History Not Representative of Current Household Usage

When actual usage cannot be verified such as if the household resides in a new residence or newly constructed residence, etc. and the 12-month history of energy usage is not representative of the applicant household's energy usage, the following method must be used.

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

### 5.5.4 Utility Account Name Different Than Household(s)

The applicant must be the person who is responsible for paying the cost of utilities. Identification of the applicant is required. 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.

(Exceptions to the additional eligibility requirements may be granted by the Chief of Employment and Support Services if a hardship exists.)

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

### 5.5.5 Utility Account(s) in Landlord's Name, Not Master Metered

If the utility account(s) are in the landlord's name and not included in the rent, and the residence is 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.

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. 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)

A fixed annual credit (FAC) must be determined for each household approved for energy assistance benefits. Eligibility is determined for a twelve-month period for each household; and, the household may be certified eligible for benefits only once in a program year. The FAC is the amount of money sufficient to reduce the percentage of applying household's income spent on heating and/or cooling to the median percentage of household income spent on same statewide.

FAC benefits may be funded with Low Income Home Energy Assistance grant funds, monies from the Fund for Energy Assistance and Conservation or both.

The EAP computer system is designed to make the determination from which funding source an eligible household's benefit is paid. Typically, eligible households having a universal energy charge (UEC) on their utility bill will receive benefits from the Fund for Energy Assistance and Conservation. Eligible households not having a UEC on *any of their utility bills* will receive benefits from the LIHEA block grant.

### 5.6.1 Annual FAC Update

Each program year, the median household income for Nevada is determined by the Federal government and the median household energy burden for Nevada is determined by EAP program staff.

See Appendix A for the current program year median household energy burden percentage.

### 5.6.2 FAC Benefit Address

The address at which the household resides at the time the application is processed is used to determine the FAC benefit.

## 5.7 VERIFICATION OF ENERGY USAGE

Regardless of whether an eligible household is UEC-eligible or non-UEC eligible, their energy cost and usage must be verified.

When alternate energy sources such as wood, coal, pellets, gasoline and 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 approval before they can be considered. Non-

Nevada vendor receipts for persons residing in a motor home or travel trailer are excluded from consideration);

- date purchased;
- 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-licensed energy vendor, the receipt must be notarized. This requirement eliminates or helps to alleviate those instances where the cost and volume of the energy source is questionable as in the case of purchasing cords of wood.

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.

### 5.7.1 Universal Energy Charge (UEC) Participating Households

Acceptable verification may include:

- Household provides a copy of their energy/utility bills for a 12-month period;
- Household provides a printout of annual usage in dollars and units of energy provided by their electric/heating company(ies);
- Worker secures the annual energy usage (in dollars and units of energy) by communicating with the utility vendor. 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; or,
- Worker accesses annual energy usage through a computer generated exchange of information with the major utility vendors in the state, i.e., Sierra Pacific Power, Nevada Power, and Southwest Gas.

Alternate energy sources such as wood, coal and propane are not subject to a universal energy charge (UEC) and may not be reimbursed using UEC funds.

### 5.7.2 Non-UEC Participating Households

Acceptable verification may include:

- Household provides a copy of their energy/utility bills for a 12-month period;
- Household provides a printout of annual usage in dollars and units of energy provided by their electric/heating company(ies); or,
- Worker secures the annual energy usage (in dollars and units of energy) by communicating with the utility vendor. 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.

### **5.7.3 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 LIHEA funding sources. 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.

## **5.8 MASTER METERED COMPLEXES**

Master metered complexes, for the purpose of the EAP manual, are those that are 1) unsubsidized and 2) the utilities are in the landlord's name. The following policy applies to master metered residences that meet the income criteria.

### **5.8.1 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 is:

- Ineligible for energy assistance paid with UEC monies; and,
- Eligible for \$180 paid with LIHEA and other non-UEC funds available to EAP. Exception: Roomers and Boarders. See 5.2.1.4

### **5.8.2 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 household is eligible for a fixed annual credit payable to the household.

### **5.8.3 One Utility in Landlord's Name; One in Household's Name**

If one of the utilities is in the landlord's name and one is in the household's name, the household will receive a fixed annual credit based on the utility in the household's name payable to the household's utility vendor, unless the household receives a separate bill

from the landlord that includes energy consumption and dollar usage. If the household receives both, the household may receive a fixed annual credit based on both utilities payable to the household's utility not to exceed the annual usage, and the remainder payable to the household.

### 5.9 **DWELLING TYPE AND RENT/MORTGAGE VERIFICATION**

EAP assistance is provided to eligible households residing in any of the following dwelling types: homes, apartments, duplexes, mobile homes, town homes or condominiums, travel trailers, motor homes, and any other dwelling type not listed here, but approved by the program manager.

The applying households' rent or mortgage must be verified at time of application or in the event the household moves prior to certification. Possible sources of verification are:

#### ***Rent:***

- Copy of most recent rental/lease agreement;
- Rental Verification Form;
- Landlord statement;
- If no other option is available, the most recent rent receipt; or
- An active NOMADS case printout.

#### ***Mortgage:***

- Most recent mortgage payment receipt;
- Copy of bank statement paid to mortgage company;
- Statement from mortgage company stating monthly mortgage amount; or
- An active NOMADS case printout.

#### ***Own:***

- The client's statement of ownership on the application is acceptable unless the worker has reason to question it's validity; or
- An active NOMADS case printout.

### 5.10 **AGE**

The applicant/head of household must be at least 18 years old or be an emancipated minor to be eligible for an energy assistance benefit. 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.

**EXCEPTION:** If there are no interface discrepancies the applicant does not need to be a current recipient of DWSS benefits, but they must have **received** at least one type of assistance (i.e., TANF, Food Stamps, Medicaid).

### 5.11 SOCIAL SECURITY NUMBERS (SSN)

Social Security Numbers are required for all household members at the time of application. If the application doesn't contain this information and the information is not available through NOMADS or any other known source, the case worker must request the client's disclosure, via the Request for Information, Form 2833-EL. If a household member does not have a SSN, a pseudo number can be entered until such time as the number is received.

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

**NOTE:** If a non-citizen provides a false SSN, the number must be entered in EAP unless it is already registered to another individual. In that instance, 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

**EXCEPTION:** The applicant does not need to be a current recipient of DWSS benefits; however they must have **received** at least one type of assistance (i.e., TANF, Food Stamps, Medicaid).

## 5.12 DISABILITY

If it is determined the household has a disabled member, the worker is required to complete the disability field 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 VA:
  - a. need regular aid and attendance;
  - b. permanently house bound;
  - 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. as determined are permanently incapable of self-support, or
  - b. as 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

### 6.1 DEFINITION

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

*Liquid resources* are those which are readily negotiable (cash, checking or savings accounts, savings certificates, stocks, bonds, Individual Retirement Accounts (IRAs), or Keogh Plans).

*Non-liquid resources* include vehicles, buildings, land, or certain other property. The equity value of a non-liquid resource is the amount the applicant/household member would realize if they sold it.

*Personal possessions* include furniture, appliances, jewelry, clothing, livestock, farm equipment and other items the household owns and uses to meet personal needs essential to daily living.

Family pets or ownership of animals (non-income producing), which include a variety of animals and livestock, e.g., horses, rabbits, dogs, cats, fish, snakes, are not a resource. However, if the household owns animals/livestock which do generate monthly or periodic income, refer to Chapter 7, Income, which identifies countable income, self-employment and lump sum income.

A resource or an asset that is income producing, e.g., an annuity, must be considered when determining eligibility and benefits. Examples of “income producing” resources/assets may include a loan if made to another person and the loanee is paying the loan back in regular amounts at regular intervals; or, an annuity. Refer to Chapter 7- Income.

### 6.2 RESOURCES/ASSETS CRITERIA

An applicant household’s resources/assets that are not income producing are not counted when determining program eligibility. However, resources and assets are solicited on the EAP Application, Form 2824-EL, for the purpose of studying the policy’s impact on the program.

Resource/assets totaling \$4,000 or more for a one-person household, or \$6,000 or more for a household of two or more persons, will be entered in the Resource/Asset screen in the EAP computer system to facilitate reporting and analysis of the impact on the program.

