

EFFECTIVE  
12-26-2020

NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

476 NAC 3

TITLE 476            LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

CHAPTER 3           PAYMENTS

001. TYPES. The Department makes the following types of Low Income Home Energy Assistance Program payments:

- (A) Heating;
- (B) Cooling;
- (C) Crisis assistance;
- (D) Furnace or air conditioner repair or replacement assistance; and
- (E) Supplemental, as determined by the Department based upon funding availability.

002. PAYMENT RECIPIENTS. Payment recipient information is below.

002.01 PROVIDER. The Department makes payment on behalf of an eligible household directly to a provider. To ensure payment, a household must provide the Department with the applicable provider name and account number.

002.01(A) REFUND. If a household disconnects service from a provider that has received payment from the Department on the household's behalf, and at the time of the disconnect the household has a credit balance with the provider, the provider will refund the full credit balance to the Department. If the most recent payment by the Department to the provider on behalf of the household occurred before the current program year, the Department will remit the full credit amount to the household. If the most recent payment by the Department to the provider on behalf of the household occurred during the current program year, the Department will remit to the household the difference between the credit balance and the total amount of all payments by the Department to the provider on behalf of the household during the program year, if any.

002.02 HOUSEHOLD. Only if utilities are included in rent or if a provider cannot or will not receive electronic payments from the Department may the Department pay a household directly.

002.02(A) RESTRICTIONS. A household may not access Low Income Home Energy Assistance Program funds, either by automated teller machine withdrawal or point-of-sale purchase, from liquor stores, casinos, gambling casinos, gaming establishments, or any retail establishment that provides adult-oriented entertainment where performers disrobe or perform in an unclothed state for entertainment.

003. PAYMENT AMOUNTS AND REQUIREMENTS. Payment amount and requirement information is below.

003.01 HEATING AND COOLING PAYMENTS. The Department makes heating and cooling payments according to the tables published at 476-000-200 and 476-000-201 which are based upon the federal poverty level and the following factors:

- (1) Fuel type;
- (2) Household income;
- (3) Household size; and
- (4) Whether the household resides in a single-family arrangement or a multi-family arrangement.

003.01(A) REDETERMINATION. The Department can redetermine a household's payment level only if the household experiences a change in composition or a significant change in income, and only if such change causes the payment level to increase.

003.01(B) PAYMENT TO HOUSEHOLD FOR PROPANE, FUEL OIL, OR KEROSENE. When the Department makes payment directly to a household for propane, fuel oil, or kerosene, it will make a payment for \$500 or less in one lump sum and more than \$500 in two equal installments over a two-month period.

003.01(C) PAYMENT TO HOUSEHOLD FOR ELECTRICITY OR NATURAL GAS. When the Department makes payment directly to a household for electricity or natural gas, it will make a payment of \$150 or less in one lump sum and more than \$150 in two equal installments over a two-month period.

003.02 CRISIS ASSISTANCE PAYMENTS. The Department makes crisis assistance payments for no more than the amount necessary to alleviate a crisis situation, up to \$500 per program year. If extenuating circumstances exist, the Department may authorize a crisis assistance payment for more than \$500. To remain eligible for future crisis assistance, a household that receives a crisis assistance payment, including a deposit or reconnect fee payment, directly from the Department must provide the Department with verification that the household has paid the provider.

003.03 FURNACE OR CENTRAL AIR CONDITIONER REPAIR OR REPLACEMENT ASSISTANCE PAYMENTS. The Department may pay up to \$750 to repair or replace a furnace or central air conditioning unit. Before the Department can authorize payment, the household must pay, or arrange to pay, the repair or replacement cost that exceeds the Department's portion and must provide the Department with receipts or payment agreement. If extenuating circumstances exist, the Department may authorize repair or replacement assistance for more than \$750.

003.04 WINDOW AIR CONDITIONER PAYMENTS. The Department may pay for a window air conditioner unit. A household that receives payment for a window air conditioning unit directly from the Department, must provide the Department with a receipt that documents purchase of the unit or the Department will issue an overpayment notice and seek repayment from the household.

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004. INCORRECT PAYMENTS. Incorrect payment information is below.

004.01 UNDERPAYMENTS. The Department must correct any underpayment upon discovery.

004.02 OVERPAYMENTS. Overpayment information is below.

004.02(A) AGENCY CAUSED OVERPAYMENTS. The Department will not recoup agency caused overpayments.

004.02(B) CLIENT CAUSED OVERPAYMENTS. Overpayments inadvertently caused by a household or caused by an intentional program violation are treated as follows:

- (i) The Department will take no action to recoup an overpayment of less than \$100.
- (ii) The Department will place a household that has received an overpayment of \$100 or more into overpayment status until the overpayment has been fully recouped. The Department will recoup an overpayment by reducing the Low Income Home Energy Assistance Program benefits of a household in overpayment status.