

CHAPTER 680.

VIRGINIA ENERGY ASSISTANCE PROGRAM.

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22 VAC 40-680-10 PART I - DEFINITIONS.

The following words and terms when used in this chapter shall have the following meanings, unless the context indicates otherwise:

"Department" means the Department of Social Services.

"Disabled person" means a person receiving Social Security disability, Railroad Retirement disability, 100% Veterans Administration disability, Supplemental Security Income as disabled, or an individual who has been certified as permanently and totally disabled for Medicaid purposes.

"Elderly person" means anyone who is 60 years of age or older.

"Energy assistance program" includes fuel, crisis, cooling, and weatherization assistance. (also known as Virginia Energy Assistance Program as it relates to the administration of and adherence to the requirements of LIHEAP and the Home Energy Assistance Program as it relates to the administration of the Home Energy Assistance Fund)

"Energy burden" means the average fuel cost for the primary fuel type used by a household divided by the income of the household.

"Energy-related emergency" means a household has no heat or an imminent utility cutoff or no single source of operable or safe heating equipment.

"Fiscal year" means October 1 through September 30.

"Fund" means the Home Energy Assistance Fund.

"Household" means an individual or group of individuals who occupies a housing unit and functions as an economic unit by purchasing residential energy in common (share heat), or making undesignated payments for energy in the form of rent (heat is included in the rent).

"LIHEAP" means Low Income Home Energy Assistance Program, a federal block grant that is the basis for the Virginia Energy Assistance Program.

"Poverty guidelines" means the Poverty Income Guidelines as established and published annually by the Department of Health and Human Services.

"Primary fuel" means the fuel used to operate the primary heating system currently used to heat the majority of the house.

"Primary heating system" means the system that is currently used to heat the majority of the house.

"Vendors of Energy Services" means providers of energy assistance or administrators of energy assistance programs.

"Virginia Energy Assistance Program" means the assistance program developed in Virginia to address the residential energy needs of low-income households funded by and in accordance with the federal requirements of the Low Income Home Energy Assistance Program. (a.k.a. Energy Assistance Program)

"Vulnerability factor" means an individual is a child under the age of six or meets the definition of an elderly or disabled person.

"Other entities" means community, non-profit, or private organizations that administer energy assistance programs, and local departments of social services that administer energy assistance programs other than those offered through the Virginia Energy Assistance Program funded by the Low-Income Home Energy Assistance Program.

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The Home Energy Assistance Fund is established on the books of the Comptroller in the Virginia State treasury as a non-reverting fund. Interest earned on monies in the Fund shall remain in the Fund and be credited to it.

A. The purpose of the fund is to:

1. Supplement residential energy assistance provided through the Virginia Energy Assistance Program;
2. Provide matching funds, when required by federal regulations, for the Low Income Home Energy Assistance Program or Weatherization Assistance Program; and
3. Increase the amount of dollars the state may claim for a leveraging award through LIHEAP.

B. Contributions and Receipt of Funds

Funds are accepted from public agencies, private utility service providers and charitable and community groups seeking to assist low-income Virginians in meeting their seasonal residential energy needs. Funds received by the department shall be deposited into the Home Energy Assistance Fund and used in accordance with the regulations of this chapter.

1. Contributions should be sent to the “Virginia Energy Assistance Program” or the “Home Energy Assistance Program” at the Virginia Department of Social Services.

2. Contributions or donations to the fund shall be by check made payable to the Treasurer of Virginia - Fund 0925.

3. Special programs or fund raising projects may contribute monies into the fund.

4. General funds may be appropriated by General Assembly into the fund.

5. Minimum contribution accepted by the Fund will be no less than \$500.

C. Administration of Other Programs

Public agencies, private utility service providers and charitable and community groups may request the Department of Social Services to administer their low-income energy assistance program. The request must be in writing and must designate the terms of administration. The Department will evaluate the written request and if approved the Commissioner and the administrator of the requesting program must sign a written agreement regarding program administration.

D. Disbursement of Funds

The Department will disburse funds to:

1. Approved eligible applicants or vendors through the Energy Assistance Program,
or

2. Other State agencies, local departments of social services, or other entities to provide energy assistance to low-income households.

a. Written agreements shall be established regarding funding, services and functions between the Commissioner of Social Services and the head of the contracting agency.

b. Funds shall be transferred by wire prior to designated program implementation.

c. Funds not expended by June 30 of the following year shall revert to the Home Energy Assistance Fund.

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Local administrative expenditures for the implementation of the Energy Assistance Program shall not be reimbursed in excess of 7.0% percent of ~~program grant allocation.~~ funds available to the Department.

I certify that this is full, true, and correctly dated.

Sonia Rivero, Commissioner
Virginia Department of Social Services
October 16, 2001