*Because non-income producing resources/assets may not be used to determine eligibility, a household may not be denied for failure to provide information on non-income producing resources.*

## 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 <i>only</i> 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 <i>contributed by a third party</i> 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 2) Less than six months <i>only</i> 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 <i>contributed by a third party</i> 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 1<sup>st</sup> and 2<sup>nd</sup> 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 **125%** of the federal income poverty level for a household of the same size. (See Appendix A)
4. If the household's income exceeds **125%** of the 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.

<b>Example:</b> Check 1 pay stub	\$420
Check 2 pay stub	<u>\$460</u>
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	<u>\$460</u>
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:	<u>\$1189.85</u>
	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:	<u>\$283.41</u>
	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

When an application is submitted to the program office and no further action has been taken, the application status is 'Pending'. If a Request for Information form has been issued to the client in the EAP computer system and an eligibility determination has not been made, the application status is 'RFI' in the EAP system. At the time an eligibility determination has been made, the case is either approved or denied. Any time benefits are approved, denied or terminated a Notice of Decision must be provided to the household. The EAP computer system generates the Notice of Decision for the caseworker once the eligibility determination has been saved.

The worker is responsible for reviewing the Notice of Decision for accuracy, making any necessary changes/corrections, and ensuring it is mailed within two (2) working days of printing. The case worker must check to ensure the correct vendor(s)/account number(s) are indicated and that the vendor payment designation (single pay, split pay, uneven split pay) complies with the applicant's wishes as documented in the case file.

To alleviate errors, each worker should be aware of the account number characters of Nevada's three largest utility providers. They are as follows:

- 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 a FAC Benefit**

Eligibility is determined for a twelve-month period; and, 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.

**Exception:** 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.

#### 9.1.2 **Period of Eligibility for an Arrearage Assistance Payment**

An eligible household may receive an arrearage benefit 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 prior approved by the Program Manager or Chief. Refer to section 11 for additional information regarding the Arrearage Payment Program.

## 9.2 BENEFIT AMOUNT

The benefit amount is based upon the household size, gross countable income and their energy usage as detailed in section 8.3. Households are required to participate in the cost of their energy usage and a minimum of 2.30% of their income must be paid for towards their energy costs.

## 9.3 ELIGIBLE HOUSEHOLDS

Benefits are approved when all eligibility requirements are met. At the time of approval, the case worker must ensure the following:

- The original application form is complete 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 the Energy Assistance office; **and**
- The authorized representative has been re-established, if applicable; **and**
- The client has been issued a Notice of Decision and 'Make Your Benefits Last All Year' letter.

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; and,
- 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.
- 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 or vendors to whom the arrearage payment is being made and in what amount.

### **9.3.1 Make Your Benefit Last All Year Letter**

When a household is approved for benefits, the case worker 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 no less than 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 no less than 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 Eligible Household Referral to Weatherization Assistance Program (WAP) Notification**

Monthly, a list of all eligible households is automatically provided to the Housing Division Weatherization Assistance Program via an electronic transfer containing the eligible household's name, address, phone number, energy vendor and account number, energy consumption, energy dollar usage and FAC benefit.

### **9.3.5 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. The Division of Welfare and Supportive Services EAP computer system electronically transfers to the Housing Division all files, containing the agreed upon elements between Housing and the Division of Welfare and Supportive Services.

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.

### **9.3.6 Utility Vendor Notification of Eligible Household**

The utility vendor is apprised of the eligible household's benefit via the batch process in the EAP computer 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;
- The applicant/representative fails 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 and include:

- the reason for ineligibility; and,
- how to request a case review or hearing if the household disagrees with the decision, and time limits for same.

If a household is denied for excess income and indicates qualifying out of pocket expenses, a Crisis Intervention letter is sent to the household. Refer to section 12 for further information regarding this program.

### **9.4.1 Denial Reasons for a FAC Benefit**

Auto Denials (system automatically generates):

1. Annual Income is Greater than 150% of Poverty
2. RFI (Request for Information) Not Received
3. RFI Questions Are Not Answered Fully
4. Not a Valid Citizen; or
5. Recipient in Subsidized Housing UIR (Utilities Included in Rent)

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

1. Death of head of household
2. Invalid SSN
3. Lost Contact (Address Unknown)
4. Moved and Not Notified (Address is known, but client didn't report the change)
5. Other
6. Too Early to Apply
7. Willful Concealment of Information; or
8. Written request for voluntary withdrawal.

For households that have already received a benefit for the current fiscal year but send in another application, the clerical worker will select the recipient from the Recipient Search screen in the EAP system and then click the Duplicate Application button at the bottom of the screen. A Notice of Decision will be automatically generated and the worker manually populates the "Reason for Ineligible" and "Will Not Be Eligible to Apply Again Until" fields.

#### **9.4.2 Denial Reasons for Arrearage Payment Program (APP)**

1. The client/household did not pay an amount equal to at least 2.03% of their current income toward the arrearage during the twelve (12) months in which the arrearage occurred;
2. Client/household already received an arrearage assistance payment;
3. Arrearage payment cannot be made if the household is ineligible for the current program year.

There are two additional statistics that will be kept on denied EAP applications requesting 1) a FAC and 2) APP assistance. The computer will track cases in which APP was requested, but the case was denied for the following reasons:

- Total gross annual income exceeds the allowable amount; and,
- Failed to respond, or to respond in full, to an RFI (Request For Information).

#### **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 computer system;
- The computer system will deny the household due to unavailable funding;

- A Notice of Decision will be generated and mailed to the household;
- The case will be entered in the Access Data Base within the New Applicant Mailing List 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 numbers. 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 7<sup>th</sup> 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 PROGRAMS**

The Energy Assistance Program has three specialized assistance programs. They are:

1. Fast Track,
2. Crisis Intervention Program (CIP); and
3. the Arrearage Payment Program (APP)

### **11.1 REQUESTS FOR SPECIALIZED ASSISTANCE**

Requests for specialized assistance can be made by the household, the utility on behalf of the household, or by another interested party. The agency is proactive in providing specialized assistance to needy households. In the event a utility notifies the agency of a client household in need of specialized assistance or EAP staff become aware a household may be eligible for one of the programs, EAP staff will contact the household and offer Fast Track, Crisis Intervention or Arrearage Payment Program services. The request may be taken in person, via the phone, or can be requested by a third person via phone or walk-in.

For Fast Track requests, the worker receiving the request must first check the case file and the computer system to note if the household received Fast Track assistance in the prior program year. If they have received Fast Track assistance in the prior program year, refer to section 11.3.1 for details regarding eligibility requirements.

Requests for Arrearage Payment Program (APP) assistance must also be researched because an applicant is eligible for these services once for as long as they participate in the EAP, with certain exceptions (refer to Manual Section 11.5.6). The worker receiving the request must first check the case file and the computer system to note if APP assistance has previously been authorized. In addition, the case file will have a capital "A" and the program year APP was received marked in red on the front lower right-hand side of the case jacket.

### **11.2 GENERAL SPECIALIZED ASSISTANCE REQUIREMENTS**

- All specialized programs are available year round;
- All household members' total countable gross income is considered in determining eligibility;
- There is no assets/resource test;
- An applicant determined eligible under the Fast Track or Crisis Intervention emergency programs would receive a benefit based on the fixed annual credit (FAC) calculation.
- An APP-eligible household will have their debt paid in full.

- To receive specialized energy assistance, 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 the policies stated in other portions of this manual.
- An applicant applying for Fast Track, Crisis Intervention or Arrearage Payment Program 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 applicable 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. The Client Update, Form 2888-EL, must be completed by the worker and retained in the case file for APP assistance.

### **11.3 FAST TRACK PROGRAM**

#### **11.3.1 Definition**

The Fast Track Program is designed to provide expedited services to an eligible household 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 an application. 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. Fast track services cannot be provided in consecutive years unless extenuating circumstances exist which are approved by the EAP Program Manager/Chief. In addition, if extenuating circumstances do exist and they are approved by the Program Manager/Chief, Fast Track services may be allowed within a 12-month period as long as it's not in the same program year.

**Example:** In 12/06 an eligible household received Fast Track services. Then in 08/07 they have an approved extenuating circumstance which allows for the household to be eligible again. Because 8/07 is a new program year, the application can be reviewed under the Fast Track guidelines.

#### **11.3.2 Qualifying Circumstances**

Evaluate households for Fast Track who meet the following criteria:

- The household received a 48 hour disconnect notice from their heating or electric service, **or**
- 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 agreement.

