

PROGRAM STANDARDS

A. OPENING AND CLOSING DATES FOR HEAT PROGRAM

The HEAT Program begins approving applications each November 1st or the first working day thereafter for the general population including the elderly and the disabled. The HEAT Program closes the following April 30th or when federal LIHEAP funds are exhausted, whichever comes first. The program's closing date may be extended when available funding permits.

Applications taken on or before the program closing date will be processed. If funds are exhausted before all applications are processed, notice of non-payment will be sent to those households whose applications could not be processed.

B. ELIGIBILITY STANDARDS

Benefits are available to all eligible persons regardless of race, religion, national origin, sex, age, or political belief. Households that meet the following three points of eligibility are eligible for LIHEAP/HEAT benefits:

1. Total household income is at or below 150% of the federal poverty level after allowable deductions.
2. The household is "vulnerable," meaning they are responsible (either directly or indirectly) for paying their home heating costs.
3. **The household has at least one person who is a U.S. citizen or a "qualified non-citizen." To be eligible for HEAT assistance, a person must be a U.S. born citizen, a naturalized citizen, or qualified non-citizen as documented by the U.S. Citizenship and Immigration Services (USCIS).**
 - a) **Individuals from these U. S. Territories are U.S. citizens and are eligible for HEAT assistance:**
 - Guam**
 - American Samoa**
 - Northern Marianas Islands**
 - U.S. Virgin Islands**
 - Puerto Rico**
 - b) **Any of the following documents are proof of naturalized citizenship or qualified resident status. Examples of most of these documents may be viewed in the U. S. Immigration and Customs Enforcement 11/2011 "Guide to Selected U.S. Travel and Identity Documents"—page numbers referenced if available.**
 - i. **A current U.S. Passport—p.2**
 - ii. **A valid Certificate of Naturalization (Form N-550)—p.7**
 - iii. **A valid Permanent Resident Card (Form I-551)—p.10-12**
 - iv. **A valid Employment Authorization Card (Form I-766)—p.13 **only if** it is one of the following categories: A3, A4, A5, A10, C11, C25, RE1, RE2, RE3, RE4, RE5.**
 - v. **A valid Arrival/Departure Record (Form I-94)—p.20 **only if** the Customs and Border Protection endorsement stamp is marked with one of the following classes: I-551, 203A7, 207, 208, 212D5, RE1, RE2, RE3, RE4, RE5.**
 - vi. **A valid Approval Notice (Form I-797A)—p.21 **only if** issued with one of the following classes: I-551, 203A7, 207, 208, or 212D5.**

- c) **Special Classes of Immigrants:** Some immigrants have been granted special status and may not have the documents listed above. These could include Asylees, Cuban or Haitian entrants, Battered Alien Spouses, Trafficking Victims, Amerasians, and certain immigrants from Iraq and Afghanistan. If a client claims special status as part of one of these groups contact the state office for assistance determining necessary documentation.

C. **INELIGIBLE RESIDENTS**

1. Persons ineligible to participate in the HEAT program are:

- a) Persons who hold an USCIS I-94 who are admitted as temporary entrants (such as students, visitors, tourists, diplomats, etc.).
- b) Non-citizens who have none of the documents listed in 3.b. or whose documents are expired.
- c) Persons possessing an Individual Taxpayer Identification Number (ITIN) are not considered legal residents. An ITIN is issued by the U.S. Internal Revenue Service to individuals who are required to have a U.S. taxpayer identification number but who do not have, and are not eligible to obtain a Social Security Number issued by the Social Security Administration. The ITIN is for tax purposes only, and may be used if an individual is listed as an applicant, dependent or spouse on a U.S. Tax form.
- d) Immigrants from the Marshall Islands, Palau, and Micronesia are not eligible for HEAT or any other federal benefit unless they have one of the documents listed on p.6 of the HEAT Policy Manual. The U.S. treaty with the Marshall Islands, Palau, and Micronesia that gives special privileges (including SS cards) does not allow access to benefits. Contact USCIS to apply for a Permanent Resident card.

D. **ELIGIBILITY DETERMINATION OF A HOUSEHOLD CONTAINING AN INELIGIBLE RESIDENT**

1. Verify that the household is vulnerable to home heating costs.
2. Count the income of all household members including the ineligible resident.
3. Allow the 20% disregard on the earned income of all household members.
4. Allow a deduction for medical payments and child support payments of all household members.
5. Do not count ineligible residents in determining the total household size, or to determine the poverty level for household size; however, all income must be counted. **Example:** A household has seven members, two of which are ineligible resident. All members' income is counted, but the poverty table is only used for a household size of five, and the total household size is counted as five.
6. The application should be put in the name of one of the eligible **adult** household members, unless the following conditions apply:
 - a) If all the adults in the household are undocumented, open the HEAT file using the adult's name and enter zeroes for social security numbers. Primary applicant must be over 18 or emancipated.
 - b) If needed, call the State HEAT Office for instructions on a case-by-case basis.