

EFFECTIVE
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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

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TITLE 476 LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

CHAPTER 1 INTRODUCTION

001. SCOPE AND AUTHORITY. The Nebraska Low Income Home Energy Assistance Program is authorized by the Energy Policy Act of 2005, 42 United States Code §§ 8621-8630 and 45 Code of Federal Regulations § 96. The program is funded through annual federal appropriations.

002. PURPOSE. The Low Income Home Energy Assistance Program helps low-income households by providing financial assistance to offset the costs of heating and cooling. The Low Income Home Energy Assistance Program particularly helps households that pay a high portion of household income for home energy to meet immediate home energy needs.

003. ADMINISTERING AGENCY. The administering agency is the Nebraska Department of Health and Human Services.

004. DEFINITIONS. The following definitions apply:

004.01 AGENCY CAUSED OVERPAYMENT. An overpayment caused by the Department's error or failure to take action.

004.02 APPLICATION DATE. The date the Department receives a signed application or request to add Low Income Home Energy Assistance Program to a household's current economic assistance case.

004.03 AVAILABLE FUNDS. The amount of funding appropriated to the Department for the Low Income Home Energy Assistance Program for each federal fiscal year.

004.04 COOLING SEASON. June 1 through August 31 of each federal fiscal year.

004.05 CRISIS SITUATION. A household that is under immediate threat of loss of home energy because it has received a shut off notice, had utilities discontinued, lacks energy service delivery, or anticipates removal from a provider's budget plan.

004.06 ECONOMICALLY-VULNERABLE HOUSEHOLD. A household that is unprotected from increases in energy costs, and, therefore, must use its own resources to meet energy cost increases.

004.07 HEATING SEASON. October 1 through March 31 of each federal fiscal year.

004.08 HOME ENERGY. A source of residential heating or cooling.

004.09 HOUSEHOLD. A person or group of people living together as one economic unit for whom residential energy is customarily purchased in common or paid through rent.

004.10 INTENTIONAL PROGRAM VIOLATION. An action by a person to receive, or attempt to receive, benefits to which the person is not entitled by:

- (A) Making a false statement, either verbally or in writing;
- (B) Concealing information; or
- (C) Altering one or more documents.

004.11 MULTI-FAMILY ARRANGEMENT. A living situation where more than one household occupies a single structure or building and includes both communal living arrangements where residential energy is billed in common and apartments where residential energy is billed separately to each unit.

004.12 OVERPAYMENT. A payment of more than the amount a household is eligible to receive.

004.13 OVERPAYMENT STATUS. A household has received an overpayment of \$100 or more and the overpayment has not yet been fully repaid to the Department.

004.14 PROGRAM YEAR. October 1 through September 30.

004.15 PROVIDER. Utility or other household energy supplier.

004.16 SINGLE-FAMILY ARRANGEMENT. A living situation where one household occupies a single structure or building.

004.17 UNDERPAYMENT. A payment of less than the amount a household is eligible to receive.

005. OUTREACH SERVICES. The Department provides outreach services to potential clients, particularly those who are elderly, disabled, under age six, and migrant farm workers.

006. PROGRAM FUNDING. For each program year, the Department accepts and processes applications and crisis assistance requests according to the earliest application date until the Department determines that pending payments will exhaust the available funds for that program year. Upon making this determination, the Department will accept no more applications or crisis requests for that program year.

006.01 EXCESS FUNDING. If the Department determines that available funds for a program year will exceed pending payments, the Department will allocate to eligible households supplemental payments as determined by the Department.