### 11.3.3 Income Limit

The household's annual income must not be more than **150%** of the federally designated level signifying poverty, as determined by the Division of Welfare and Supportive Services. Eligibility is based on the income of the entire household. The household's income must be documented during the application process.

Refer to Appendix A for income limits by household size.

### 11.3.4 Required Documentation Time Frame

Once a request for Fast Track emergency assistance is made, the applicant household is encouraged to provide the documentation/verification necessary to establish eligibility and benefits within twenty-four (24) hours. If the household has been notified by the utility their energy source is going to be disconnected within 48 hours and the household requests Fast Track assistance, the utility may extend the shut-off an extra 24 hours enabling the household the opportunity to provide verifications to EAP so eligibility and benefits can be established. If the extra 24-hour period occurs on a weekend or holiday, the household has until the next working day to provide the requested verification.

It is preferable the requested verifications be faxed or submitted in person by 3:00 p.m. so the case can be processed in time for the agency to communicate with the utility in time to alleviate the potential disconnect.

Though the 24-hour time frame is brief, EAP staff must inform the applicant household of the consequences of non-compliance. Providing the verification needed to determine eligibility and benefits may result in avoiding a utility disconnect or shut-off. The benefit may not cover all arrearages; however, if a disconnect/shut-off occurs, all arrearages will remain and there may be additional disconnect and re-connect fees the household may incur. The penalty is what the utility ultimately decides to do with regard to the household and their outstanding bill.

An applicant household that doesn't comply with the 24-hour time frame is denied Fast Track assistance and put back in date order for application processing. However, once the verification is received, the application may be pulled for review/processing.

### 11.3.5 Household Income Reduction

For purposes of this manual section, "recent" means during the last 2-5 months. "Unexpected" means an event a reasonable person would not have anticipated or planned for.

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

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

The household must have experienced a recent unexpected loss or reduction in income of at least 15% of the household’s total gross income which caused the inability to pay heating and/or cooling costs. The loss or reduction of income could not have been from a seasonal or temporary position or for being terminated for misconduct; *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 to 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);
- 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, including tire purchases.

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

### 11.3.6 Ineligible Households

Households are ineligible for Fast-Track Program assistance if they:

1. received Fast Track Program assistance in the previous EAP program year, **or**
2. received Arrearage Payment Program assistance, **or**
3. failed to meet any other 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 Program assistance are placed in date order by the date of application and will be evaluated for energy assistance benefits within the regular EAP program timeframes.

### 11.3.7 Case Processing

The EAP Program Manager/Program Officer designates which staff member will process Fast Track applications. The application will adhere to the following process:

- Application/request for Fast Track assistance received;
- Case is immediately referred to the Fast Track worker; and,
- Fast Track worker completes the Fast Track Evaluation, Form 2873-EL, and if applicable.
- Issues the Fast Track Requirement letter to the applicant.

The Fast Track Evaluation, Form 2873-EL, must be completed and retained in the case file. The form guides the worker through the evaluation process and identifies required data/verification(s) to determine eligibility. The form shall contain:

- 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)
- Computation of 15% loss or reduction of income
- Promise to Pay notation if household meets criteria

This form is completed by the worker, and must be retained in the case file with the appropriate verifications.

Manual Section 11.3.4 addresses the applicant household's time frame in providing the required verification necessary to determine eligibility and benefits. The worker must dispose of the case the same working day the applicant household provides the requested data and communicate with the utility vendor to alleviate the problem if feasibly possible.

## 11.4 CRISIS INTERVENTION PROGRAM

### 11.4.1 Definition

The Crisis Intervention Program assists households experiencing a special circumstance or crisis and whose gross annual income exceeds 150% of poverty except for allowable qualifying expenses that reduce the annual income to 150%.

### 11.4.2 Presenting Circumstances

The applicant must have income exceeding 150% of poverty *and* qualifying expenses, when taken into consideration, would place the household's income at or below the 150% of poverty level. The EAP program 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.

Applicants qualifying for the Crisis Intervention Program may be made known to the agency by the applicant, a utility vendor, another agency, or any other interested party. The request may be verbal or in writing.

The applicant requesting Crisis Intervention assistance will have their case processed in date order as with any other pending application. However, it is possible for the applicant to 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 2.9.1 Fast Track)

### 11.4.3 Income Limit

Crisis Intervention is a specialized assistance program designed to assist households with an annual income exceeding 150% of the federally designated level signifying poverty, as determined by the Division of Welfare and Supportive Services. The applicant, however, must present "qualifying expenses" that reduce the annual income to 150% of poverty or less.

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

### 11.4.4 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);
- Unreimbursed compulsory and necessary home repairs;

- 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, including tire purchases; or
- Unreimbursed mileage to 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 no less than three (3) months. All documentation must be included in the case file. Physician statements are required to support medically related expenses.

#### 11.4.5 Case Processing

The EAP Program Manager/Program Officer designates which staff member will process Crisis Intervention cases. The application adheres 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/Program Officer.

The Crisis Intervention Eligibility Determination Worksheet, Form 2807-EL, must be completed and retained in the case file. The form guides the caseworker 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 150% of poverty.

If the adjusted annual gross income of the household is at or below 150% of poverty, the household is eligible for Crisis Intervention. If not below 150% of poverty, the case is denied for excess income.

### 11.5 ARREARAGE PAYMENT PROGRAM

#### 11.5.1 Definition

The Arrearage Payment Program (APP) enables eligible applicant's to achieve self-sufficiency through a combined one-time arrearage assistance payment and an ongoing FAC benefit. APP assistance eliminates the 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.

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

## 11.5.2 Request for Arrearage Payment Program Services

### 11.5.2.1 Current Request for APP Services

The applicant may request APP assistance on an EAP application, Form 2824-EL, for the current program year. In the event the request is not made on the EAP application, it may be made in writing subsequent to the date of the request for an FAC benefit so long as it is in the same program year, and must be documented in the case file. A request for APP assistance cannot be made without the applicant applying for or receiving an FAC benefit.

The applicant may request APP assistance with their:

- 1) past due heating bill;
- 2) their past due electric bill; and/or
- 3) their past due heating *and* electric bill.

### 11.5.2.2 Subsequent Request for APP Services

Once an applicant has received APP assistance with either their heating *OR* electric bill, a subsequent request for arrearage assistance may not be made at a later date in the event the previous arrearage payment did not cover one of the household's energy vendors.

## 11.5.3 Counseling Applicant Requesting APP Services

There may be instances when the applicant requests APP services and it may be in their best interest to reconsider the request. The worker is required to help the applicant make an informed decision keeping in mind most households may only receive APP assistance once for as long as they participate in the EAP program.

**EXAMPLE:** An applicant presents a \$200 natural gas debt, and in processing the case the worker 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 APP assistance for a future time.

The ultimate decision belongs to the applicant and other issues may factor in their decision; however, a prudent worker can provide valuable information to the household to aid them with their decision. Discussions with the applicant on this matter must be documented in the case record using the Client Update, Form 2888-EL or in a case narrative in the EAP computer system. The case narrative must be printed and placed in the case file.

#### 11.5.4 Presenting Circumstances

The applicant must receive their heating and/or cooling energy from a Nevada energy vendor to be eligible. Any bill with an arrearage accrued outside the state of Nevada is ineligible for payment.

#### 11.5.5 Income Limit

The household's countable annual income must not be more than 150% of the federally designated level signifying poverty, as determined by the Division of Welfare and Supportive Services. Eligibility is based on the income of the entire household. The household's income must be documented during the application process.

Refer to Appendix A for current income limits for each household size.

#### 11.5.6 Benefit Limit/Payment

There is a \$ limit on the amount of funds that may be spent eliminating an eligible household's arrearage.

All APP payments must be made to the participating vendor. Under no circumstances will an APP payment be made to the applicant.

**NOTE:** Arrearage Payment Program is made available if there is funding in the program year.

#### 11.5.7 Frequency of Receipt

An applicant may receive an arrearage benefit only once in a lifetime. The only exceptions are applicants with chronic, long-term medical conditions that create a financial hardship and/or increase energy consumption.

All cases requesting APP assistance for a second time must be approved by the EAP Program Manager and so documented in the case record.

