
Low Income Energy Assistance Program (LIEAP)

- When the repayment amount is more than the Regular LIEAP payment, the applicant makes payment in full or the Regular LIEAP payment is withheld and deducted from the amount of the repayment. The applicant then receives written notice from the Worker of the balance due.

NOTE: Once payment arrangements are made with the client, the Worker must send a copy of the DFA-LIEAP-3 and RAPIDS letter NVLE to the Repayment Investigator for their respective county so the payment may be tracked.

5. Withholding The Regular LIEAP Payment

When it is necessary to withhold a LIEAP payment, the Worker must contact the State LIEAP Coordinator at Division of Family Assistance for instructions.

6. Making Adjustments In The Regular LIEAP Payment

Adjustments to the LIEAP payment must be made in the Office of Accounting. In a memorandum addressed to Office of Accounting, Accounts Receivable, the Worker must provide the identifying information and explain how the Regular LIEAP payment must be adjusted.

7. Client Notification

The client must receive written notification of all decisions made on the Regular LIEAP payment or repayment, any adjustments to the Regular LIEAP payment, and/or fulfillment of the repayment.

E. RETURNED CHECKS

Checks are sometimes returned by clients, vendors, or the Postal Service. The following sections provide instructions regarding these situations.

1. Check Returned By The Postal Service

Checks returned by the Postal Service are sent to the Office of Accounting. That Office will contact the local office requesting disposition of the check. The Worker must attempt to contact the client to obtain a new address or other information.

Low Income Energy Assistance Program (LIEAP)

2. Change Of Payee

Supervisory approval is required to change the name of the payee. When the payee is deceased and the check needs to be rewritten in the name of a survivor (usually the spouse), a copy of the death certificate and a court order naming the survivor as administrator of the estate must be submitted to the Office of Accounting. A memorandum stating the case number, name and address of the old payee and the name and address of the new payee must accompany these documents.

3. Check Returned By The Vendor

Checks are often returned by the vendor to the local office and to the Office of Accounting. When this occurs, the reason for the check return must be obtained and an effort made to determine that the client receives the benefits to which he is entitled. The check may be rewritten by the Office of Accounting as a direct or vendor payment depending upon the client's wishes, provided he is eligible for the payment. This also applies when the vendor has returned only part of the LIEAP payment.

NOTE: Checks received in the local office must be forwarded to the Office of Accounting.

4. Client Refuses To Accept The LIEAP Check

When the client refuses to accept the LIEAP or a vendor payment, the Worker must determine the reason for refusal and clarify any confusion on the part of the client. If the client continues to refuse the payment, it is returned to the Office of Accounting via memorandum explaining why the check is being returned.

F. LOST, STOLEN OR DESTROYED CHECKS

LIEAP recipients who claim that their checks were lost, stolen or destroyed must complete an affidavit attesting to the specific occurrence. Form DF-36, with the appropriate changes in terminology to reflect the LIEAP check, is used for this purpose. This request for a stop payment action must be made as soon as possible by sending the affidavit with a memorandum of explanation to the Office of Accounting. This action cannot be requested by telephone and no action will be taken without the written affidavit.

The client must be informed that he must wait up to 30 days from the date of the stop payment action in order to receive his check. No checks are written at the local level to replace lost, stolen or destroyed checks. After the check has been cleared by the State Treasurer's office, payment is made promptly to the client. If the client is placed in an emergency situation as a result of the stop payment action, an Emergency LIEAP application may be taken.

G. CLIENT REFUSES EMERGENCY LIEAP DELIVERY OF BULK FUEL

When the client refuses to accept a bulk fuel delivery, the Worker must first allow the client and vendor to work out a solution. The decision about what action will be taken must be made primarily by the client.

H. FRAUD

All suspected fraud situations involving clients and/or vendors must be referred to the State LIEAP Coordinator.

I. FAIR HEARINGS

Individuals who apply for LIEAP benefits have the right to a Fair Hearing if:

- The application is denied.
- The client believes the payment amount is in error.
- There was a delay in processing the application.
- The client believes that he has been discriminated against because of race, color, national origin, sex, age, disability, religion, or political beliefs.

The client must request a hearing within 60 days of receipt of the notification. The Department has 30 days after the hearing request is received to schedule the hearing, arrive at a decision, and initiate the appropriate action.