#### 11.5.8 Qualifying Requirements

The applicant must have paid an amount equal to at least 2.03% of their current income toward the arrearage during the 12 months in which the arrearage occurred.

The applicant may seek a hardship exemption from this requirement by written petition to the Chief of Employment and Supportive Services.

### **11.5.9 Ineligibility for Future Fast Track Assistance**

Once eligible for arrearage payment assistance, the applicant must budget its fixed annual credit (FAC) benefit over 12 months to ensure an arrearage does not occur again. If the applicant fails to budget its FAC and incurs a subsequent arrearage, and receives a shut-off notice or service is terminated, the applicant is ineligible for expedited case processing, such as Fast Track.

The applicant may seek a hardship exemption from this policy by written petition to the Chief of Employment and Supportive Services.

### **11.5.10 Case Processing**

The EAP Program Manager/Program Officer designates which staff member will process Arrearage Payment Program cases. There is no special timeframe by which a determination of eligibility for APP must be made. The case processing and eligibility/benefit determination should occur within the 30-day timeframe for processing a usual and customary application. In processing eligibility for APP assistance, the worker is required to document the arrearage debt and other pertinent information provided by the heating and/or electric vendor on the Client Update, Form 2888-EL.

### **11.5.11 Required Notation on Case Jacket**

Cases receiving APP assistance require a capital “A” and the program year (in which APP benefits are authorized) be affixed in red ink on the front lower right-hand side of the case jacket. The notation will assist workers in ascertaining if the once in a life-time APP benefits have been authorized 1) when purging case files and/or 2) in the event the household makes a second request for APP.

### **11.5.12 Reasons for Non-Payment of APP Benefits**

Refer to Manual Section 11.3.6 for the APP 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 completing Form 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.

### **14.1 INTAKE SITES**

The Division of Welfare and Supportive Services encourages and empowers its contracted intake sites throughout the state 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 Website at: [https://dwss.nv.gov/dmdocuments/EAP\\_IntakeSiteList.pdf](https://dwss.nv.gov/dmdocuments/EAP_IntakeSiteList.pdf).

Intake sites also provide the service of accepting completed applications and forwarding them to one of the two EAP offices within the state. This aids the applicant with potential postage charges they may not be able to afford.

### **14.2 AUTOMATED NOMADS/EAP APPLICATION**

Recipients of other Division of Welfare and Supportive Services programs, such as food stamps, TANF, and Medicaid, are maintained in the NOMADS Data Base. These recipients may be electronically screened to determine if they meet EAP income criteria and if they are known to EAP. If the recipient is income eligible and has not applied for energy assistance in the current or previous program year, a special EAP application and cover letter may be generated requesting them to consider completion of the application. A list is maintained in the EAP computer system of households sent an automated application. The worker receiving a special automated application selects the applicant from the list and the applicant data in NOMADS populates the appropriate screens in the EAP computer system. The worker inputs the additional required information such as energy vendors and account numbers, and enters any other changes noted on the application by the recipient.

## APPENDIX A

### ENERGY ASSISTANCE PROGRAM FY 2014 INCOME GUIDELINES/ENERGY BURDEN/ BENEFIT CAP TABLE

<b>MAXIMUM ANNUAL GROSS INCOME</b>					<b>Maximum Monthly Income</b>
<b>Household Size</b>	<i>75% Poverty</i>	<i>100% Poverty</i>	<i>125% Poverty</i>	<i>150% Poverty (Annual Income Limit)</i>	
<b>1</b>	\$ 8,618	<b>\$ 11,490</b>	\$14,363	\$17,235	\$1,436
<b>2</b>	\$11,633	<b>\$15,510</b>	\$19,388	\$23,265	\$1,939
<b>3</b>	\$14,648	<b>\$19,530</b>	\$24,413	\$29,295	\$2,441
<b>4</b>	\$17,663	<b>\$23,550</b>	\$29,438	\$35,325	\$2,944
<b>5</b>	\$20,678	<b>\$27,570</b>	\$34,463	\$41,355	\$3,446
<b>6</b>	\$23,693	<b>\$31,590</b>	\$39,488	\$47,385	\$3,949
<b>7</b>	\$26,708	<b>\$35,610</b>	\$44,513	\$53,415	\$4,451
<b>8</b>	\$29,723	<b>\$39,630</b>	\$49,538	\$59,445	\$4,954
<b>Add for each additional person:</b>	\$ 3,015	<b>\$ 4,020</b>	\$5,025	\$6,030	\$503

## FY 2014 ENERGY BURDEN

**FY 2014 Median Household Energy Burden:** The Nevada median household energy burden for electricity and heating is 2.23%.

### BENEFIT CAP TABLE

**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)

**PROPANE AND OIL BENEFIT CAP TABLE**

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 2014 UTILITY UNIT CHARGES

Utility Company	Single Family Residential (RS)	Multi Family Residential (RM)
Nevada Power	0.11493	0.10514
Sierra Pacific - Electric	0.09992	0.09118
Sierra Pacific - Gas	0.65779	0.65779
Sierra Pacific - Propane	0.65779	0.65779

## FY 2014 VENDOR DEDUCTION AMOUNTS

VENDOR	AMOUNT (PER 12 MO)	AMOUNT (PER MO)
ALAMO POWER DISTRICT	\$120.00	\$10.00
BOULDER CITY	\$60.00	\$5.00
CALIENTE PUBLIC UTILITY	\$36.00	\$3.00
CITY OF FALLON	\$36.24	\$3.02
HARNEY ELECTRIC	NONE	NONE
LINCOLN COUNTY PWR	\$156.00	\$13.00
MT WHEELER POWER	\$108.00	\$9.00
OVERTON POWER	\$300.00	\$25.00
PIOCHE PUBLIC UTILITY	\$208.20	\$17.35
RAFT RIVER ELECTRIC	\$240.00	\$20.00
SOUTHWEST GAS	\$129.60	\$10.80
VALLEY ELECTRIC	\$180.00	\$15.00
WELLS RURAL ELECTRIC	\$248.52	\$20.71

## APPENDIX B

### FY 14 AVERAGE/MEDIAN ENERGY USAGE BY RESIDENCE TYPE & REGION

Manual Sections 5.5

Energy Burden 2.23%

<b>NEVADA ENERGY- NEVADA POWER</b>			
AVERAGE ELECTRIC BILL CALCULATION <b>SINGLE FAMILY RESIDENTIAL</b> AVERAGE KWH: 1178 MONTHLY/ 14136 ANNUAL		AVERAGE ELECTRIC BILL CALCULATION <b>MULTI-FAMILY RESIDENTIAL</b> AVERAGE KWH: 670 MONTHLY/8040 ANNUAL	
TOTAL ANNUAL DOLLAR AMOUNT	<b>\$1,629.59</b>	TOTAL ANNUAL DOLLAR AMOUNT	<b>\$848.78</b>

<b>NEVADA ENERGY-SIERRA PACIFIC POWER</b>			
AVERAGE ELECTRIC BILL CALCULATION <b>SINGLE FAMILY RESIDENTIAL</b> AVERAGE KWH: 757 MONTHLY/ 9084 ANNUAL		AVERAGE ELECTRIC BILL CALCULATION <b>MULTI-FAMILY RESIDENTIAL</b> AVERAGE KWH: 451 MONTHLY/ 5412 ANNUAL	
TOTAL ANNUAL DOLLAR AMOUNT	<b>\$917.21</b>	TOTAL ANNUAL DOLLAR AMOUNT	<b>\$495.94</b>
AVERAGE NATURAL GAS CALCULATION AVERAGE THERMS: 51 MONTHLY/ 612 ANNUAL			
TOTAL ANNUAL DOLLAR AMOUNT		<b>\$401.94</b>	

<b>SOUTHWEST GAS SOUTHERN NEVADA</b>			
AVERAGE NATURAL GAS CALCULATION <b>SINGLE FAMILY RESIDENTIAL</b> AVERAGE THERMS: 42 MONTHLY/ 504 ANNUAL		AVERAGE NATURAL GAS CALCULATION <b>MULTI-FAMILY RESIDENTIAL</b> AVERAGE THERMS: 23 MONTHLY/ 276 ANNUAL	
TOTAL ANNUAL DOLLAR AMOUNT	<b>\$299.42</b>	TOTAL ANNUAL DOLLAR AMOUNT	<b>\$159.83</b>

<b>SOUTHWEST GAS NORTHERN NEVADA</b>			
AVERAGE NATURAL GAS CALCULATION <b>SINGLE FAMILY RESIDENTIAL</b> AVERAGE THERMS: 62 MONTHLY/ 744 ANNUAL		AVERAGE NATURAL GAS CALCULATION <b>MULTI-FAMILY RESIDENTIAL</b> AVERAGE THERMS: 36 MONTHLY/ 432 ANNUAL	
TOTAL ANNUAL DOLLAR AMOUNT	<b>\$629.4</b>	TOTAL ANNUAL DOLLAR AMOUNT	<b>\$389.62</b>

<b>PROPANE VENDORS NORTH AND SOUTH</b>	
AVERAGE PROPANE CALCULATION AVERAGE GALLONS: 26.25 MONTHLY/315 ANNUAL	
TOTAL ANNUAL DOLLAR AMOUNT	<b>\$1,068.50</b>

## 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 Even 10 - 48	135-150	Odd 01 - 09 Even 10 - 52	249-251	Odd 01 - 09 Even 02 - 98
002-003	Odd 01 - 09 Even 10 - 46	151-158	Odd 01 - 09 Even 10 - 50	252-260	Odd 01 - 09 Even 02;10 - 98
004-006	Odd 01 - 09 Even 10 - 60	159-176	Odd 01 - 09 Even 10 - 48	261-266	Odd 01 - 35 Even 02 - 98
007	Odd 01 - 09 Even 10 - 58	177	Odd 01 - 09 Even 10 - 46	267	Odd 01 - 33 Even 02 - 98
008-009	Odd 01 - 09 Even 10 - 46	178	Odd 01 - 09 Even 10 - 48	268-290	Odd 01 - 09 Even 10 - 58
010-025	Odd 01 - 09 Even 10 - 48	179	Odd 01 - 09 Even 10 - 46	291	Odd 01 - 09 Even 10 - 56
026-028	Odd 01 - 09 Even 10 - 46	180	Odd 01 - 09 Even 10 - 48	292	Odd 01 - 09 Even 10 - 58
029	Odd 01 - 09 Even 10 - 48	181-211	Odd 01 - 09 Even 10 - 46	293	Odd 01 - 09 Even 10 - 56
030-034	Odd 01 - 09 Even 10 - 46	212-218	Odd 01 - 09 Even 10 - 70	294	Odd 01 - 09 Even 10 - 58
035-039	Odd 01 - 09 Even 10 - 38	219-220	Odd 01 - 09 Even 10 - 68	295-302	Odd 01 - 09 Even 10 - 56
040-044	Odd 01 - 09 Even 10 - 54	221-222	Odd 01 - 09 Even 10 - 44	303-314	Odd 01 - 09 Even 10 - 66
045-049	Odd 01 - 09 Even 10 - 52	223-227	Odd 01 - 09 Even 10 - 88	315-316	Odd 01 - 09 Even 10 - 64
050-100	Odd 01 - 09 Even 10 - 50	228-231	Odd 01 - 09 Even 10 - 86	317	Odd 01 - 09 Even 10 - 66
101-125	Odd 01 - 09 Even 10 - 48	232-236	Odd 01 - 09 Even 10 - 92	318	Odd 01 - 09 Even 10 - 54
126-133	Odd 01 - 09 Even 10 - 50	237-246	Odd 01 - 09 Even 02;10 - 98	319-320	Odd 01 - 09 Even 10 - 52
134	Odd 01 - 09 Even 10 - 48	247-248	Odd 01 - 11 Even 02 - 98	321-323	Odd 01 - 09 Even 10 - 54
324-325	Odd 01 - 09 Even 10 - 52	426-428	Odd 01 - 09 Even 2 - 06; 10 - 98	480-485	Odd 01 - 09 Even 10 - 76
326-327	Odd 01 - 09 Even 10 - 54	429	Odd 01 - 15 Even 02 - 98	486-489	Odd 01 - 09 Even 10 - 66
328-361	Odd 01 - 09 Even 10 - 52	430-432	Odd 01 - 13 Even 02 - 98	490-500	Odd 01 - 09 Even 10 - 64
362-384	Odd 01 - 09 Even 10 - 64	433-439	Odd 01 - 09 Even 02;10 - 9	501	Odd 01 - 09 Even 10 - 74
385	Odd 01 - 09 Even 10 - 62	440-441	Odd 01 - 09 Even 10 - 62	502	Odd 01 - 09 Even 10 - 72
386-396	Odd 01 - 09 Even 10 - 64	442-447	Odd 01 - 09 Even 10 - 60	503	Odd 01 - 09 Even 10 - 76
397-398	Odd 01 - 09 Even 10 - 62	448	Odd 01 - 09 Even 10 - 58	504	Odd 01 - 09 Even 10 - 74
399	Odd 01 - 09 Even 10 - 64	449-451	Odd 01 - 13 Even 02 - 98	505	Odd 01 - 09 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 Even 10 - 86	452	Odd 01 - 11 Even 02 - 98	506-508	Odd 01 - 09 Even 10 - 80
406-407	Odd 01 - 09 Even 10 - 84	453-457	Odd 01 - 13 Even 02 - 98	509-514	Odd 01 - 09 Even 10 - 64
408	Odd 01 - 09 Even 02;10 - 98	458-465	Odd 01 - 11 Even 02 - 98	515	Odd 01 - 09 Even 10 - 62
409	Odd 01 - 09 Even 02 - 04; 10 - 98	466	Odd 01 - 09 Even 02 - 98	516	Odd 01 - 09 Even 10 - 74
410-415	Odd 01 - 09 Even 02;10 - 98	467	Odd 01 - 11 Even 02 - 98	517	Odd 01 - 09 Even 10 - 72
416-420	Odd 01 - 09 Even 10 - 82	468-470	Odd 01 - 09 Even 10 - 72	518-519	Odd 01 - 09 Even 10 - 74
421-424	Odd 01 - 09 Even 10 - 80	471-477	Odd 01 - 09 Even 10 - 70	520	Odd 01 - 09 Even 10 - 70
425	Odd 01 - 09 Even 02 - 98	478-479	Odd 01 - 09 Even 10 - 78	521-524	Odd 01 - 09 Even 10 - 90
525	Odd 01 - 09 Even 10 - 98	550-551	Odd 01 - 11 Even 02 - 98	583-584	Odd 01 - 09 Even 10 - 84
526-527	Odd 01 - 21 Even 02 - 98	552	Odd 01 - 09 Even 02 - 98	585	Odd 01 - 09 Even 10 - 88
528-529	Odd 01 - 09 Even 10 - 92	553-558	Odd 01 - 11 Even 02 - 98	586	Odd 01 - 09 Even 10 - 60
530	Odd 01 - 09 Even 10 - 56	559-560	Odd 01 - 09 Even 02 - 98	587	Odd 01 - 09 Even 02 - 98
531-534	Odd 01 - 09 Even 10 - 64	561	Odd 01 - 11 Even 02 - 98	700-723	Odd 01 - 09 Even 10 - 18
535-539	Odd 01 - 09 Even 10 - 62	562-573	Odd 01 - 09 Even 02 - 98	724	Odd 01 - 09 Even 10 - 28
540-544	Odd 01 - 09 Even 10 - 74	574	Odd 01 - 09 Even 10 - 30	725-726	Odd 01 - 09 Even 10 - 18
545-546	Odd 01 - 11 Even 02 - 98	575	Odd 01 - 09 Even 10 - 76	727	Odd 01 - 09 Even 10
547	Odd 01 - 09 Even 02 - 98	576	Odd 01 - 09 Even 10 - 74	728	Odd 01 - 09 Even 10 - 14
548	Odd 01 - 11 Even 02 - 98	577-579	Odd 01 - 09 Even 10 - 78	729	Odd 01 - 09 Even (No Even)
549	Odd 01 - 09 Even 02 - 98	580-582	Odd 01 - 09 Even 10 - 98		

## APPENDIX D

## ● EAP ENERGY VENDOR LIST ●

FY 2013 through FY 2016

(Revised November 28, 2012)

**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](mailto:alpark@frontiernet.net)  
 For usage: call Doreen – call # above

**ALAMO POWER DISTRICT #3**

Douglas J Miller, Manager  
 240 Main Street  
 PO BOX 189 Alamo, Hiko  
 ALAMO NV 89001 Lincoln County  
 (775) 725-3335 "E"  
 (775) 725-3441 (Fax)  
[dshumway58@yahoo.com](mailto:dshumway58@yahoo.com)  
 For usage: call Denise – call # above

**ALLIED WASHOE, INC.**

Susan Deadrick, Credit Manager  
 2500 E 4TH ST  
 PO BOX 6930  
 RENO NV 89513 "F"  
 (775) 323-7113 "P" (pick up only)  
 (775) 789-7900 (Fax)  
 For usage: [susan@alliedwashoe.com](mailto:susan@alliedwashoe.com)

**AMERIGAS - CARSON CITY**

Joel Nelson, Plant Manager  
 4501 GONI RD CC, GV, VC, Slvr Sprngs  
 CARSON CITY NV 89706 Stagecoach  
 (775) 882-2191 "P"  
 (775) 882-7981 (Fax)  
 For usage: [Joel.nelson@amerigas.com](mailto:Joel.nelson@amerigas.com)

**AMERIGAS – COLEVILLE**

Susan Mohling, Customer Rel. Rep. Walker  
 47 HACKNEY DR Wellington, Topaz, Smith, some GV  
 COLEVILLE CA 96107 Holbrook, Spring Vly  
 (530) 495-2324 Toll Free (800)289-3106  
 (530) 495-2519 (Fax)  
[s.mohling@amerigas.com](mailto:s.mohling@amerigas.com) "P"  
 For usage: call # above - (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](mailto:retta.frieze@amerigas.com)

**AMERIGAS - FALLON**

Kris Bruflat, Customer Relations  
 5871 RENO HWY UNIT A Lovelock, Smith Vly  
 FALLON NV 89406-2324 Fallon, Fernley  
 (775) 423-3632 Wadsworth, Yerington  
 or (775) 867-3832 "P"  
 (775) 423-2948 (Fax)  
 For usage: [bruflatk@amerigas.com](mailto:bruflatk@amerigas.com)

**AMERIGAS - HAWTHORNE**

Julie McFatridge, Customer Relations  
 1118 E 5TH ST Mina, Luning, Gabbs, Walker Lake,  
 PO BOX 1810 Hawthorne, Schur, Yerington,  
 HAWTHORNE NV 89415 & Tonopah  
 (775) 945-3335 "P"  
 (775) 945-2743 (Fax)  
 For usage: [Julie.mcfatridge@amerigas.com](mailto:Julie.mcfatridge@amerigas.com)

**AMERIGAS - LAS VEGAS**

David Vance, Manager  
 3434 KIER RD STE 2 Pahrump  
 N LAS VEGAS NV 89030-4479 "P"  
 (702) 642-3354  
 (702) 399-7297 (Fax)  
[dannel.english@amerigas.com](mailto:dannel.english@amerigas.com)  
 For usage: call (775) 727-4238

**AMERIGAS - MOUNTAIN HOME**

Lee Mitchell, Customer Relations  
 324 2<sup>nd</sup> ST SOUTH Owyhee & Mtn City NV  
 NAMPA ID 86351  
 (208) 587-5367 "P"  
 (208) 466-4680 (Fax)  
 For usage: [mitchellm@amerigas.com](mailto:mitchellm@amerigas.com)

**AMERIGAS - PAHRUMP**

Doreen Beech, Customer Service Rep.  
 860 SOUTH LINDA STREET  
 PAHRUMP, NV 89048  
 (775) 727-4238  
 (775) 727-7093 (Fax)  
[Doreen.beech@amerigas.com](mailto:Doreen.beech@amerigas.com)  
 For usage: call # above

**AMERIGAS - PANACA**

Tracey Smith, Customer Service. Rep.  
 2865 W HIGHWAY 56 Caliente, Pioche, Hiko  
 CEDAR CITY UT 84720 Alamo, Lincoln County,  
 (435) 586-6731 & Mesquite "P"  
 (435) 586-0308 (Fax)  
 For usage: [tracey.smith@amerigas.com](mailto:tracey.smith@amerigas.com)

**AMERIGAS - SPARKS**

Jodi Littlefield or Niki Newbald, Customer Rel  
 720 GLENDALE  
 SPARKS NV 89431 *Reno, Nixon Sutcliffe*  
 (775) 358-5246 **"P"**  
 (775) 358-5419 (Fax)  
[amerigas-sparks-5135@amerigas.com](mailto:amerigas-sparks-5135@amerigas.com)  
 For usage: call # above

**AMERIGAS - TONOPAH**

Julie McFatridge, Customer Relations  
 1118 E 5TH ST (Hawthorne)  
 PO BOX 339 *Silver Peak, Rnd Mtn, Dyer,*  
 HAWTHORNE NV 89415 *Belmont, Manhattan*  
 (775) 945-3335 **"P"** *Goldfield, Tonopah*  
 (775) 945-2743 (Fax)  
 For usage: [brett.munoz@amerigas.com](mailto:brett.munoz@amerigas.com)

**AMERIGAS - WINNEMUCCA**

Mike Waters, 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](mailto:winnemucca-0600@amerigas.com)

**AMERIGAS - YERINGTON**

Harry Loll, Customer Relations  
 20 HWY 95 A NORTH *Yerington, Smith*  
 YERINGTON, NV 89447 *Vly, Schurz*  
 (775) 463-2363 **"P"**  
 (775) 463-4309 (Fax)  
 For usage: call # above

**BI-STATE PROPANE - CARSON CITY**

Sheri Silsby, Customer Service Rep  
 10001 HWY 50 EAST *CC, VC, Moundhouse*  
 PO BOX 661 *Dayton, Stagecoach*  
 CARSON CITY NV 89702  
 (775) 246-3077 **"P"**  
 (775) 246-3078 (Fax)  
 For usage: [sheri.silsby@heritagepropane.com](mailto:sheri.silsby@heritagepropane.com)

**BI-STATE PROPANE - FALLON**

Ann Thom, Office Manager  
 3303 RENO HWY #1  
 PO BOX 1205 *Lovelock, Fernley*  
 FALLON NV 89407  
 (775) 423-1397 **"P"**  
 (775) 423-3889 (Fax)  
[1105@heritagepropane.com](mailto:1105@heritagepropane.com)  
 For usage: call # above

**BI-STATE PROPANE - GARDNERVILLE**

Karen Stout, Customer Service Rep  
 1267 US HWY 395 S STE E *Topaz, Walker, GV*  
 GARDNERVILLE NV 89410 *Wellington, Coleville*  
 (775) 782-2371 **"P"**  
 (775) 782-2496 (Fax)  
 For usage: [karen.stout@amerigas.com](mailto:karen.stout@amerigas.com)  
 or call # above

**BI-STATE PROPANE - SPARKS**

Shelley Moore, Office Manager  
 56 E GLENDALE AVE *Cold Springs*  
 PO BOX 2200  
 SPARKS NV 89432  
 (775) 331-3100 **"P"**  
 (775) 331-1141 (Fax)  
 For usage: [shelly.moore2@amerigas.com](mailto:shelly.moore2@amerigas.com)

**BI-STATE PROPANE - YERINGTON**

Edden Vrrutia, Customer Service Rep.  
 1 HWY 95A EAST *Slvr Sprngs, Yerington, Schurz*  
 PO BOX 813 *Smith Vly*  
 YERINGTON NV 89447  
 (775) 463-2110 **"P"**  
 (775) 463-1330 (Fax)  
 For usage: call # above

**CALIENTE PUBLIC UTILITIES**

Jo Whitlock, City Clerk  
 100 DEPOT AVE  
 PO BOX 1006  
 CALIENTE NV 89008  
 (775) 726-3131 **"E"**  
 (775) 726-3370 (Fax) **UEC**  
[cityhall@cityofcaliente.com](mailto:cityhall@cityofcaliente.com)  
 For usage: call Ashley Tibbetts – call # above

**CAMPORA PROPANE**

Brenda Rowe, Bookkeeper  
 1507 HWY 395 #C  
 GARDNERVILLE NV 89410  
 (775) 782-2301 **"P"**  
 (775) 782-0082 (Fax)  
 For usage: [browe@campora.com](mailto:browe@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](mailto: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](mailto:chrisservice01@yahoo.com)  
 For usage: call Sandra Williams – call # above

**CITY OF BOULDER CITY**

Jim Petrie, Utilities Billing Supervisor  
 401 CALIFORNIA AVE  
 BOULDER CITY NV 89005  
 (702) 293-9240 "E"  
 (702) 293-9411 (Fax) UEC  
 For usage: [jpetrie@bcnv.org](mailto:jpetrie@bcnv.org)

**CITY OF FALLON**

Fern Lee, Deputy Clerk Treasure  
 55 W WILLIAMS AVE  
 FALLON NV 89406  
 (775) 423-5104 "E"  
 (775) 423-8874 (Fax) UEC  
 For usage: [fal@ci.fallon.nv.us](mailto:fal@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](mailto:laura@comstockpropane.com)

**CRYSTAL ICE & OIL COMPANY**

Kristy Peterson, Customer Service Rep.  
 1345 W 4TH ST  
 RENO NV 89503-5106  
 (775) 323-5145 "F"  
 (775) 323-3049 (Fax)  
 For usage: [info@crystaliceandoilcompany.com](mailto:info@crystaliceandoilcompany.com)  
 or [kristy@crystaliceandoilcompany.com](mailto:kristy@crystaliceandoilcompany.com)

**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: [eagleenergy411@gmail.com](mailto:eagleenergy411@gmail.com)  
 or call # above

**ED STAUB & SONS PETROLEUM**

Donna Stegman, Accts Rec Clerk  
 406 W 8TH ST  
 PO BOX 1684  
 ALTURAS CA 96101  
 (530) 233-2610 "P" "F"  
 (530) 233-2633 (Fax)  
 For usage: [donna.stegman@edstaub.com](mailto:donna.stegman@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 14<sup>TH</sup> ST  
 ELKO NV 89801  
 (775) 738-5340 "F"  
 (775) 738-8227 (Fax)  
[suew@4flyers.com](mailto:suew@4flyers.com)  
 For usage: call # above

**FLYERS ENERGY LLC - FALLON**

Ed Sequeira, Plant Manager  
 335 E WILLIAMS Ave  
 FALLON NV 89406 "F"  
 (775) 423-3197  
 (775) 423-3127 (Fax)  
[bp0009@4flyers.com](mailto:bp0009@4flyers.com)  
 For usage: call Joe Tachera – call # above

**FLYERS ENERGY LLC - RENO**

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: call # above

**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)  
[granitepropane@yahoo.com](mailto:granitepropane@yahoo.com)  
 For usage: call # above

**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](mailto:fred.flippence@harneyelectric.org)-contracts  
[becky.glerup@harneyelectric.org](mailto:becky.glerup@harneyelectric.org)  
 For usage: [heather.bailey@harneyelectric.org](mailto:heather.bailey@harneyelectric.org)

**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)  
[lcpd@lcturbonet.com](mailto:lcpd@lcturbonet.com)  
 For usage: call # above

**LYLE'S PROPANE**

**See Norcross Service Stations**

**M F BARCELLOS, INC.**

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)**

Ruth Guidera, CSR  
 4420 MCGUIRE ST  
 N LAS VEGAS NV 89081  
 (702) 643-3242 "P"  
 (702) 643-3244 (Fax)  
 For usage: [ruth.guidera@amerigas.com](mailto:ruth.guidera@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)  
[mwpkevin@mwpower.net](mailto:mwpkevin@mwpower.net)  
[smarquez@mwpower.net](mailto:smarquez@mwpower.net)  
 For usage: call Shelly – (775) 289-8981 ext. 125

**NATIONAL OIL & BURNER COMPANY**

Ronald M Basta, CEO  
 1010 E COMMERCIAL ROW  
 PO BOX 318  
 RENO NV 89504  
 (775) 323-3191 "F"  
 (775) 323-1760 (Fax)  
[nationaloil@sbcglobal.net](mailto:nationaloil@sbcglobal.net)  
 For usage: call # above

**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](mailto:aromo@nvenergy.com)

**NEVADA PETROLEUM, INC.**

Patricia Geraghty, Sec/Tres  
 1735 PITTMAN AVE/SPARKS  
 PO BOX 7433  
 RENO NV 89510  
 (775) 355-1970 "F"  
 (775) 355-1975 (Fax)  
[NVPETRO@AOL.COM](mailto:NVPETRO@AOL.COM)  
 For usage: call # above

**NORCROSS SERVICE STATIONS**

**DBA: Lyles Propane**  
 Melanie Jacobson, Bookkeeper  
 15TH & AVE C  
 PO BOX 150426 AKA: Lyles  
 ELY NV 89315 AmeriGas Ely Now Lyles  
 (775) 289-6611 "F" "P"  
 (775) 289-2011 (Fax)  
 For usage: call Melanie Jacobson – call # above

**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)  
[billing.support@opd5.com](mailto:billing.support@opd5.com)  
 For usage: [llaird@opd5.com](mailto:llaird@opd5.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](mailto:pputilities@lcturbonet.com)  
 For usage: call # above

**PROFLAME GAS, INC.**

Paulyne Maher, Officer Manager  
 31 E WILSON RD  
 PAHRUMP NV 89048  
 (775) 727-5116 "P"  
 (775) 727-5180 (Fax)  
 For usage: [paulyne.maher@amerigas.com](mailto:paulyne.maher@amerigas.com)

**PROFLAME OF LAS VEGAS—SEE METRO LIFT PROFLAME**

**PROPANE OF WENDOVER INC/WENDOVER GAS CO.**

Nancy Green, President  
 460 MESA ST  
 PO BOX 3174  
 W WENDOVER UT 84083  
 (775) 664-2291 "P"  
 (775) 664-4422 (Fax)  
[njg6@frontier.com](mailto:njg6@frontier.com)  
 For usage: call # above

**RAFT RIVER RURAL ELECTRIC CO-OP, INC.**

Trudy Tracy  
 155 N MAIN ST  
 PO BOX 617  
 MALTA ID 83342  
 (208) 645-2211  
 or  
 (800) 342-7732 "E"  
 (208) 645-2300 (Fax)  
 For usage: [trudy@rrelectric.com](mailto:trudy@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](mailto: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 "F"  
 For usage: call # above

**RON MENESINI PETROLEUM PRODUCTS**

Cindy or Ron Menesini, Owner's  
 27 BULK PLANT RD  
 PO BOX 817  
 YERINGTON NV 89447  
 (775) 463-2076 "F"  
 (775) 463-3076 (Fax)  
 For usage: call # above

**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](mailto:shoshonenergy@yahoo.com)  
 For usage: call # above

**SIERRA FUEL COMPANY**

Myneer Walker, Manager  
 317 SUTRO ST  
 RENO NV 89512  
 (775) 322-2111 "F"  
 (775) 322-2112 (Fax)  
 For usage: [beer@intercomm.com](mailto:beer@intercomm.com)

**SIERRA PACIFIC POWER COMPANY/IV ENERGY**

Donna Brown, Customer Asst. Administrator  
 6100 NEIL RD  
 PO BOX 10100  
 RENO NV 89520  
 (775) 834-4003 "E,G,P"  
 (775) 834-4713 (Fax) "UEC"  
[dbrown@nvenergy.com](mailto:dbrown@nvenergy.com)  
[rhansen@nvenergy.com](mailto:rhansen@nvenergy.com)  
 For usage: [jrose@nvenergy.com](mailto:jrose@nvenergy.com)

**SOUTHWEST GAS CORPORATION**

5241 SPRING MOUNTAIN ROAD (Corp HQ)  
 PO Box 98512 "G"  
 LAS VEGAS NV 89193-8510 "UEC"  
 Angel Bustos or Christy Bertinotti  
 (877) 967-9427  
 (866) 997-9427 (Fax)  
 For usage: [SCA-SWGAgencies@swgas.com](mailto:SCA-SWGAgencies@swgas.com)  
 or call # above

**SUBURBAN PROPANE – ELKO**

1484  
 Brenda Lopez, Customer Service Rep  
 276 14TH ST Wells, Carlin, Battle Mtn  
 ELKO NV 89801 Owyhee, Ruby Vly, Spring Creek  
 (775) 738-3151 "P"  
 (775) 738-7642 (Fax)  
 For usage: [jgarcia@suburbanpropane.com](mailto:jgarcia@suburbanpropane.com)

**SUBURBAN PROPANE – ELY, EUREKA, TONOPAH**

1485  
 Blake Hayward, CSC Manager  
 Angie Mangum, Customer Service Rep.  
 1700 E AULTMAN ST Round Mtn Duckwater  
 ELY NV 89301 Ruth, Austin, McGill  
 (775) 289-2901 Pioche, Panaca "P"  
 (775) 289-4137 (Fax)  
[bhayward@suburbanpropane.com](mailto:bhayward@suburbanpropane.com)  
[amangum@suburbanpropane.com](mailto:amangum@suburbanpropane.com)  
 For usage: call # above

**SUBURBAN PROPANE - LAS VEGAS** 1487  
 Marty Huerta, CSC Manager  
 Michelle Jordon  
 4520 MITCHELL ST *Pahrump, Beatty*  
 N LAS VEGAS NV 89081 *& Overton*  
 (702) 643-1738 **"P"**  
 (702) 643-6203 (Fax)  
 mhuerta@suburbanpropane.com-contracts  
 For usage: [mjordon@suburbanpropane.com](mailto:mjordon@suburbanpropane.com)

**SUBURBAN PROPANE – SPARKS** 1483  
 John Dutra, Customer Service Rep.  
 400 WOLVERINE WY STE A *Nixon, Sutcliffe,*  
 SPARKS NV 89431 *Lovelock*  
 (775) 359-8383 **"P"**  
 (775) 359-2675 (Fax)  
 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 Cospier  
 1081 AIRPORT RD  
 MINDEN, NV 89423  
 (775) 782-0400  
 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](mailto: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](mailto:vegaspropane@yahoo.com)  
 For usage: call # above

**WELLS PROPANE**  
 Shauna Jurey, Credit Manager  
 333 EASY ST  
 PO BOX 485  
 WELLS NV 89835 **"P"**  
 (775) 752-3328  
 (775) 752-3407 (Fax)  
 For usage: call # above

**WELLS RURAL ELECTRIC COMPANY**  
 Veronica Hanson, Member Serv. Sup.  
 1451 HUMBOLDT AVE  
 PO Box 365 *Spring Creek, Wendover,*  
 WELLS NV 89835 *& Carlin* **"E"**  
 (775) 752-3328  
 (775) 752-3407 (FAX)  
[vhanson@wrec.coop](mailto:vhanson@wrec.coop)  
 For usage: call # above

*(All Flyers Energy LLC (formerly Western Energetix) correspondence & payments go to PO Box 49002, Auburn California, 95604)*

**WESTERN CENTRAL PETROLEUM, INC**  
 Rich Jacobsen, Manager  
 PO Box 2496  
 3000 Industrial Park *Mineral County, Parts of Nye,*  
 Hawthorne, NV 89415 *Gabbs* **"F"**  
 (775) 945-2978  
 (775) 945-2987 (FAX)  
[westerncentral@sbcglobal.net](mailto:westerncentral@sbcglobal.net)  
 For usage: call Beverly Zane – (775) 945-2978

**WESTERN STATES PROPANE**  
 Julie A Kraus, General Manager  
 1207 WATER ST  
 ELKO NV 89801  
 (775) 753-5950 **"P"**  
 (775) 293-4065 (Fax)  
[juliewsp1075@gmail.com](mailto:juliewsp1075@gmail.com)  
 For usage: call # above

**APPENDIX E**  
**FY14 INTAKE SITES**  
**LIST BY CITY** (Updated 6/28/2013)

**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**  
100 Depot Avenue  
PO Box 611  
Caliente, NV 89008  
Phone: (775) 726-3126  
Fax: (775) 726-3477

**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 7<sup>th</sup> St.  
PO Box 211072  
Crescent Valley, NV 89821  
Phone: (775) 468-0466  
Fax: (775) 468-0631

**DAYTON**

**LYON COUNTY HUMAN SERVICES – DAYTON**  
170 Pike Street  
Dayton, NV 89403  
Phone: (775) 246-6326  
Fax: (775) 246-6327

**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 7<sup>th</sup> St  
Elko, NV 89801  
Phone: (775) 753-7352  
Fax: (775) 777-9102

**ELY**

**LITTLE PEOPLE'S HEAD START/FAMILY RESOURCE CENTER**  
435 S 13<sup>th</sup> Street  
Ely, NV 89301  
Phone: (775) 289-9081 x 121  
Fax: (775) 289-6209

**WHITE PINE COUNTY SOCIAL SERVICES**  
995 Campton Street  
Ely, NV 89301  
Phone: (775) 289-3271  
Fax: (775) 289-2405

**EUREKA**

**EUREKA COUNTY SOCIAL SERVICES**  
20 W Gold St  
Eureka, NV 89316  
Phone: (775) 237-6023  
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  
P O Box 1980  
Fallon, NV 89407  
Phone: (775) 423-3634  
Fax: (775) 423-2314

**FERNLEY****LYON COUNTY HUMAN SERVICES -  
FERNLEY**

460 W. Main Street  
Fernley, NV 89408  
Phone: (775) 575-1703  
Fax: (775) 575-3373

**GARDNERVILLE****DOUGLAS COUNTY SOCIAL SERVICES**

1133 Spruce Street; Gardnerville  
Mailing: P O Box 218; Minden, NV 89423  
Phone: (775) 782-9825  
Fax: (775) 782-9874

**HAWTHORNE****CONSOLIDATED AGENCIES OF HUMAN  
SERVICES (CAHS)**

924 5<sup>th</sup> St  
P O 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**

930 W Owens Ave  
Las Vegas, NV 89106  
Phone: (702) 636-3949  
Fax: (702) 636-3949, ext. 116

**NEVADA HAND, INC.**

295 E Warm Springs Rd  
Las Vegas, NV 89119  
Phone: (702) 739-3345  
Fax: (702) 739-3005

**OLIVE CREST**

4435 S Jones Blvd  
Las Vegas, NV 89103  
Phone: (702) 221-6224  
Fax: (702) 739-3305

**ROSE FOUNDATION (SNRHA)**

5390 E Flamingo Rd  
Las Vegas, NV 89122  
Phone: (702) 451-8041  
Fax: (702) 433-4112

**LOVELOCK****PERSHING COUNTY SENIOR CENTER**

630 Western Avenue  
P O 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  
P O Box 1436 (mailing)  
Mesquite, NV 89024  
Phone: (702) 346-7277  
Fax: (702) 346-1957

**MINA****MINERAL COUNTY CARE & SHARE (Senior Center)**

211 8<sup>th</sup> St  
Mina, NV 89422  
Phone: (775) 573-2344  
Fax: (775) 573-2342

**NORTH LAS VEGAS****OLIVE CREST**

(Appointment Required)  
3825 W Cheyenne Ave Ste 604  
North Las Vegas, NV 89032  
Phone: (702) 685-3459

**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**

250 North Highway 160 - Suite 4  
Pahrump, NV 89060  
Phone: (775) 751-7095  
Fax: (775) 727-7742

**NEVADA OUTREACH TRAINING ORGANIZATION**

621 S Blagg Rd  
Pahrump, NV 89048  
P O Box 2869  
Pahrump, NV 89041  
Phone: (775) 751-1118, ext. 201  
Fax: (775) 751-1195

**PANACA****LINCOLN COUNTY HUMAN SERVICES**

10 Atchison Dr  
P O 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) 321-5037

**COMMUNITY SERVICES AGENCY (CSA)**

1090 East 8<sup>th</sup> 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

**SILVER SPRINGS**

**LYON COUNTY HUMAN SERVICES**

1075 Pyramid Street  
P.O. Box 1141  
Silver Springs, NV 89429  
Phone: (775) 577-5009  
Fax: (775) 577-5093

**YERINGTON**

**LYON COUNTY HUMAN SERVICES –  
YERINGTON**

26 Nevin Way  
Yerington, NV 89447  
Phone: (775) 463-6540  
Fax: (775) 463-6534

**SPARKS**

**SPARKS FAMILY RESOURCE CENTER**

**(Appointment Required)**

921 12<sup>th</sup> St.  
Sparks, NV 89431  
Phone: (775) 353-5733  
Fax: (775) 353-5964

**SUN VALLEY**

**SUN VALLEY FAMILY RESOURCE CENTER**

**(Appointments encouraged)**

115 W 6<sup>th</sup> Ave  
Sun Valley, NV 89431  
Phone: (775) 674-4411

**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.  
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